

NORTH CAROLINA GENERAL ASSEMBLY
1961 SESSION

CHAPTER 1167
HOUSE BILL 500

AN ACT TO AMEND GS 47-17.1 RELATING TO THE FILING OF PAPERS FOR
PROBATE BY THE CLERK OF THE SUPERIOR COURT OF FORSYTH
COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. G. S. 47-17.1 is hereby amended by striking out the word "Forsyth", which appears immediately after the word "Durham" and immediately before the word "Gaston" in line 14 thereof.

Sec. 2. The Clerk of Superior Court of Forsyth County shall not accept for probate and shall not probate for recordation in the office of the Register of Deeds of Forsyth County any of the following instruments:

- a. Mortgages of real property or any interest therein;
- b. Deeds of Trust conveying real property or any interest therein;
- c. Leases of real property or any interest therein;
- d. Assignments of any of the foregoing instruments affecting title to real property;
- e. Any conveyances of real property or any interest therein;
- f. Any Deed of Separation; unless one of the following statements: "Drawn by", or "Drafted by", or "Written by", or "Prepared by", appears on some part of the face of the instrument and the draftsman has signed such statement or his name has been signed thereto by some person authorized to sign same.

Provided, this Act shall not apply to any instruments hereinabove enumerated when the acknowledgment or acknowledgments of all the makers or grantors therein of such instruments indicate they have been taken by an officer or officers outside of Forsyth County, North Carolina.

Sec. 3. The provisions of this Act shall not apply to any will or to any other instrument offered for probate and recordation in Forsyth County other than those hereinabove enumerated.

Sec. 4. This Act shall not affect the validity of any paper, document or instrument coming under the provisions of this Act but shall implement the enforcement of the General Statutes relating to the unauthorized practice of law.

Sec. 5. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 6. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of June, 1961.