Part 2. Actual Partition.

§ 46A-50. Commissioners appointed; compensation; oath; delay or neglect.

(a) Appointment. – The superior court shall appoint three disinterested commissioners to apportion the real property to be partitioned among the cotenants. If the property to be partitioned is located in more than one county, the court may appoint additional commissioners if necessary from counties where the property is located other than the county where the proceeding is commenced.

(b) Compensation. – The clerk of the superior court shall fix the compensation of commissioners for the partition of real property according to G.S. 1-408.

(c) Oath. – The commissioners shall be sworn according to Chapter 11 of the General Statutes.

(d) Delay or Neglect. – If, after accepting the commission, any of the commissioners unreasonably delays or neglects to perform his or her duties as a commissioner, the court may remove the commissioner and appoint a new commissioner. (1868-9, c. 122, ss. 1, 2, 10; Code, ss. 1892, 1893, 1901; Rev., ss. 2487, 2492, 2498; C.S. 3219, 3220, 3221; Ex. Sess. 1924, c. 62, s. 2; 1945, c. 472; 1949, c. 975; 1953, c. 48; 1971, c. 1185, s. 8; 2020-23, ss. 2(i)-(l), 3.)