



CHAPTER 45
ARTICLE 2 - RIGHT TO FORECLOSE OR SELL UNDER POWER

N.C.G.S. § 45-4.

Representative succeeds on death of mortgagee or trustee in deeds of trust; parties to action.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT c. 199 — seventh act in the lineage	RETRIEVED 21 September 2026, 03:25 UTC	SOURCE FINGERPRINT 43158e3ff0c2b8ba764c1b0d - 4fd434220c019df80d5df96f - 9a07ead5af2faef1
--	--	---	--

When the mortgagee in a mortgage, or the trustee in a deed in trust, executed for the purpose of securing a debt, containing a power of sale, dies before the payment of the debt secured in such mortgage or deed in trust, all the title, rights, powers and duties of such mortgagee or trustee pass to and devolve upon the executor or administrator or collector of such mortgagee or trustee, including the right to bring an action of foreclosure in any of the courts of this State as prescribed for trustees or mortgagees, and in such action it is unnecessary to make the heirs at law of such deceased mortgagee or trustee parties thereto.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
7 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.

1887 1910 1933			
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT			
Nº	YEAR	ACT	CHARACTER
01	1887	c. 147	ENACTED
02	1895	c. 431	AMENDED
03	1901	c. 186	AMENDED

04	1905	c. 425	AMENDED
05	Rev.	s. 1031	RECODIFIED
06	C.S.	s. 2578	RECODIFIED
07	1933	c. 199	AMENDED

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 45-4 (1933).

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

This document reproduces the text of one section of the General Statutes of North Carolina from a source file whose SHA-256 digest is printed on every page. The digest fixes the bytes this export was made from; if the State's file changes, the digest will not match.

The text of the section is unaltered. Subsection designators have been moved from the run of text into the margin. The amendment history and the table of authorities are derived from the section by mechanical extraction — they add no characterization of the law.

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
(1887, c. 147; 1895, c. 431; 1901, c. 186; 1905, c. 425; Rev., s. 1031; C.S., s. 2578; 1933, c. 199.)

SET IN SPECTRAL AND ARCHIVO
NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

