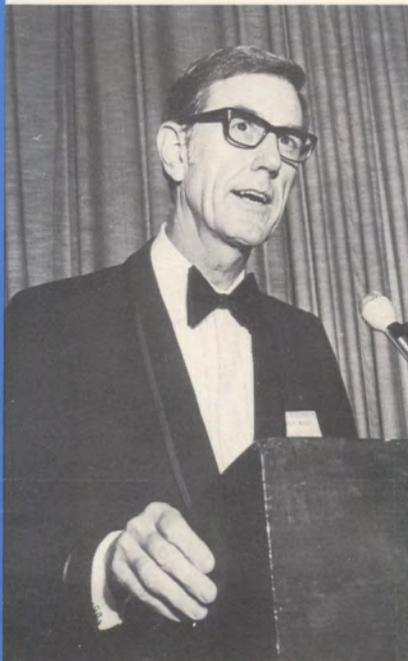


# Title News

*the official publication of the American Land Title Association*



DO NOT REMOVE



Newly-Elected  
ALTA Officers,  
Board Members

November, 1971



## President's Message

NOVEMBER, 1971

We have again enjoyed the fruits of a well planned Annual Convention. Our special thanks go to the host state, Michigan; to Ray L. Potter, Host Chairman; to Mrs. Robert Jay, Ladies Committee Chairlady; and to their several committees who were so generous in attention to all of our needs.

It is impossible for our Association to measure up to the expectations of its membership and its responsibilities to the public without the effective work of its committees. Appointments have been made and mailings to the various committee members will be forthcoming immediately from our national office. Committee work for the most part goes unnoticed and largely unrewarded. I am singling out our committees for special recognition. Member identities will be listed in the *ALTA Manual of Organization*, which is published and distributed among our Association membership. Take the initiative to offer your help to committee members in the special areas in which you are interested.

ALTA has emerged as a professional organization of recognized excellence. The continuous and dedicated work of its many committees, coordinated through the national office, can make even greater contributions in this and the coming years. We ask your cooperation in this achievement.

Sincerely,

John W. Warren

# Title News

*the official publication of the American Land Title Association*

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Newkirk, Oklahoma

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ON THE COVER: Newly-elected ALTA officers and Board of Governors members are shown at the 1971 Annual Convention of the Association last month in Detroit. In the top photograph, from left, are these members of the Executive Committee: Finance Committee Chairman Hale Warn (Title Insurance and Trust Company); Treasurer James G. Schmidt (Commonwealth Land Title Insurance Company); President John W. Warren (Albright Title & Trust Company); Vice President James O. Hickman (Pioneer National Title Insurance Company); Abstracters and Title Insurance Agents Section Chairman James A. Gray (Fidelity Abstract & Guaranty Company); Title Insurance and Underwriters Section Chairman Robert C. Dawson (Lawyers Title Insurance Corporation); and Immediate Past President Alvin W. Long (Chicago Title and Trust Company). In the photograph at lower right are, from left, James W. Robinson (American Title Insurance Company), E. D. McCrory (American Title Company), and Hugh B. Robinson (Carroll County Abstract Company), new members of the Board, Louis G. Dutel, Jr. (Dutel Title Agency, Inc.) and Stanton S. Roller (Inter-County Title Guaranty and Mortgage Company), also newly-elected Board members, were unable to be present when the photograph was made. In the third photograph, President Warren delivers his first speech after installation, at the 1971 Convention Annual Banquet.

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Capital Title Co., Inc.



## Joint Plant Benefits Houston Companies

Ten Houston title companies together have found an economical answer to the need for a title plant capable of efficiently serving their community and surrounding Harris County, where court house document filings average 1,100 per day.

That answer is an automated joint title plant managed by a corporation known as Title Data, Inc., which is owned equally by the 10 participating companies. Four years after inception of the joint plant, the participants are realizing substantial savings because of its operation.

Houston, largest city in the southwest and fifth largest community in the nation, and Harris County come under provisions of a very strong Texas title insurance law, which requires that all agents in the state have title plants containing fully indexed records showing all instruments of record affecting land within counties served for a period of at least 25

years immediately prior to date of search. There is a rule promulgated by the state board of insurance regarding joint abstract or title plants which reads: "Two or more companies may combine their operations into a single abstract plant for the purpose of increasing the efficiency and speed of producing title evidence for examination purposes. In such event, if the base plants owned or leased by individual participants are not merged into a single plant, then the base plants and the joint abstract plants, when considered as one, must meet all of the requirements of an abstract plant as set forth. Ownership of such joint abstract plants may be by corporate ownership, joint venture, or partnership agreement, but ownership must rest with the company participant." State law and regulation thus have provided a logical basis for organizing Title Data, Inc.

Owning the stock of Title Data, Inc., in equal amounts, are: Bay Title

Company; Capital Title Co., Inc.; Commercial Title Company; Dallas Title Company of Houston; Title Guaranty Company; Louisville Title Company of Houston; Pasadena Title Company; Statewide Title Co.; Stewart Title Guaranty Company; and Southwest Land Title Company. Title Data, Inc., employs a plant manager skilled in title plant operation, who must meet the approval of at least two-thirds of the members of the board of directors. The board is composed of one person from each of the participating companies. Each month, the board meets with the plant manager for an open discussion of problems, policy, and financial status.

While the joint plant is the property of Title Data, Inc., any participating company choosing to withdraw from ownership has a right to a copy of a printout from the plant upon such withdrawal.

In some circles, the operation of Title Data, Inc., might be regarded as

a joint takeoff rather than a joint plant because participants are furnished with information from the plant rather than being given direct access to the records for title examination. Regardless of definition, the facility capably handles title evidencing in a large and bustling county where the county clerk is very proud of the fact that any instrument filed is processed through his operation and returned to the proper party within 24 hours of the time it was filed of record.

During the time an instrument is in the possession of the county clerk, it is photographed and Title Data, Inc., and each of its owner companies are furnished with a roll of the microfilm. The joint plant also receives a hard copy of the instrument. IBM cards are punched from the film and the hard copies are maintained in numerical order according to the county clerk file number. Information on these cards includes file number, grantor-grantee, type of instrument, legal description, map reference, and file date. After all the cards have been verified, they are machine-sorted by volume and page and are filed in subdivision order by volume and page. Instruments requiring location of the property description go to a locator.

All this would be a simple operation if all the property in Harris County

were subdivided and the map filed of record. But a large percentage of property in the county has not been subdivided. So, Title Data, Inc., keeps the 1967 tax maps of the county in hard copy. When a deed is filed affecting acreage, it is referred to the joint plant employee in charge of the section concerned. It then is located on the tax map and that parcel receives an arbitrary number. The information from the instrument then is key-punched and filed in geographical order by this arbitrary number.

