

NORTH CAROLINA GENERAL ASSEMBLY  
1973 SESSION

CHAPTER 133  
HOUSE BILL 365

AN ACT TO REWRITE G.S. 39-13.4 TO AUTHORIZE RECORDING OF A  
MEMORANDUM OF SEPARATION AGREEMENT OR A DEED OF SEPARATION  
FOR CONVEYANCES BY HUSBAND OR WIFE.

The General Assembly of North Carolina enacts:

**Section 1.** G.S. 39-13.4 is rewritten in its entirety to read as follows:

"Conveyances by husband or wife under deed of separation. Any conveyance of real property, or any interest therein, by the husband or wife who have previously executed a valid and lawful deed of separation which authorizes said husband or wife to convey real property or any interest therein without the consent and joinder of the other and which deed of separation or a memorandum of the deed of separation setting forth such authorization is recorded in the county where the land lies, shall be valid to pass such title as the husband or wife may have to his or her grantee, unless an instrument in writing canceling the deed of separation or memorandum thereof and properly executed and acknowledged by said husband and wife is recorded in the office of said register of deeds. The instrument which is registered under this section to authorize the conveyance of an interest in real property or the cancellation of the deed of separation or memorandum thereof shall comply with G.S. 52-6 with respect to a certificate of private examination of the wife."

**Sec. 2.** This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 4th day of April,  
1973.