

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 584
HOUSE BILL 793

AN ACT TO PROVIDE THAT A RECEIVER MAY BE APPOINTED IN A PROCEEDING
TO PARTITION CERTAIN JOINTLY OWNED PROPERTY.

The General Assembly of North Carolina enacts:

Section 1. Chapter 46 of the General Statutes is amended by adding a new section, G.S. 46-3.1, to read:

"§ **46-3.1. Court's authority.** — Pending final determination of the proceeding, on application of any of the parties in a proceeding to partition land, the court may make such orders as it considers to be in the best interest of the parties, including but not limited to orders relating to possession, payment of secured debt or other liens on the property, occupancy and payment of rents, and to include the appointment of receivers pursuant to G.S. 1-502(6)."

Sec. 2. G.S. 1-502 is amended by adding a new subdivision, (6), to read:

"(6) In cases involving partition of real property, pursuant to G.S. 46-3.1."

Sec. 3. This act is effective upon ratification and applies to pending proceedings.

In the General Assembly read three times and ratified, this the 16th day of June,
1981.