Copies of general instruments from the district court and probate court indices are received each day, in addition to the daily film. Information from these instruments is keypunched daily and delivered to Computer Control Systems, a computer service bureau, on alternate days. Computer Control Systems sorts the information in alpha sequence and merges it into a current month file for printing out copies for the Title Data, Inc., participants. At the end of each month, the current month's general instruments file is merged with the prior month's file for a six-month accumulation being made, and hard copies are made for each participant. At the end of each six-month period, all general instruments on file from September 15, 1967, to date are put out in micro-

film image on magnetic tape and recorded on microfilm, copies of which the participants receive.

Subdivision property cards are picked up at the end of each month by Computer Control Systems, edited and sorted, and then merged with the prior month's data within the current six-month period, and a hard copy is produced for Title Data, Inc. This monthly list is used within Title Data, Inc., to locate errors that can be corrected before the six-month printout. At the end of each six-month period, that data is combined with the data from September 15, 1967, to date, and a microfilm image tape is built and recorded on microfilm with copies made and distributed to each participant. The same procedure is used regarding survey or acreage property cards.

At the inception of this joint plant operation, plans called for a hard copy printout at the end of 1968 and subsequent hard copy printouts until the end of 1972, when all cards would be merged and a hard copy printout made for the five-year period. Once the operation was under way, it was decided that hard copy printouts should be made for the participants more frequently; hence, the emergence

Continued on page 4



A microfilm image is made in the joint plant.



All acreage cards receive in-plant processing.



File clerks' duties include subdivision orders.

of furnishing such printouts every six months for the six-month period immediately preceding.

When the joint operation was begun, the ultimate goal was to have a fully computerized plant and this concept remains with the participants. The plant was built to allow change-over to computer operation at very little direct conversion cost.

After about two years of operation, the number of hard copies became cumbersome. Computer Control Systems recommended the microfilm printout that now is used, instead of numerous hard copy printouts that would each require searching to produce a chain of title for a specified period of time. Today, all it takes is a look at a roll of microfilm containing all the information from inception September 15, 1967, to latest date. The information is in geographic order.

Prior to September 15, 1967, each participating company had to have a geographically indexed plant containing all instruments for at least 25 years prior to that date. From September 15, 1967, to the time of writing this article, each participant has a roll of microfilm for each day's take-

off of the county clerk's records. Each company has a set of microfilm rolls containing a geographically indexed plant including the information key-punched from all instruments filed with the county clerk for the period from September 15, 1967, to date. Information on instruments affecting subdivision property is in geographical order by lot within a block within that subdivision which is in book and page order of the plat records. Title Data, Inc., has the same records and, in addition, has a hard copy of all instruments since inception (which are filed in county clerk file number order) and has in hard copy form the tax maps used to assign arbitrary numbers to acreage parcels.

Title Data, Inc., also has in geographical order IBM cards containing information from any instruments filed subsequent to date of last printout, and will maintain this card file until December 31, 1971, when these cards will be merged with prior records and a new printout produced for distribution to participants. Title Data, Inc., maintains and produces a hard copy of a map index in alphabetical order by subdivision name, for participant use.

Let's take a typical title order to illustrate the daily operation of chain preparation from joint plant evidence. As an order is received on property lying within a recorded subdivision,

a title company employee checks the index to verify that the recording information furnished is correct. An employee searches the microfilm printout from the joint plant to determine if any instruments have been filed affecting this property from September 15, 1967, to date. If there are instruments affecting this property, the county clerk file number is listed on a form to be forwarded to Title Data, Inc. Any instruments which have been filed subsequent to date of inquiry are added to this list by Title Data, Inc. An employee of Title Data, Inc., then goes to the hard copies of the instruments filed in county clerk file number order, locates each instrument and makes a Xerox copy of it, and returns the list and Xerox copies of the instruments to that title company.

The average time for processing an order through Title Data, Inc., is approximately three hours.

When the information from Title Data, Inc., is received back at the title company making inquiry, it is consolidated with the information from that company's original plant and given to a title examiner.

When an acreage order is received, the metes and bounds description is immediately forwarded to Title Data, Inc., for determination of an arbitrary number. This arbitrary number is sent back to the title company and the same procedure is followed as with an order affecting a subdivision parcel.

By working together, the participants in Title Data, Inc., are able to afford an efficient, dependable title plant with well-qualified personnel. Those associated with each participant are looking forward to the day when the joint plant can be fully computerized, but are patient enough to wait until this becomes economically practical.

## Commonwealth Moved

Commonwealth Land Title Insurance Company has moved its Freehold, N. J. office to a new location at 30 Broad Street.



A key punch and verify operation is an integral part of joint plant activity.

# Need for Preserving Competition Pointed Out to Banks, S&Ls

(Editors' note: The following article by ALTA Executive Vice President William J. McAuliffe, Jr., was prepared in response to a request from *American Banker* for publication in its October 18 American Bankers Association Convention issue and is reprinted here with the permission of that newspaper.)

\* \* \*

Separate actions by the Federal Home Loan Bank Board and the Federal Reserve Board this year have opened up new land title business opportunities for savings and loan and banking institutions. These developments also have brought S & Ls and their service corporations and banks and their holding companies a heavier responsibility for preserving free and open competition.

In May, FHLBB published regulations permitting subsidiary service corporations of insured savings and loan associations to engage in a variety of activities including abstracting of land title evidence and, upon obtaining approval from FHLBB, to operate as title insurance agents. No hearing procedure is known to exist regarding applications for service corporations to become title insurance agents and related criteria have not been published.

And, effective September 1, 1971, the Federal Reserve Board has authorized certain types of insurance agency activities in which bank holding companies may engage under

1970 amendments to the Bank Holding Company Act. The Board, in finding insurance agency activities to be among the businesses determined "to be so closely related to banking and managing or controlling banks as to be a proper incident thereto," authorized bank holding companies to engage in business as agent or broker in the following types of insurance:

"Any insurance for the holding company and its subsidiaries;

"Any insurance that (A) is directly related to an extension of credit by a bank or a bank-related firm of the kind described in this regulation, or (B) is directly related to the provision of other financial services by a bank

or such a bank-related firm, and (C) is otherwise sold as a matter of convenience to the purchaser, so long as the premium income from sales within this subclause (C) does not constitute a significant portion of the aggregate insurance premium income of the holding company from insurance sold pursuant to this clause;

"Any insurance sold in a community that (A) has a population not exceeding 5,000, or (B) the holding company demonstrates has inadequate insurance agency facilities."

