

§ 47-53. Probates omitting official seals, etc.

If the acknowledgment, private examination, or other proof of the execution of any deed, mortgage, or other instrument authorized or required to be registered has been taken by or before any commissioner of affidavits and deeds of this State, clerk or deputy clerk of a court of record, or notary public of this or any other state, territory, or district, and the deed, mortgage, or other instrument has been recorded in any county in this State, but the commissioner, clerk, deputy clerk, or notary public omitted to attach his or her official or notarial seal to it, or if omitted, to insert his or her name in the body of the certificate, or if omitted, to sign his or her name to the certificate, if the name of the officer appears in the body of the certificate or is signed to it, or it does not appear of record that the seal was attached to the original deed, mortgage, or other instrument, or the commissioner, clerk, deputy clerk, or notary public has certified the certificate as under his or her "official seal," or "notarial seal," or words of similar import, and no such seal appears of record or where the officer uses "notarial" in his or her certificate and signature shows that "C.S.C.," or "clerk of superior court," or similar exchange of capacity, and the word "seal" follows the signature, then all such acknowledgments, private examinations or other proofs of such deeds, mortgages, or other instruments, and their registration are in all respects valid and binding. This section applies to acknowledgments, private examinations, or proofs taken prior to April 1, 2021. This section does not apply to pending litigation. (Rev., s. 1012; 1907, cc. 213, 665, 971; 1911, c. 4; 1915, c. 36; C.S., s. 3334; 1929, c. 8, s. 1; 1945, c. 808, s. 2; 1951, c. 1151, s. 1; 1965, c. 500; 1983, c. 398, s. 3; 1985, c. 70, s. 3; 1987, c. 277, s. 3; 1989, c. 390, s. 3; 1991, c. 489, s. 3; 2013-204, s. 1.22; 2021-91, s. 4(f).)