

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 1157*

Short Title: Repeal Obsolete Attestation Req't.

(Public)

Sponsors: Senator Hartsell.

Referred to: Judiciary I.

June 4, 2002

A BILL TO BE ENTITLED

AN ACT TO REPEAL AN OBSOLETE ATTESTATION REQUIREMENT THAT
CONVEYANCES BY BANKS MUST BE EXECUTED BY THE SECRETARY
OR THE CASHIER AND TO VALIDATE CONVEYANCES BY BANKS THAT
OTHERWISE COMPLY WITH THE STATUTE ON EXECUTION OF
CORPORATE CONVEYANCES, AS RECOMMENDED BY THE GENERAL
STATUTES COMMISSION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 47-42 reads as rewritten:

"§ 47-42. **Attestation of bank conveyances by secretary or cashier.**

(a) ~~In all forms of proof and certificates for deeds and conveyances executed by banking corporations, either the secretary or the cashier of said banking corporation shall attest such instruments.~~

(b) All deeds and conveyances executed prior to February 14, 1939, by banking corporations, where the cashier of said banking corporation has attested said instruments, which deeds and conveyances are otherwise regular, are hereby validated.

(c) All deeds and conveyances executed by a banking corporation on or after October 1, 1999, that complied with G.S. 47-18.3 are hereby validated.

SECTION 2. This act is effective when it becomes law. This act does not apply to litigation pending on that date or to any instrument directly or indirectly involved in litigation pending on that date.