

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

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HOUSE BILL 203

Short Title: Show Mortgage Payoff on Satisfaction Filing. (Public)

Sponsors: Representative Crawford (Primary Sponsor).  
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Banking, if favorable, Judiciary Subcommittee A.

March 2, 2011

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE AN ALTERNATIVE MORTGAGE SATISFACTION FORM THAT  
3 ALLOWS A SECURED CREDITOR TO INDICATE THAT THE UNDERLYING  
4 OBLIGATION HAS BEEN EXTINGUISHED.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 45-36.11 reads as rewritten:

7 "**§ 45-36.11. Satisfaction: form.**

8 (a) Standard Form. – No particular phrasing is required for a satisfaction of a security  
9 instrument. The following form, when properly completed, is sufficient to satisfy the  
10 requirements of G.S. 45-36.10(a):

11  
12 'SATISFACTION OF SECURITY INSTRUMENT  
13 (G.S. 45-36.10; G.S. 45-37(a)(7))  
14

15 The undersigned is now the secured creditor in the security instrument identified as follows:

16 Type of Security Instrument: (identify type of security instrument, such as deed of trust or  
17 mortgage)

18 Original Grantor(s): (Identify original grantor(s), trustor(s), or mortgagor(s))

19 Original Secured Party(ies): (Identify the original beneficiary(ies), mortgagee(s), or secured  
20 party(ies) in the security instrument)

21 Recording Data: The security instrument is recorded in Book \_\_\_\_ at Page \_\_\_\_ or as  
22 document number \_\_\_\_\_ in the office of the Register of Deeds for \_\_\_\_\_ County,  
23 North Carolina.

24 This satisfaction terminates the effectiveness of the security instrument.

25 Date: \_\_\_\_\_  
26 \_\_\_\_\_  
27 (Signature of secured creditor)

28 [Acknowledgment before officer authorized to take acknowledgments]'

29 (b) Alternate Form. – A secured creditor who would like to indicate that the underlying  
30 obligation secured by the instrument has been extinguished may use the following form, which,  
31 when properly completed, is also sufficient to satisfy the requirements of G.S. 45-36.10(a):  
32

33 'SATISFACTION OF SECURITY INSTRUMENT  
34 (G.S. 45-36.10; G.S. 45-37(a)(7))  
35



The undersigned is now the secured creditor in the security instrument identified as follows:

Type of Security Instrument: (identify type of security instrument, such as deed of trust or mortgage)

Original Grantor(s): (Identify original grantor(s), trustor(s), or mortgagor(s))

Original Secured Party(ies): (Identify the original beneficiary(ies), mortgagee(s), or secured party(ies) in the security instrument)

Recording Data: The security instrument is recorded in Book \_\_\_ at Page \_\_\_ or as document number \_\_\_ in the office of the Register of Deeds for \_\_\_ County, North Carolina.

This satisfaction terminates the effectiveness of the security instrument and extinguishes the underlying obligation secured by the instrument.

Date: \_\_\_\_\_

(Signature of secured creditor)

[Acknowledgment before officer authorized to take acknowledgments]".

SECTION 2. G.S. 45-36.21 reads as rewritten:

"§ 45-36.21. Trustee's satisfaction of deed of trust: form.

(a) Standard Form. – No particular phrasing is required for a trustee's satisfaction of a deed of trust. The following form, when properly completed, is sufficient to satisfy the requirements of G.S. 45-36.20:

'TRUSTEE'S SATISFACTION OF DEED OF TRUST
(G.S. 45-36.20; G.S. 45-37(a)(7))

The undersigned is now serving as the trustee or substitute trustee under the terms of the deed of trust identified as follows:

Original Grantor(s): (Identify original grantor(s) or trustor(s))

Original Secured Party(ies): (Identify the original beneficiary(ies) or secured party(ies) in the deed of trust)

Recording Data: The deed of trust is recorded in Book \_\_\_ at Page \_\_\_ or as document number \_\_\_ in the office of the Register of Deeds for \_\_\_ County, North Carolina.

This satisfaction terminates the effectiveness of the deed of trust.

Date: \_\_\_\_\_

(Signature of trustee or substitute trustee)

[Acknowledgment before officer authorized to take acknowledgments]'

(b) Alternate Form. – A trustee and secured creditor who would like to indicate that the underlying obligation secured by the deed of trust has been extinguished may use the following form, which, when properly completed, is also sufficient to satisfy the requirements of G.S. 45-36.20:

'TRUSTEE'S SATISFACTION OF DEED OF TRUST
AND
CREDITOR'S RELEASE
(G.S. 45-36.20; G.S. 45-37(a)(7))

The undersigned is now serving as the trustee or substitute trustee under the terms of the deed of trust identified as follows:

Original Grantor(s): (Identify original grantor(s) or trustor(s))

Original Secured Party(ies): (Identify the original beneficiary(ies) or secured party(ies) in the deed of trust)

Recording Data: The deed of trust is recorded in Book \_\_\_\_\_ at Page \_\_\_\_\_ or as document number \_\_\_\_\_ in the office of the Register of Deeds for \_\_\_\_\_ County, North Carolina.

This satisfaction terminates the effectiveness of the deed of trust.

Date: \_\_\_\_\_

(Signature of trustee or substitute trustee)

[Acknowledgment before officer authorized to take acknowledgments]

The obligation secured by the deed of trust has been extinguished.

Date: \_\_\_\_\_

(Signature of secured creditor)

[Acknowledgment before officer authorized to take acknowledgments]".

**SECTION 3.** This act becomes effective October 1, 2012, and applies to satisfactions filed on or after that date.