

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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SENATE BILL 643

Short Title: Real Prop./Recorded Instrument Error Correct. (Public)

Sponsors: Senators Lee, Barringer, and Daniel (Primary Sponsors).

Referred to: Rules and Operations of the Senate.

March 30, 2015

A BILL TO BE ENTITLED

AN ACT TO AMEND THE PROCEDURES FOR CORRECTING TYPOGRAPHICAL,
OBVIOUS DESCRIPTION, OR OTHER MINOR ERRORS IN RECORDED
INSTRUMENTS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 47-36.1 is repealed.

SECTION 2. Article 2 of Chapter 47 of the General Statutes is amended by adding a new subsection to read:

"§ 47-36.2. Correction of errors in recorded instruments.

The following definitions apply to this section, unless the context requires a different meaning:

- (1) Attorney. – A person licensed to practice law under Chapter 84 of the General Statutes.
- (2) Corrective affidavit. – An affidavit executed by an attorney to correct an obvious description error, typographical error, or other minor error in a deed, deed of trust, or other instrument recorded with the register of deeds.
- (3) Obvious description error. – An error in the legal description of real property that is contained in a recorded deed, deed of trust, mortgage, or other conveyance where the subject parcel is properly identified in the instrument being corrected and is shown on a recorded subdivision plat."

SECTION 3. This act becomes effective October 1, 2015, and applies to corrective affidavits filed on or after that date.

