



CHAPTER 47
ARTICLE 1 - PROBATE

N.C.G.S. § 47-2.2.

Notary public of sister state; lack of seal or stamp or expiration date of commission.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2021-91, s. 6 — third act in the lineage	21 September 2026, 01:14 UTC	b6fa66b9b1e575ceaff324be - d59bb37397e7e665e926463a - c4254a0dd501a98e

§ 47-2.2(a)

If the proof or acknowledgment of any instrument is had before a notary public of any state other than North Carolina and the instrument does not (i) show the seal or stamp of the notary public, (ii) provide evidence pursuant to subsection (b) of this section that a seal or stamp is not required and the expiration date of the commission of the notary public, or (iii) state, as part of the proof or acknowledgement or as part of the notary's seal, that the notary's commission does not expire or is a lifetime appointment, then the certificate of proof or acknowledgment made by the notary public shall be accompanied by the certificate of the county official before whom the notary qualifies for office or of a state officer authorized to issue certificates regarding notary commission status, stating that the notary public was at the time the certificate bears date an acting notary public of that state, and that the notary's genuine signature is set to the certificate. The certificate of the official shall be under the official's hand and official seal.

§ 47-2.2(b)

A proof or acknowledgement that does not require a seal or stamp of the notary to be effective in the jurisdiction issuing the notary's commission shall include either (i) a statement by the notary within the proof or acknowledgement area of the instrument that the notary is not required to utilize a seal or stamp or (ii) a reference that purports to be the statute of the commissioning state which provides that no seal or stamp is required together with a statement that the notary is not required to utilize a seal or stamp. The register of deeds may rely upon this statement and is not responsible for confirming its validity or the authority of the person making it. A register of deeds shall not refuse to accept a record for registration because a notarial seal or stamp is

omitted from the proof or acknowledgement if this subsection has been complied with in the proof or acknowledgement. The acceptance of a record for registration under this subsection gives rise to a presumption that the seal or stamp was not required to be affixed by the notary. This presumption is rebuttable and applies to all instruments whenever recorded. However, a court order finding the lack of a valid seal does not affect the rights of a person that (i) records an interest in the real property described in the instrument before the finding of a lack of a valid seal and (ii) would otherwise have an enforceable interest in the real property.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
3 ACTS

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.

	1973		1997		2021
	TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT				
Nº	YEAR	ACT			CHARACTER
01	1973	c. 1016			ENACTED
02	2013	S.L. 2013-204, s. 1.12			AMENDED
03	2021	S.L. 2021-91, s. 6			AMENDED

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 47-2.2 (2021).

PINPOINT

N.C. Gen. Stat. § 47-2.2(a) (2021).

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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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE
(1973, c. 1016; 2013-204, s. 1.12; 2021-91, s. 6.)

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