



CHAPTER 45

ARTICLE 2A - SALES UNDER POWER OF SALE

N.C.G.S. § 45-21.30.

Failure of bidder to make cash deposit or to comply with bid; resale.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	c. 305, s. 20 — fifth act in the lineage	21 September 2026, 04:14 UTC	027c8bcb0270e1f49b4cd55d - 7edc25b0ed27b3ffd57c8895 - fd06e5e5baa55794

- § 45-21.30(a)** If the terms of a sale of real property require the highest bidder to make a cash deposit at the sale, and he fails to make such required deposit, the person holding the sale shall at the same time and place again offer the property for sale.
- § 45-21.30(b)** Repealed by Session Laws 1967, c. 562, s. 2.
- § 45-21.30(c)** When the highest bidder at a sale or resale or any upset bidder fails to comply with his bid upon tender to him of a deed for the real property or after a bona fide attempt to tender such a deed, the clerk of superior court may, upon motion, enter an order authorizing a resale of the real property. The procedure for such resale shall be the same in every respect as is provided by this Article in the case of an original sale of real property except that the provisions of G.S. 45-21.16 are not applicable to the resale.
- § 45-21.30(d)** A defaulting bidder at any sale or resale or any defaulting upset bidder is liable on his bid, and in case a resale is had because of such default, he shall remain liable to the extent that the final sale price is less than his bid plus all the costs of the resale. Any deposit or compliance bond made by the defaulting bidder shall secure payment of the amount, if any, for which the defaulting bidder remains liable under this section.
- § 45-21.30(e)** Nothing in this section deprives any person of any other remedy against the defaulting bidder.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
5 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1949		1971		1993
TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT		
Nº	YEAR	ACT	CHARACTER	
01	1949	c. 720, s. 1	ENACTED	
02	1967	c. 562, s. 2	AMENDED	
03	1975	c. 492, s. 10	AMENDED	
04	1977	c. 359, s. 15	AMENDED	
05	1993	c. 305, s. 20	AMENDED	

APPARATUS II
1 AUTHORITY

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 45-21.16	(c)	"property except that the provisions of"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 45-21.30 (1993).

PINPOINT

N.C. Gen. Stat. § 45-21.30(a) (1993).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1949, c. 720, s. 1; 1967, c. 562, s. 2; 1975, c. 492, s. 10; 1977, c. 359, s. 15; 1993, c. 305, s. 20.)

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