In announcing the insurance agency authorization August 10, 1971, the Board reported giving consideration to but deciding not to adopt at the time a general regulatory provision regarding insurance underwriting activities as closely related to banking. However, the regulation on insurance agency activity appears to authorize bank holding company subsidiaries to engage in business as title insurance agents.

It is too early for an accurate determination of the effects this regulatory activity will have on real estate lending, and on the marketing of land title services. Adding interest to related speculation is the degree of consideration such regulation gives to the substantial difference between title evidencing and insurance and other types of insurance. Since title insurance is of a risk preventive nature, agents for this type of insurance must have—or have access to—highly specialized title evidencing capability in



Author McAuliffe

addition to performing the policy writing function. FHLBB perhaps has noted the peculiar function of title insurance in requiring that no service corporation may engage in business as a title insurance agent without first obtaining Board approval.

The lending institution adding land title evidencing and title insurance agency functions in house may well find its mettle tested when it comes to making sure these newly acquired capabilities do not unfairly eliminate existing competition for land title business. Unless a financial subsidiary earns its share of the land title market in open competition, the danger of monopolistic use of the parent institution's loans and land title services may indeed prove to be great.

In connection with these developments, the American Land Title Association has suggested that all qualified and competing title companies be given an equal chance to compete with title insurance agencies owned by

banking and savings and loan related institutions for the land title business of a lending institution and its affiliates.

ALTA further has suggested that such open competition would offer a discipline against conflict of interest. In addition to potential anti-competitive effects, there are possible hazards in situations where the title concern and lender in a real estate transaction are part of the same parent institution, where pressures could arise outside the title concern's immediate bailiwick to abnormally expedite the closing and, possibly, to assume abnormal risks. With other title companies in competition that insist on traditional land title evidencing thoroughness before insuring, it would be more difficult to take unwise shortcuts to gain speed. Thus competition would help preserve the present high quality of land title service now available to real estate lenders and purchasers from coast to coast.

In helping maintain the present excellence of land title services, lending institutions will be acting in their own best interests. Many lenders now require mortgagee title insurance to protect their real estate investments, and national lenders often will approve loans in areas with which they are relatively unfamiliar if mortgagee title insurance can be obtained. Features of the ALTA standard mortgage policy form have been developed with the needs of the lenders in mind. Lending institutions deciding to enter the land title market as agents thus have an important stake in seeing that their title services remain at the current level found among existing title companies, since the approach to title business by a newcomer will reflect on the overall high standard of maximum assurance of a good and marketable title.

By maintaining peak service capability to efficiently evidence and insure land titles, those in the business remain of greatest value to all who invest in real estate. Considerable dedication, competence, and professional pride are required to assemble a brief of title through searching of separately located public records for matters affecting real estate ownership and investment, and the subsequent insuring against financial loss from land title defects even the most thorough search will not reveal. The present excellence in evidencing also makes it possible to offer title insurance on a risk preventive basis, so coverage is available for a one-time premium paid at closing. In addition to mortgagee coverage, title insurance—which is always based on a search—also is available for the financial protection of the mortgagor.

Consistent high performance in land title evidencing and insuring has made title companies of uniformly high importance to real estate investors. Lending institutions who may decide to join in the quest for land title business must also assume the obligation to maintain the present quality of title services. Keeping title services at their present level of excellence through free and open competition therefore not only is useful to lending institutions—it is essential.

## ALTA Presents Testimony on S. 216



Presenting ALTA testimony September 30 before the Senate Subcommittee on Public Lands in Washington are Thomas E. McKnight, right, assistant to senior title counsel, Title Insurance and Trust Company, Los Angeles, and ALTA Executive Vice President William J. McAuliffe, Jr. The Association statement presented to the Subcommittee calls for enactment of S. 216, which would allow the federal government to be named as party in suits by private landowners to quiet titles to land. In the statement, it was pointed out that, under present law, private land owners have no right to attempt removal of actual or potential federal government claims relating to questions of land ownership, boundary, or use. McKnight and McAuliffe reported that hundreds of instances exist where possible federal action, however valid it may be, allows private landowners no recourse to the courts as a measure to clear up land titles concerned.

# Hogan's Highlights -- 1971

(Editor's note: A new dimension in summarizing the proceedings of a state land title association convention has been established by Richard A. Hogan, Pioneer National Title Insurance Company, Seattle, and Washington Land Title Association secretary-treasurer, as this edited version of his account of the 1971 WLTA convention illustrates.)

\* \* \*

There ought to be a better way to start the day than getting up in the morning. It always seems so easy the night before.

I always view this particular confrontation with apprehension because there are always so many people I want to say nice things about and so few that I do. I never quite get around to it.

Many of the happenings at our convention are traditional. The golf tournament on Thursday morning, the Icebreaker on Thursday night, and the banquet on Saturday night, etc.

The Icebreaker is the first opportunity to size up the competition, to note the aging processes of your acquaintances, and to greet all of your many friends, and, of course, to get a shot of the booze you helped to pay for.

My wife and I are like Dr. LaRusso in that we follow the philosophies of some of the old Greek philosophers. She holds with the teachings of that old Greek philosopher, Epidermis, who believed in moderation in all things. Consequently, she always urges me to practice moderation at Ice-

breakers. But, for my part, I feel that moderation should not be practiced to excess.

This aging process seems to be unavoidable, but an old Greek philosopher, Hepatitis, had a couple of teachings which I find helpful: He said, "A good thing about baldness is—it's neat; A good thing about wrinkles is—they don't hurt." So why worry? As one of my classmates said at our thirtieth class reunion, "Except for an occasional heart attack, fellows, I feel as young as I ever did."

The conversation floating around the Icebreaker is always interesting. I always listen to it as alertly as possible, so that I may recount some of it to you, Anonymously, of course, in order to protect the innocent—me.

I observed two members who obviously knew each other, or at least thought they did. One held out his hand and said, "I know we have met SOMEWHERE." "No doubt," said the other fellow, "I've been there often." With this mutually satisfactory basis established, they cemented their friendship on a solid bourbon and rocks foundation.

This year the hotel reservation forms were late in being sent to the members. This evidently caused some problems. One lady said she had some difficulty in making hotel reservations. Her companion said, "Well, didn't you get a BROCHURE?" The first lady said, "No, I'm a member of the women's lib and we don't wear them anymore."

