

§ 47-41.01. Corporate conveyances.

(a) The following forms of probate for deeds and other conveyances executed by a corporation shall be deemed sufficient, but shall not exclude other forms of probate which would be deemed sufficient in law.

(b) If the deed or other instrument is executed by an official of the corporation, signing the name of the corporation by him in his official capacity, or any other agent authorized by resolution pursuant to G.S. 47-18.3(e), is sealed with its common or corporate seal, and is attested by another person who is an attesting official of the corporation, the following form of acknowledgment is sufficient:

(State and county, or other description of place where acknowledgment is taken)

I, _____, _____,
(Name of officer taking acknowledgment) (Official title of officer taking acknowledgment)

certify that _____ personally came before
(Name of attesting official)

me this day and acknowledged that he (or she) is _____
(Title of attesting official)

of _____, a corporation, and that by authority duly
(Name of corporation)

given and as the act of the corporation, the foregoing instrument was signed in its name by its _____,
(Title of official)

sealed with its corporate seal, and attested by himself (or herself) as its
(Title of attesting official)

Witness my hand and official seal, this the _____ day of
_____,
(Month)

(Year)

(Signature of officer taking acknowledgment)

(Official seal, if officer taking acknowledgment has one)

My commission expires _____
(Date of expiration of commission as notary public)

(c) If the deed or other instrument is executed by an official of the corporation, signing the name of the corporation in his official capacity, or any other agent authorized by resolution pursuant to G.S. 47-18.3(e) the following form of acknowledgment is sufficient:

(State and county, or other description of place where acknowledgment is taken)

I, _____, _____,
(Name of officer taking acknowledgment) (Official title of officer taking acknowledgment)

certify that _____ personally came before
(Name of official)
me this day and acknowledged that he (or she) is _____
(Title of official)
of _____, a corporation, and that he/she, as
_____, being authorized to do so, executed the
(Title of official)
foregoing on behalf of the corporation.
Witness my hand and official seal, this the _____ day of
_____,
(Month)
_____,
(Year)

(Signature of officer taking acknowledgment)

(Official seal, if officer taking
acknowledgment has one)

My commission expires _____
(Date of expiration of commission as
notary public)

(d) For purposes of this section:

- (1) The words "a corporation" following the blank for the name of the corporation may be omitted when the name of the corporation ends with the word "Corporation" or "Incorporated."
- (2) The words "My commission expires" and the date of expiration of the notary public's commission may be omitted except when a notary public is the officer taking the acknowledgment. The fact that these words and this date may be located in a position on the form different from the position indicated in this subsection does not by itself invalidate the form.
- (3) The phrase "and official seal" and the seal itself may be omitted when the officer taking the acknowledgment has no seal or when such officer is the clerk, assistant clerk, or deputy clerk of the superior court of the county in which the deed or other instrument acknowledged is to be registered.
- (4) The official of the corporation is the corporation's chairman, president, chief executive officer, a vice-president or an assistant vice-president, treasurer, or chief financial officer, or any other agent authorized by resolution pursuant to G.S. 47-18.3(e).
- (5) The attesting official of the corporation is the corporation's secretary or assistant secretary, trust officer, assistant trust officer, associate trust officer, or in the case of a bank, its secretary, assistant secretary, cashier or assistant cashier.
- (6) The phrase "sealed with its corporate seal" may be omitted if the seal of the corporation has not been affixed to the instrument being acknowledged.

(e) The forms of probate set forth in this section may be modified and adopted for use in the probate of deeds and other conveyances and instruments executed by entities other than corporations, including general and limited partnerships, limited liability companies, trusts, and unincorporated associations. This subsection applies to notarial certificates and forms of probate made before, on, or after December 1, 2005. (1991, c. 647, s. 4; 1995 (Reg. Sess., 1996), c. 742, s. 18; 1999-221, s. 1; 2006-59, s. 29.)