



## CHAPTER 45

## ARTICLE 8 - INSTRUMENTS TO SECURE CERTAIN HOME LOANS

## N.C.G.S. § 45-80.

# Priority of security instruments securing certain home loans.

| SOURCE                                                                   | LAST AMENDMENT IN THIS TEXT                   | RETRIEVED                    | SOURCE FINGERPRINT                                                     |
|--------------------------------------------------------------------------|-----------------------------------------------|------------------------------|------------------------------------------------------------------------|
| General Statutes of North Carolina, as published by the General Assembly | 2nd Sess., c. 1182 — first act in the lineage | 21 September 2026, 02:03 UTC | f2cc592f473d03593531f940 - ed8b681c38f4665854dfd665 - a7ba7fba3ebf8051 |

## § 45-80(a)

Notwithstanding any other provision of law, a deed of trust or mortgage which secures a loan that complies with subsection (b) below shall have priority and continue to have priority from the time and date of registration thereof to the extent of all principal and interest secured by said deed of trust or mortgage notwithstanding that the loan may be renewed or extended one or more times and notwithstanding that the interest rate may be increased or decreased from time to time. Interest which accrues pursuant to changes in the interest rate made pursuant to a method agreed to as provided in subsection (b) below (whenever such changes are made) shall be secured and have priority from the registration of the deed of trust or mortgage and not from the time changes are made.

## § 45-80(b)

With respect to a loan referred to in subsection (a) above:

- (1) The parties must provide in a written instrument agreed to by the borrower at or before registration of the deed of trust or mortgage that the loan may be renewed or extended in accordance with stated terms and that the interest rate may be increased or decreased according to a stated method; and
- (2) The loan must be a loan described in G.S. 24-1.1A(a)(1) or (2).

## § 45-80(c)

The provisions of this section shall not be deemed exclusive and no deed of trust or mortgage or other security instrument which is otherwise valid shall be invalidated by failure to comply with the provisions of this section.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I  
1 ACT

# Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

|                                 |      |                                        |           |      |
|---------------------------------|------|----------------------------------------|-----------|------|
| 1979                            |      |                                        |           | 1980 |
| TICK HEIGHT = ACTS IN THAT YEAR |      | DASHED = RECODIFICATION, NOT AMENDMENT |           |      |
| Nº                              | YEAR | ACT                                    | CHARACTER |      |
| 01                              | 1979 | 2nd Sess., c. 1182                     | ENACTED   |      |

APPARATUS II  
1 AUTHORITY

# Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

|                           |            |                                    |
|---------------------------|------------|------------------------------------|
| REFERENCE                 | APPEARS IN | OPERATIVE LANGUAGE IN THIS SECTION |
| G.S. 24-1.1A(a)(1) or (2) | (b)(2)     | "must be a loan described in"      |

APPARATUS III

# Citation

FULL SECTION

N.C. Gen. Stat. § 45-80 (1979).

PINPOINT

N.C. Gen. Stat. § 45-80(a) (1979).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

## COLOPHON

## Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE  
(1979, 2nd Sess., c. 1182.)

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NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

