

Registers' Review

Registers no longer “pass” on instruments in the manner previously required. Session Law 2005-123 has eliminated the requirement that registers certify that execution by one or more signers has been “duly proved or acknowledged” and that the proof or acknowledgement is “in due form.” The revised statute limits the register’s review to seeing if the instrument has a proof or acknowledgement if one is required, and then only checking that the proof or acknowledgement “by one or more signers appears to have been proved or acknowledged before an officer with the apparent authority to take proofs or acknowledgements, and the said proof or acknowledgement includes the officer’s signature, commission expiration date, and official seal, if required.” If these elements are present, registers simply record the instruments; if not, the instruments are not to be accepted for recording. G.S. 47-14(a) (2005).