Another member was very proud of the fact that he had quit smoking. He stated loudly to an uninterested

group that he hadn't smoked for three months, 20 days, 13 hours and 15 minutes. The other guy said he tried to quit smoking but he just couldn't do it. He said that he had been advised to substitute chewing gum for cigarettes but had to give that up too. He couldn't stand the smell of burning gum.

President Norton called the convention to order promptly at 9:00 Thursday morning.

He called upon Rick Bader to lead us in the Pledge of Allegiance, which he did.

Later, Rick felt impelled to reveal to the convention that he had been advised that the hotel didn't have a flag. So he had rushed to his room and put on his red, white and blue, striped trousers with the patriotic thought in mind that if no flag was available, we could pledge allegiance to his pants.

Luckily, this proved unnecessary. It would probably have been very difficult to make this type of pledge. As program chairman, he moves around so much that it would be hard to flag him down.

President Norton introduced distinguished guests, including two honorary life members of the Association—Howard Burnham and Wharton Funk—who honor us with their presence.

He presented his annual report in classic style—almost biblical style. He stated there were twelve delightful months in his term, each with a new chapter and verse. He preceded his

Continued on page 14

# association corner

state



## E. R. Dreas Heads Minnesota Group

E. Ronald Dreas, Winona County Abstract Company, Inc., was elected president of the Minnesota Land Title Association at its Annual Convention August 26-28 in St. Paul.

Other newly elected officers include: F. L. Dahlman, Dahlman Abstract Co., Long Prairie, vice president; A. L. Winczewski, Winona County Abstract Company, Inc., secretary-treasurer for another term; and Jay P. O'Connor, abstract clerk of Ramsey County, member of the board of directors for a three year term.

Robert W. Johnson, representative, Minnesota legislature, was a guest speaker, as were James O. Hickman, Pioneer National Title Insurance Company, chairman, ALTA Title Insurance and Underwriters Section (recently elected ALTA vice president), and John Connelly, Sr., vice president and counsel, Title Insurance Company of Minnesota.

Honored guests at the Convention were Mrs. Irene Fraser, president, North Dakota Title Association; Philip J. Brennan, vice president, Iowa Land Title Association; and Otto Zerwick, president, Wisconsin Title Association.



Newly-elected officers of the New Jersey Land Title Insurance Association pose for the camera at the recent NJLTA Annual Convention. They are, from left: LeRoy D. Sanders, Chicago Title Insurance Company, Hackensack, treasurer; James J. Egan, Jr., Chelsea Title and Guaranty Company, Newark, president; Raymond A. Buckman, Commonwealth Land Title Insurance Company, Atlantic City, first vice president; and John A. Kiernan, Pioneer National Title Insurance Company, Hackensack, second vice president.



Views from the 1971 Minnesota Land Title Association include, James O. Hickman, chairman, ALTA Title Insurance and Underwriters Section (recently elected ALTA vice president), speaking at left and, at center, newly-elected MLTA officers, who are, from left, Jay P. O'Connor,



nor, board member; Ron Dreas, president; Fred Dahlman, vice president; Tony Winczewski, secretary-treasurer; and Joe McDonald, board member. At right, new president Ron Dreas accepts the gavel from outgoing president Paul Welshons.



## Attorney Receives Award from WTA

A number of distinguished guests spoke at the Wisconsin Title Association's Annual Convention September 17-18 in Racine. One, Charles L. Goldberg, an attorney, also received an award from the Association for his contribution to the protection of real property rights. Making the presentation was 1970-71 WTA President Otto Zerwick, president, Abstract and Title Associates, Inc., Madison.

Goldberg spoke on recent changes in Wisconsin conveyancing laws, on which he has worked as a member of the State Bar Committee. While on the committee, he also has worked to make offer to purchase contracts equitable to both buyer and seller.

James O. Hickman, chairman, ALTA Title Insurance and Underwriters Section, (recently elected ALTA vice president) reported on ALTA activity. Another speaker, Don Hovde, chairman of the Realtor's Washington Committee, National Association of Real Estate Boards, discussed the wage-price freeze and pending Washington legislation.

WTA members elected Nic S. Hoyer, president, Wisconsin Title

Service Company, Inc., Milwaukee, 1971-72 president. Clyde V. De Villier, president, Dane County Title Company, Madison, was elected vice president. James J. Vance was re-elected secretary-treasurer. Zerwick remains on the board of directors.

The members also participated in a number of round table discussions.

## Abstract School Held by NDTA

North Dakota Title Association members held a school for abstract company personnel in conjunction

with their fiftieth Annual Convention September 10-11 in Jamestown, N.D. The classes were conducted September 9.

Members also re-elected officers, all of whom had served the past year. They are Mrs. Irene M. Fraser, president, Cass County Abstract Company, Fargo, president; H. G. Ruummele, president, Grand Forks Abstract Company, Grand Forks, vice president; and Carl Elliot, president, Security Abstract Company of Washburn, secretary-treasurer.

Speakers included William J. McAuliffe, Jr., ALTA executive vice

Continued on page 11



Shown at the North Dakota Title Association Convention are, from left, William J. McAuliffe, Jr., ALTA executive vice president; Mrs. Irene M. Fraser, NDTA president; H. G. Ruummele, NDTA vice president; and Carl Elliot, NDTA secretary-treasurer.



Otto Zerwick, left 1970-71 Wisconsin Title Association president, presents an award for contributions to the protection of real property rights to Charles Goldberg, attorney, at the 1971 WTA Convention. At right, newly-elected WTA officers and board members pose for the camera.



They are, from left, front row, James J. Vance, secretary treasurer; Nic Hoyer, president; Clyde De Villier, vice president; Otto Zerwick, immediate past president. Back row, from left, shows directors Dave Duhaac; Ted Schneider; Clarence Gess; Frank Kekow; and John Duffy.



New Arkansas Land Title Association President Gerald N. Cathey addresses the closing session of the 1971 Association Convention. At right, Convention guests and members chat during an Ice Breaker cruise on the Arkansas River. From left, they are: James A. Gray, chairman, ALTA Abstracters and Title Insurance Agents Section; Lola L. Gray, executive secretary, Arkansas LTA; Pat Hickman; and James O. Hickman, chairman, ALTA Title Insurance and Underwriters Section (recently elected ALTA vice president).

## Cathey Named Arkansas President

Arkansas Land Title Association members listened to a thought-provoking address, "Wear Two Hats—Preposterous or Smart", by O. B. Taylor, Jr., president, Mississippi Valley Title Insurance Company, Jackson, as he spoke at the Association's Sixty-third Annual Convention May 6-8 in Little Rock.

