

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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SENATE DRS25204-MQ-48A (03/11)

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

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

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE PROCEDURES FOR CORRECTING TYPOGRAPHICAL,
3 OBVIOUS DESCRIPTION, OR OTHER MINOR ERRORS IN RECORDED
4 INSTRUMENTS.

5 The General Assembly of North Carolina enacts:

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 G.S. 47-36.1 is repealed.

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

9 "**§ 47-36.2. Correction of errors in recorded instruments.**

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

12 (1) Attorney. – A person licensed to practice law under Chapter 84 of the
13 General Statutes.

14 (2) Corrective affidavit. – An affidavit executed by an attorney to correct an
15 obvious description error, typographical error, or other minor error in a deed,
16 deed of trust, or other instrument recorded with the register of deeds.

17 (3) Obvious description error. – An error in the legal description of real property
18 that is contained in a recorded deed, deed of trust, mortgage, or other
19 conveyance where the subject parcel is properly identified in the instrument
20 being corrected and is shown on a recorded subdivision plat."

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



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