

GENERAL ASSEMBLY OF NORTH CAROLINA  
1985 SESSION

CHAPTER 842  
SENATE BILL 485

AN ACT TO PROVIDE THAT A RECORDED INSTRUMENT THAT CORRECTS AN OBVIOUS MINOR ERROR MADE IN THE INSTRUMENT AS ORIGINALLY RECORDED IS VALID IF THE CORRECTION IN THE NEW INSTRUMENT IS INITIALED AND AN EXPLANATION STATEMENT IS SIGNED BY THE PARTIES TO THE INSTRUMENT OR THE ATTORNEY WHO DRAFTED THE INSTRUMENT.

The General Assembly of North Carolina enacts:

Section 1. Article 2 of Chapter 47 is amended by adding a new section to read:

"§ 47-36.1. **Correction of errors in recorded instruments.**— Notwithstanding G.S. 47-14 and 47-17, an obvious typographical or other minor error in a deed or other instrument recorded with the register of deeds may be corrected by rerecording the original instrument with the correction clearly set out on the face of the instrument and with a statement of explanation attached. The parties who signed the original instrument or the attorney who drafted the original instrument shall initial the correction and sign the statement of explanation. The statement of explanation need not be acknowledged. Notice of the correction made pursuant to this section shall be effective from the time the instrument is rerecorded."

Sec. 2. Article 4 of Chapter 47 is amended by adding a new section to read:

"§ 47-108.20. **Validation of certain recorded instruments that were not acknowledged.**—All instruments recorded before the effective date of this act, that were not reexecuted and reacknowledged and that correct an obvious typographical or other minor error in a recorded instrument that was previously properly executed and acknowledged are declared to be valid instruments."

Sec. 3. This act is effective upon ratification and shall not affect pending litigation.

In the General Assembly read three times and ratified, this the 30th day of June, 1986.