Taylor was one of several Convention speakers, also including James O. Hickman, chairman, ALTA Title Insurance and Underwriters Section (recently elected ALTA vice president); H. Randolph Farmer, chairman, ALTA Public Relations Committee, who discussed "Talking to a Parade"; and Roy D. Rainey, vice president, National Home Builders Association, Area V, who prognosticated on the "Housing Outlook for the 70's".

Association members elected Gerald N. Cathey, president, Standard Abstract & Title Company, Little Rock, president. Also elected were W. S. "Windy" Bronson, president, Bronson Abstract Company, Inc., Fayetteville, vice president; and Jerry Nixon, president, Pine Bluff Abstract & Title Company, secretary-treasurer.

A panel discussion on various

phases of title insurance was comprised of underwriters and agents. Representing underwriters were Harold H. Eschen, counsel for Mid-South Title Company, Memphis; Jack W. McAninch, regional vice president, Pioneer National Title Insurance Company, Dallas; and Arthur N. Nystrom, regional counsel, Louisville Title Insurance Company, Kansas City, Kans. Representing agents were W. P. Spotts, vice president, Little Rock Abstract Company; Robert L. Ott, Ott Land Title Company, Conway; and Nixon.



In these scenes from the District of Columbia & Metropolitan Area Land Title Association annual awards dinner, Thomas S. Jackson, ALTA general counsel, presides at the installation of new officers, who are, from left, Anthony J. Horak, president; A. William Leeman, Jr., vice president; John W. Underwood, treasurer; and Frank W. Marsalek, secretary. In the other photograph, past president, Hubert A. Mitchell, presents Missouri Congressman William L. Hungate with an Association award for service to the public and to the land title industry. Mitchell received the Association's Tony Roll Award, for service to the land title profession, for the second consecutive year.

## D. C. Association Elects A. J. Horak

Anthony J. Horak, Lawyers Title Insurance Corporation, was installed as 1971-72 president of the District of Columbia & Metropolitan Area Land Title Association at its annual Awards Dinner September 25 in Washington, D.C.

Other new officers installed are A. William Leeman, Jr., Commonwealth Land Title Company, vice president; Frank W. Marsalek, Shenandoah Land Title Corporation, secretary; John W. Underwood, Alexander Title Agency, Inc., treasurer; William H. Monger, Shenandoah Title, assistant secretary; and Walfred V. Maki, Lawyers Title, assistant treasurer. Thomas S. Jackson, ALTA general counsel, presided at installation ceremonies.

Congressman William L. Hungate of Missouri, chairman, House Committee on the Judiciary, was presented an Association award for service to the public and to the land title industry in sponsoring a bill in Congress that provides for regulation of the land title industry in the District of Columbia. Congressman Lawrence J. Hogan of Maryland also was among the honored guests.

For the second consecutive year, Hubert A. Mitchell, Columbia Real Estate Title Insurance Company, who completed a term as 1970-71 Association president at the event, was presented the Association's Tony Roll Award for outstanding service to the land title profession. Cited in relation to the award were his efforts in building the Association into a regional organization with significantly larger membership; his legislative work with Congress on behalf of the public and the District of Columbia land title industry; and his efforts in helping obtain a Superior Court of the District of Columbia rule that the suffix, "RP", be affixed to real property cases listed in court records, to facilitate land title evidencing. Denzil O. Nichols, Berens Associates of Washington, Inc., and president, Mortgage Bankers Association of Metropolitan Washington, officiated at the presentation.

Association awards also were presented to Bernard Auerbach, Commonwealth Title, for work in the area of surveyor standards, and to Norman R. Taylor, Lawyers Title, for work in Maryland state legislative activity.

## KLTA Elects Field to Presidency

Earl O. Field, Field Abstract & Title Co., Hays, was elected president

of the Kansas Land Title Association at its Sixty-Fourth Annual Convention September 24-25 in Kansas City.

Members also elected Harry H. St. John, Jr., The Columbian Title and Trust Company, Topeka, vice president; and Robert G. Frederick, C. W. Lynn Abstract Company, Inc., Salina, secretary-treasurer.

Convention delegates heard Mrs. Gertie Alderman, American Title Company, expound on "I Am An Abstracter", and Chris Vedros, executive director, Urban Renewal Agency of Kansas City, Kansas, discuss his agency's projects connected with land title evidencing and land acquisition.

ALTA's John W. Warren (1970-71

## Title Insurance Of Boise Expands

The Title Insurance Company of Boise has purchased the title assets of the Twin Falls (Idaho) Title & Trust Company. The purchase of the trust assets by Twin Falls Bank & Trust Company had been previously announced.

Ralph Smith will manage the title office. He will be assisted by Bill Crawford and other members of the present staff. Gordon Gray, former chairman of the board of Twin Falls Title & Trust Company, will remain in an advisory capacity.

vice president, recently elected president) of Albright Title & Trust Company, Newkirk, Okla., reported on the Association's national activities. William Shafer, president of the Missouri and Kansas Association of Land Surveyors, spoke about local title company work with surveyors.

Another speaker, Lieutenant Governor Reynolds Shultz enumerated the requirements of good citizenship. Banquet guests also heard from Morgan Maxfield, president of the Great Midwest Corporation, who emphasized the importance of positive thinking in obtaining one's goals.

Convention highlights also included an outdoor barbecue hosted by Joe Jenkins, the Guarantee Abstract & Title, Co. Inc., Kansas City, and family, at the Double J Ranch.

NDTA—Continued from page 9

president, who discussed national ALTA activity; and representatives of the Garrison Diversion Program, a federal project providing for irrigation of arid or semi-arid lands with waters from the Missouri River impounded behind Garrison Dam. Other speakers were from the Wetlands Program being carried on by the Fish and Wildlife Service, Interior Department; and from the Federal Land Bank of St. Paul.



At the Kansas Land Title Association convention, John Warren, ALTA vice president (recently elected president) addresses a session as KLTA past president, Tom Hart, looks on. Center, KLTA president-elect, Earl

Field (left), presents a plaque to retiring president, Tom Hart. Right, Mrs. Gertie Alderman of Dallas delivers her popular "I Am An Abstracter" speech as Tom Hart listens.

names  
names  
names  
names in the news

The board of directors of Chicago Title and Trust Company has elected **Alvin W. Long** president and chief executive officer, following the retirement of **Paul W. Goodrich** as chairman of the board and chief executive officer. Goodrich remains on the board of directors but the title of chairman has been discontinued with his retirement.

Long, ALTA immediate past president, and Chicago Title president and chief administrative officer since 1969, joined the company in 1945. In 1960 he was elected vice president with responsibility for planning and promoting national operations, and in 1966 he was elected senior vice president. He became president of Chicago Title Insurance Company in 1967 and is a director of that company.

