



CHAPTER 46A
ARTICLE 2 - PARTITION OF REAL PROPERTY

N.C.G.S. § 46A-76.

Sale procedure.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT No amendment history on record	RETRIEVED 21 September 2026, 04:47 UTC	SOURCE FINGERPRINT ed6eea896fdd9e8bc01e1373 - 8ad31f59eba5e6712d2769f9 - 5e15aba65b76afa4
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§ 46A-76(a) General. - The procedure for a partition sale is the same as is provided in Article 29A of Chapter 1 of the General Statutes, except as provided in this Part.

§ 46A-76(b) One Commissioner Sufficient. - In a partition sale, the court is not required to appoint more than one commissioner.

§ 46A-76(c) Persons Not to Be Appointed. - The clerk of the superior court shall not appoint the clerk, an assistant clerk, or a deputy clerk to make a sale of the real property.

§ 46A-76(d) Additional Requirement; Notice of Public Sale. - If the court orders a public sale, the commissioner shall certify to the court that at least 20 days prior to sale, a copy of the notice of sale was sent by first-class mail to the last known address of all parties previously served pursuant to G.S. 1A-1, Rule 4(j). An affidavit from the commissioner that copies of the notice of sale were mailed to all parties entitled to notice in accordance with this section satisfies the certification requirement and shall also be deemed prima facie true. (1868-9, c. 122, ss. 13, 15, 31; Code, ss. 1904, 1906, 1921; 1899, c. 161; Rev., ss. 2512, 2513; C.S., ss. 3239, 3242; 1949, c. 719, s. 2; 1985, c. 626, s. 2; 1987, c. 282, s. 7; 2009-512, s. 4; 2020-23, ss. 2(ff), (mm), 3.)

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

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	(d)	<i>"all parties previously served pursuant to"</i>

APPARATUS III

Citation

FULL SECTION
N.C. Gen. Stat. § 46A-76 (2026).

PINPOINT
N.C. Gen. Stat. § 46A-76(a) (2026).

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.

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