



CHAPTER 45
ARTICLE 2C - VALIDATING SECTIONS; LIMITATION OF TIME FOR ATTACKING CERTAIN FORECLOSURES

N.C.G.S. § 45-21.39.

Limitation of time for attacking certain foreclosures on ground trustee was agent, etc., of owner of debt.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	c. 720, s. 4 — second act in the lineage	21 September 2026, 03:30 UTC	3a4ac8e4ef378ec3c332f62d - c26d30b4600f3e4c40dfb6ce - 046196f57afff31e

- § 45-21.39(a)

No action or proceeding shall be brought or defense or counterclaim pleaded later than one year after March 14, 1941, in which a foreclosure sale which occurred prior to January 1, 1941, under a deed of trust conveying real estate as security for a debt is attacked or otherwise questioned upon the ground that the trustee was an officer, director, attorney, agent or employee of the owner of the whole or any part of the debt secured thereby, or upon the ground that the trustee and the owner of the debt or any part thereof have common officers, directors, attorneys, agents or employees.
- § 45-21.39(b)

This section shall not be construed to give or create any cause of action where none existed before March 14, 1941, nor shall the limitation provided in subsection (a) hereof have the effect of barring any cause of action based upon grounds other than those mentioned in said subsection, unless the grounds set out in subsection (a) are an essential part thereof.
- § 45-21.39(c)

This section shall not be construed to enlarge the time in which to bring any action or proceeding or to plead any defense or counterclaim; and the limitation hereby created is in addition to all other limitations now existing.

2 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.

1941		1945		1949
TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT		
Nº	YEAR	ACT	CHARACTER	
01	1941	c. 202	ENACTED	
02	1949	c. 720, s. 4	AMENDED	

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 45-21.39 (1949).

PINPOINT

N.C. Gen. Stat. § 45-21.39(a) (1949).

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

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE
(1941, c. 202; 1949, c. 720, s. 4.)

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