Goodrich, a 1971 recipient of an ALTA honorary membership, joined Chicago Title and Trust in 1931. He became president in 1953 and helped the company grow from primarily an Illinois title insurance and trust concern to one of the nation's largest title insurance organizations, with activities enlarged to include investment banking, computer services, insurance brokerage and record storage. He was elected chairman of the board and chief executive officer in 1967.

\* \* \*

**John R. Williams**, Pioneer National Title Insurance Company's regional counsel for the Northeast Region, has been elected a vice president.

\* \* \*

Title Insurance and Trust Company has named a new business development representative, **Joseph M. Guss**, and a new office manager, **Daniel C. Harrington**. Guss recently joined TI from a savings and loan association and is now responsible for the central Los Angeles area. Harrington, former



LONG



GOODRICH



GUSS



HARRINGTON



JONES



RIFKIN



HUNSCHÉ



THURMAN

supervisor of sales projects for TI's western region, headquartered in Los Angeles, now manages the Concord (Calif.) office and oversees title insurance, escrow, and related financial services.

\* \* \*

**Earl R. Andrews**, former vice president and manager of Industrial Valley Title Insurance Company's Jenkintown (Pa.) office, has been named a vice president of the company. He now administers IVT's branch offices.

\* \* \*

**J. W. (Jim) Jones** has joined American Title Insurance Company as second vice president. He is responsible for consolidating and expediting relationships with the company's policy-writing agents and approved attorneys.

\* \* \*

Inter-County Title Guaranty and Mortgage Company has named **Bernard M. Rifkin** of Brooklyn a vice president and associate general counsel. His new duties include general underwriting and supervising the recently established claims department.

\* \* \*

Former president of St. Paul Title Insurance Corporation, **Ralph Hunsche**, has been elected vice chairman of the board of directors and corporate treasurer. **William B. Conn** succeeds him as president.

\* \* \*

**Bill Thurman** has been named vice president of Gracy Title Co. of Austin, Tex. He now directs marketing and business development for the company.

\* \* \*

**Dick Knight**, former Miami television personality, Hollywood actor, and New York disc jockey, has been

appointed to the public relations division of the American Title Insurance Company. His new position includes developing advertising and public relations programs and servicing national accounts.

**Marquerite D. Santos** has been named assistant vice president and assistant secretary of the Metropolitan Washington Division of Commonwealth Land Title Insurance Company.

Commonwealth also named **Jane F. Snyder** manager of its Ardmore office.

Three other Commonwealth promotions include **Edward J. Kelley**, to title officer, and **H. Chadwick Idell** to assistant title officer, both at the Philadelphia office; and **James C. Post** to assistant secretary at the Atlantic City office.

\* \* \*

**Robert B. Bratzel** replaces **Allan K. Ricketts** as president and general manager of Lauderdale (Fla.) Abstract and Title Company. Ricketts has been promoted to the parent company home office.

\* \* \*

Title Insurance Company of Minnesota has named **James Wilbur** advertising director with headquarters in the Minneapolis home office.

\* \* \*

**Lee B. Freedman**, senior title attorney, has been elected New York branch counsel for Lawyers Title Insurance Corporation.

\* \* \*

**Paul Neustadt** has been elected vice president of Security Title and Guaranty Company, with offices in the company's New York City headquarters. **John B. Keegan** has been appointed assistant vice president with offices in Stamford, Conn.

\* \* \*

Chelsea Title and Guaranty Company has announced a number of promotions and transfers in Florida.

**Wayne L. Levins**, a vice president, takes charge of the Florida regional office, newly relocated from Titusville to Orlando. **George W. Shave**, an assistant vice president and former manager of the Daytona Beach



KNIGHT



BRATZEL



FREEDMAN



NEUSTADT



KEEGAN



LEVINS



SHAVE



SPENCER



FURY



BEATY

branch, serves the new office as Florida marketing manager. **Ouida L. Murphy** replaces him as Daytona manager.

**Wayne K. Spencer**, an assistant vice president, has been transferred to manage the Orlando branch office, while **Raymond D. Martin, Jr.**, replaces him as manager of the Jacksonville office.

Other new branch managers include **R. William Griffore**, an assistant vice president, for the Clearwater office; **John W. Berkeley**, for the St. Petersburg office; and **Robert E. Johnson**, a newly-named title officer, for the Kissimmee office.

Managers have also been named for two recently-opened branch offices serving the Palm Beach County area. **Robert B. Shackley, Sr.**, assistant vice president, manages the Lake Worth office; and **John T. Wilber**, also an assistant vice president, manages the Lake Park office.

\* \* \*

**Henry G. Fury**, underwriting counsel for the eastern region of Chicago Title Insurance Company, has been named assistant vice president and division assistant general counsel.

\* \* \*

**Charles W. Beaty** has joined Standard Title Insurance Company as division manager. Beaty, formerly in mortgage banking and real estate financing, will work with agents in Oklahoma and Kansas.

\* \* \*

The board of directors of Great Western Title Guaranty Company, Seattle, has elected **A. W. "Bill" Moulton**, formerly executive vice president and general manager, as president. **Marvin E. Burke** was elected chairman of the board.

**Lyle Bakken** was re-elected vice president, and **Jack Schreiner**, president of Grays Harbor Title Co. and Pacific Title Co., was re-elected secretary-treasurer.

Other directors besides Burke, Moulton, and Schreiner include **D. P. Kennedy**, president of First American Title Insurance Company; Edward A. Finsness; Robert Labow; and Frederick W. Kimball.

report with a plethora of remarks about the woeful weather at the convention.

In line with his spiritual references to chapter and verse, on this occasion, we should be uplifted and comforted by that beautiful Bible verse that says, "Grin and bear it."

He then introduced Jack Pottenger, president of the Oregon Land Title Association, who welcomed us warmly into Oregon, primarily on the basis that business was bad and they needed the money. He suggested that it was almost a homecoming, although we were somewhat unwilling to recognize motherhood. It was his claim that Oregon had born or spawned Washington. This is a lot of historical pap. He closed on a nice note by inviting us to a joint convention sometime in the far distant future.

The program teed off with a film featuring a modern day Greek philosopher, Julius Boros.

And Julius didn't—that is, Boros.

His mechanized musings were fraught with thought, I thought.

The film story was about a sweaty young salesman who couldn't sell because he was uptight. He was a very unappealing person. I was not convinced that an afternoon on the golf course with Julius could change him into a selling success.

