

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 864
HOUSE BILL 1062

1 AN ACT TO AUTHORIZE THE CLERK OF COURT TO INDEX AND CROSS-INDEX
2 CERTAIN CONDEMNATION PROCEEDINGS.

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4 The General Assembly of North Carolina do enact:
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6 **Section 1.** Chapter 40, Article 2, of the General Statutes is hereby amended by
7 adding a new section immediately following G.S. 40-12, and immediately preceding
8 G.S. 40-13, to be numbered G.S. 40-12.1, and to read as follows:

9 **G.S. 40-12.1. Notice of proceedings.** Notice of all proceedings brought hereunder shall be
10 filed with the Clerk of Superior Court of each county in which any part of the real estate is
11 located in the form and manner provided by G.S. 1-116, and the Clerk shall index and cross-
12 index this notice as required by G.S. 1-117, provided the Clerk shall always index the name of
13 the condemnor in the record of lis pendens and in the judgment docket as required by G.S. 2-42
14 as the plaintiff and the name of the property owner or property owners as the defendants
15 irrespective of whether the condemning party is the plaintiff or defendant. The filing of such
16 notice shall be constructive notice of the proceeding to any person who subsequently acquires
17 any interest in or lien upon said property, and the condemnor shall take all property condemned
18 under this Article free of the claims of any such person.

19 **Sec. 2.** All laws and clauses of laws in conflict with this Act are hereby repealed.

20 **Sec. 3.** This Act shall be in full force and effect from and after its ratification.

21 In the General Assembly read three times and ratified, this the 16th day of June,
22 1969.