

§ 161-14.1. Recording subsequent entries as separate instruments.

(a) As used in this section, the following terms mean:

- (1) Original instrument. – The previously recorded instrument that is modified, amended, restated, supplemented, assigned, satisfied, terminated, revoked, or cancelled by a subsequent instrument.
- (2) Recording data. – The book and page number or document number that indicates where an instrument is recorded in the office of the register of deeds.
- (3) Subsequent instrument. – Any instrument presented for registration that indicates in its title or within the first two pages of its text that it is intended or purports to modify, amend, restate, supplement, assign, satisfy, terminate, revoke, or cancel a previously registered instrument. Examples of subsequent instruments include the following:
 - a. The appointment or designation of a substitute trustee in a deed of trust.
 - b. A corrective notice affidavit registered pursuant to G.S. 47-36.1 or a curative affidavit registered pursuant to G.S. 47-36.2.
 - c. A lien maturity extension agreement or notice of maturity date registered pursuant to G.S. 45-36.1.
 - d. A document of rescission registered pursuant to G.S. 45-36.6.
 - e. The cancellation of a Notice of Inactive Hazardous Substance or Waste Disposal Site registered pursuant to G.S. 130A-310.8(f).
 - f. A record of satisfaction or other instrument purporting to satisfy a security instrument registered pursuant to G.S. 45-37 or G.S. 45-37.2.
 - g. A notice of foreclosure registered pursuant to G.S. 45-38.
 - h. An assignment of a security instrument or lease.
 - i. An instrument that amends, modifies, or restates an original instrument, such as an amendment or modification agreement or an amended and restated instrument.
 - j. A release or partial release of property from the lien of a security instrument, including a partial release registered pursuant to G.S. 45-36.22 or a deed of release or reconveyance.
 - k. An obligation release registered pursuant to G.S. 45-36.23.
 - l. An assumption agreement.
 - m. A subordination agreement.
 - n. An instrument terminating future optional advances registered pursuant to G.S. 45-72.
 - o. A certificate of extension extending the period for advances under an equity line of credit registered pursuant to G.S. 45-82.1.
 - p. A notice of extension relating to after-acquired property registered pursuant to G.S. 47-20.5.
 - q. The revocation of a power of attorney.
 - r. Any instrument authorized or directed by law to be indexed under the provisions of this section.
 - s. Any instrument for which the register of deeds is authorized or directed by law to make a subsequent entry upon the margin of the record of an original instrument.

(b) The register of deeds shall register each subsequent instrument as a separate instrument and do all of the following:

- (1) Index the parties to the subsequent instrument.

- (2) If the subsequent instrument names one or more of the original parties to the original instrument, index the original parties to the original instrument as they are named in the subsequent instrument.
- (3) If the subsequent instrument states the recording data for the original instrument, reference the recording data of the original instrument as that recording data is stated in the subsequent instrument to each name so indexed.

(c) The register of deeds shall not be required to (i) read or examine any page of an instrument, other than the first two pages, to determine whether it is a subsequent instrument within the meaning of this section, or (ii) verify or make inquiry concerning the accuracy, sufficiency, or completeness of information about an original instrument contained in any subsequent instrument. The register of deeds is expressly authorized to rely solely on the information contained in the subsequent instrument, including, but not limited to, the names of the original parties to the original instrument and the recording data for the original instrument. (1963, c. 1021, s. 3; 1991, c. 114, s. 1; 2005-123, s. 8; 2011-312, s. 28; 2017-110, s. 4; 2018-80, s. 1.3; 2021-91, s. 12.)