



CHAPTER 46A

ARTICLE 2 - PARTITION OF REAL PROPERTY

N.C.G.S. § 46A-25.

Partition of real property subject to a contingent future interest; requirements.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2020-23, ss. 2(q), 3 — third act in the lineage	21 September 2026, 03:37 UTC	26072db51e38b5165dd1d9a4 - 623755660af08103d562dfb1 - 5795f084f2907391

When real property is subject to a contingent future interest, any judgment partitioning the property is valid and binding upon all persons having an interest in the property, whether or not in being, if all of the following requirements are met:

The following persons are parties:

- a. Persons with a present interest or a vested future interest.
- b. Persons in being with a contingent future interest and that would have a present interest if the contingency had occurred at the time the proceeding was commenced.
- c. Persons not in being with a contingent future interest.

The following parties are represented by a guardian ad litem appointed under G.S. 1A-1, Rule 17:

- a. Unborn individuals.
- b. Parties not in being.
- c. Parties who are minors or incompetent adults and who do not have a guardian of the estate or general guardian.
- d. Unknown or unlocatable parties.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
3 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.

1933		1977		2020
TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT		
Nº	YEAR	ACT	CHARACTER	
01	1933	c. 215, s. 1	ENACTED	
02	1959	c. 1274, s. 1	AMENDED	
03	2020	S.L. 2020-23, ss. 2(q), 3	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. 1A-1	(null)(2)	"a guardian ad litem appointed under"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 46A-25 (2020).

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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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE
(1933, c. 215, s. 1; 1959, c. 1274, s. 1; 2020-23, ss. 2(q), 3.)

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