

Chapter 28A.

Administration of Decedents' Estates.

Article 1.

Definitions and Other General Provisions.

§ 28A-1-1. Definitions.

As used in this Chapter, unless the context otherwise requires, the term:

- (1) "Collector" means any person authorized to take possession, custody, or control of the personal property of the decedent for the purpose of executing the duties outlined in G.S. 28A-11-3.
- (1a) "Devisee" means any person entitled to take real or personal property under the provisions of a valid, probated will.
- (1b) "Estate proceeding" means a matter initiated by petition related to the administration, distribution, or settlement of an estate, other than a special proceeding. There may be more than one estate proceeding within the administration of a decedent's estate.
- (2) "Foreign personal representative" means a personal representative appointed in another jurisdiction, including a personal representative appointed in another country.
- (3) "Heir" means any person entitled to take real or personal property upon intestacy under the provisions of Chapter 29 of the General Statutes.
- (4) "Mortgage" includes a deed of trust.
- (4a) "Party," in the context of a contested or uncontested estate proceeding pursuant to G.S. 28A-2-6, means a party joined as a petitioner or respondent.
- (4b) "Person" means an individual; corporation; business trust; estate; trust; partnership; limited liability company; association; joint venture; government; governmental subdivision, agency, or instrumentality; public corporation; or any other legal or commercial entity.
- (5) "Personal representative" includes both an executor and an administrator, but does not include a collector.
- (6) Repealed by Session Laws 2011-344, s. 4, effective January 1, 2012, and applicable to estates of decedents dying on or after that date. (1973, c. 1329, s. 3; 1981, c. 955, c. 4; 2011-344, s. 4.)