Actually, the film was an insidious form of birth control propaganda. You will recall that one of the key points of the film was, quote, "Put the fun back in the game", and, quote, "Man does not live by bread alone."

At this point, Julius was shown with his family of some five or six kids..

The film then concluded with this point, quote, "Make it happen if you believe in yourself. But just don't let it happen."

Bill Noel, prior to introducing Les Johnson, reviewed the convention up to date. He, Rick Bader, with Warren Pease speaking extemporaneously from the floor, did so well with all of the available material that I don't feel needed. Bill did introduce Les Johnson also. According to the pro-

gram, Les was supposed to discuss "Limited Partnerships, Land Trusts and What Will They Think of Next." Les thought of plenty.

It has been several years since we enjoyed his appearance at the Harrison convention, and it was a pleasure to hear his views on a tough subject, the unincorporated type of endeavor that creates so many interesting title and business problems. Apparently, very few people who go into business together wish to use the statutorily sanctioned methods of gathering capital and fouling up titles. Perhaps this is natural in this day and age, so many people want to do their own things even in business.

A person going into business expects results, but consequences is what he gets in most cases.

Regardless of the type of operation, if your outgo exceeds your income, your upkeep will be your downfall.

Les provided many examples as to how an association can operate unsuccessfully—and the dangers to title insurers.

In the afternoon session, Bob Davis introduced Charles Welsh, who spoke on public vs. private ownership on the Pacific.

Mr. Welsh, attorney in the current case for the owners, brought good and bad news about ocean beaches.

His message can be likened to the officer in Viet Nam who was ordered to improve the perimeter defense of his command post. He told his men: "Men, I have good and bad news for you. First, the bad news. We have to fill 3,000 sand bags by tonight. Now for the good news. We have plenty of sand." So as on the beaches, plenty of sand, good accreted sand with a continuing contest as to who owns it. The state, flexing its muscle, claims that if it doesn't own it that it is the champion of the public and that he public has easement rights even in lands established in private ownership by reason of accretion to the uplands.

However, this case like the actions of a legislature and all of the current confrontations and demonstrations are illustrative of the growing concern of the undoubtedly serious environmental problems that have insistently come to the forefront in this age of great

overall discontent. Our cities are decaying even faster than our coast line. Urban blight is the plight across the country. In one city a planning counsel was hired to make a survey and recommendations. He inspected one city district and stated in his report, "It is so bad," he said "that they are planning to tear it down and erect slums."

At the beginning of his talk, Mr. Welsh stated that he wasn't able to give any answers. In this, he was eminently successful—because he didn't. But he did state the problem fully: that it is a real and continuing problem requiring our action as a group to help actively for a solution we can all live with.

President Norton indicated very early in his official associational career that he was in favor of communication. Last year, while he was a budding vice-presidential hopeful, this was evidenced in his convention actions. Now, after he has flowered into full presidential status, it is evident that he still believes in communications. He firmly believes that people should keep in touch with one another and understand what is happening, at least some of the time. At our last convention, one of the principal speakers was Dr. Adam Diehl, an expert on communications and on the means of achieving same. He spent about two hours trying to get a message transferred from some guy named A to another guy named B. This year, the speaker on the same subject was Dr. LaRusso, also an educator whose attitude on such endeavor was that you are wasting your time on this transfer bit by A.

Take the emphasis from A, the speaker, and put some of that burden on B, because the emphasis in oral communication should be on sharing.

At this point I am not going to throw back at you all that he said, just because some of you who might be classified as hot-shot executives or as chauvinistic pigs weren't listening yesterday. It was pointed out with poignant audience examples that a lot of you don't know how to listen.

Dr. LaRusso professed that in his opinion Socrates, another old Greek philosopher, was the greatest teacher

and that the Socratic method of questions and answers was the best teaching method. He indicated that questions were more important than answers. Questions localize the subject and dictate the answer. However, when he asked for questions, he showed by his answers that he also follows that familiar teaching principle, to-wit: If you don't understand a particular question, answer a different question.

Dr. LaRusso is a powerful, convincing, protagonist for his own prejudices, but we shouldn't allow him to expound out some of our own pet prejudices. For example, he deliberately tried to destroy some of those eternal verities that we grew up with, and which have become well established in all of our folklore.

He said, forcefully, that practice does not make perfect.

He asserted, vehemently, that experience is not the best teacher.

With all the solemnity that I can muster up—and I am capable of mustering up a lot of solemnity if given enough time—I say to you, “Whenever you hear a man say things like that, you are listening to an argument that is sound—all sound.”

Take the word “experience.” Perhaps it is not always the best teacher, but experience does enable you to recognize a mistake when you make it again.

A big problem is trying to get people to understand. It is not a simple problem. One facet of the problem is trying to say what you mean or at least having it interpreted that way.

Another problem is trying to bridge the so-called generation gap. Personally, I don't have that particular problem. Older people do have some weird ideas, but for the most part I try to tolerate them.

Dr. LaRusso said that he respected his father more than any man he ever knew—although his father had never spoken more than 100 sentences to him when he was a boy. Based on our experience with Dr. LaRusso, this is understandable. The old man probably never had a chance to get a word in edgewise.

The doctor gave demonstrable proof of another theory that some-

times we talk too much. As an illustration he said he watches football games on TV. He knows that if he turns his head during a station break and says, “I love you”, to his wife—so what, it has no meaning to her. This is believable.

But apparently, if during that same break he goes out in the kitchen for a cold drink and squeezes her gently, or pats her in passing, she understands that he loves her—and this is effective communication.

I have tried this, but Joann hits back, and it hurts my male, hot-shot, chauvinistic, piggish pride.

This age of confrontation demands understanding and communication to bridge all of the gaps. People should try to get along with each other. It is much more comfortable that way.

We all would like to be successful in our living and have rich, full, meaningful, personal and business lives. Perhaps this has been the underlying theme of our convention and of our speakers. In all things we fight time. It is necessary to pick and choose what we do and how we do it, with time the unvarying factor. Obviously, anything not worth doing is not worth doing well.

Each of us wants to be successful and tries to find a means to achieve that goal. There are many forks on the road to success. We have heard about some of them from our speakers.

There is a story of two broke old men sitting on a park bench conversing.

One said, “I'm here because I never took advice from anybody.”

“Shake hands,” said the other old boy, “I'm here because I took everybody's advice.”

In short, there seems to be no formula for success. But there is a formula for failure: “Try to please everyone.”

You can't do it. A good illustration is Dale Robinson's story. An easterner visiting a big cattle ranch in Montana asked the owner what he called the layout. The owner said, “The family had a big fight over that subject, so we ended up trying to please everybody. This here ranch is named

the Triple X, Lucky Seven, Diamond T Bar, Lazy Mary Ranch.”

