

§ 47-108.11. Validation of recorded instruments where seals have been omitted.

In all cases of any deed, deed of trust, mortgage, lien, or other instrument authorized or required to be registered in the office of the register of deeds of any county in this State, where it appears of record or it appears that from the instrument, as recorded in the office of the register of deeds of any county in the State, that there has been omitted from the recorded or registered instrument the word "seal" or "notarial seal" and that any of the recorded or registered instruments shows or recites that the grantor or grantors "have hereunto fixed or set their hands and seals" and the signature of the grantor or grantors appears without a seal thereafter or on the recorded or registered instrument or in all cases where it appears there is an attesting clause that recites "signed, sealed and delivered in the presence of," and the signature of the grantor or grantors appears on the recorded or registered instrument without any seal appearing thereafter or of record, then all such deeds, mortgages, deeds of trust, liens, or other instruments, and their registration in the office of the register of deeds, are in all respects valid and binding and are in all respects valid and binding to the same extent as if the word "seal" or "notarial seal" had not been omitted, and the registration and recording of the instruments in the office of the register of deeds in any county in this State are valid, proper, legal, and binding registrations.

This section does not apply in any respect to any instrument recorded or registered subsequent to April 1, 2021, or to pending litigation or to any instruments now directly or indirectly involved in pending litigation. (1953, c. 996; 1959, c. 1022; 1973, c. 519; c. 1207, s. 2; 1977, c. 165; 1979, 2nd Sess., c. 1185, s. 1; 1983, c. 398, s. 7; 1985, c. 70, s. 7; 1987, c. 277, s. 7; 1989, c. 390, s. 7; 1991, c. 489, s. 7; 1995, c. 163, s. 16; 1999-456, s. 12; 2013-204, s. 1.36; 2021-91, s. 4(I).)