

N.C.P.I.-Civil. 504.21

CONTRACTS - ISSUE OF UCC REMEDY - BUYER'S REMEDY OF SPECIFIC PERFORMANCE.

GENERAL CIVIL VOLUME

MAY 2003

-----

504.21 CONTRACTS - ISSUE OF UCC REMEDY - BUYER'S REMEDY OF SPECIFIC PERFORMANCE.

*NOTE WELL: Under certain circumstances specific performance is a remedy available to a buyer aggrieved by a seller's breach of contract. N.C. Gen. Stat. § 25-2-716. However, a reasonable interpretation of the statute suggests that the appropriateness of specific performance (or replevin) is a matter for the court to decree. This note is inserted here to prevent the court from inadvertently instructing the jury on this remedy.*