“That's quite a name,” said the visitor, “but, tell me, where are all the cattle?”

“Ain't none,” sighed the owner, “not one survived the branding.”

This is particularly true now in the title industry, where, because of heightened competition, we sometimes act like we are trying to give the shop away.

In closing, I would paraphrase Shakespeare's oft quoted blurb,

“This above all: to thine own industry be true,

“And it must follow, as the night the day,

“Thou canst not then be false to any customer”.

And it would be just awful if we were false to any customer.

## Former ALTA Board Member Succumbs

Word has been received of the death of Rolla G. Williams, 87, former ALTA Board of Governors member, in his home town of Watertown, S. D.

Williams was appointed to the Board in 1936, after serving one year as vice chairman of the Abstracters and Title Insurance Agents Section. In 1938, he was elected to a four-year term on the Board. In 1959, he



Rolla G. Williams

was elected to the Executive Committee of the Section.

His land title career started in 1907. Williams returned to his native Watertown from a job on a Canadian railway to take charge of the Codington County Abstract Co., founded by his father in 1882. In 1918, the company was merged with Southwick Abstract Co. and Williams became president and manager. The name was changed to the present Watertown Title Company in 1941.

Williams also served South Dakota land title interests, first as a member of the Abstracters Board of Examiners for South Dakota in 1929. Soon afterward he was elected secretary of the board and held that position until 1959. He also served as president and secretary of the South Dakota Title Association.



Ray Frohn, president of the Ray Frohn Company, Lincoln, Neb., presents Margie Wells, abstracter, with a diamond bracelet, the design of which symbolizes her 20 years of service with the company. Frohn composed a limerick recounting Mrs. Wells' land title career which he recited at a related celebration.

## First American Opens New Offices

First American Title Insurance Company has opened new offices in Walnut Creek and Concord, both in northern California's Contra Costa County.

Clifford E. Warner, Jr., heads the Contra Costa County division as vice president and manager. Ruben Frias has been appointed assistant vice president and manager of the main

## meeting timetable



November 4-5, 1971  
Dixie Land Title Association  
Mobile, Alabama

December 1, 1971  
Louisiana Title Association  
Royal Orleans Hotel  
New Orleans, Louisiana

1972  
March 1-3, 1972  
ALTA Mid-Winter Conference  
Regency Hyatt House  
Atlanta, Georgia

October 1-4, 1972  
ALTA Annual Convention  
Astrworld Complex  
Houston, Texas

office in Walnut Creek. Ted Sudderth has been named manager of the new branch in Concord.

Dennis Parker, former title officer at Oakland, has been assigned to a new division post as assistant vice president-title operations. The new marketing manager of the division is David Friedrich.



Louisville Title Insurance Company's Vice President Charles I. Tucker, (left); Lola Roberts; and Senior Vice President Harrison H. Jones measure a 107-pound watermelon sent by Jesse M. Duckett, president, Byers Abstract Company, Inc., Hope, Ark., which, as this photograph emphasizes, is the home of champion melons.

## Fromhold Appears On Radio Shows

Fred B. Fromhold, president of Commonwealth Land Title Insurance Company, explained the importance of title insurance in two recent Philadelphia radio interviews.

During a discussion of real estate and home buying topics on Marion Granger's "Celebrity Carousel" show on WIBF, Fromhold advised potential buyers and sellers to use the services of a professional real estate broker.

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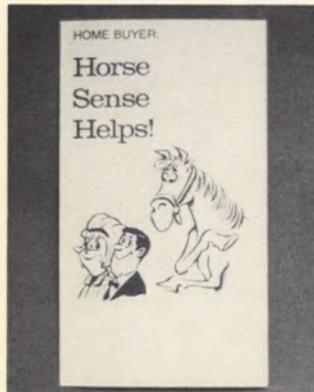
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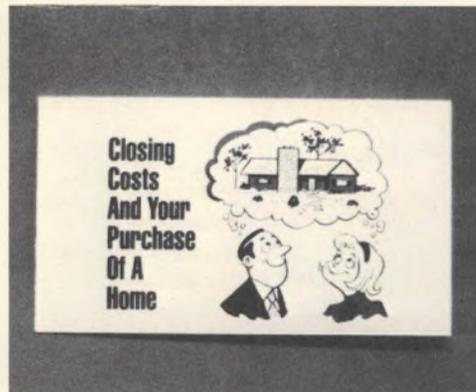
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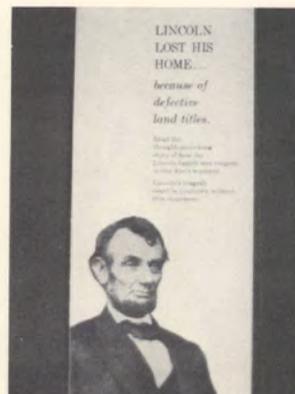
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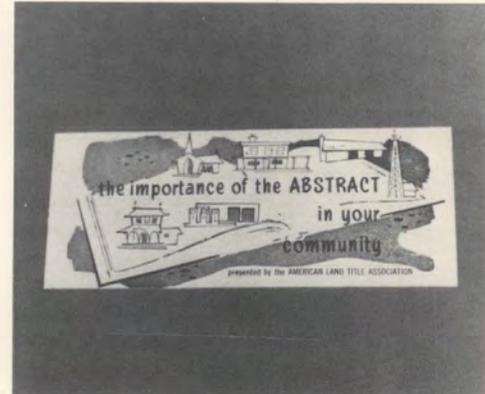
**AMERICAN LAND TITLE ASSOCIATION ANSWERS SOME IMPORTANT QUESTIONS ABOUT THE TITLE TO YOUR HOME.** Includes the story of the land title industry. \$11.00 per 100 copies of the booklet.



**HOW FHA HELPS THE HOME BUYER.** This public education folder was developed in cooperation with FHA and basically explains FHA-insured mortgages and land title services. \$5.50 per 100 copies.

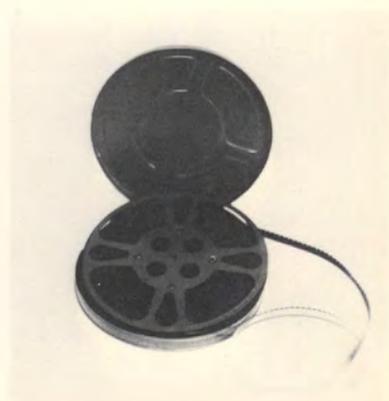


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# American Land Title Association

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