

February 1984

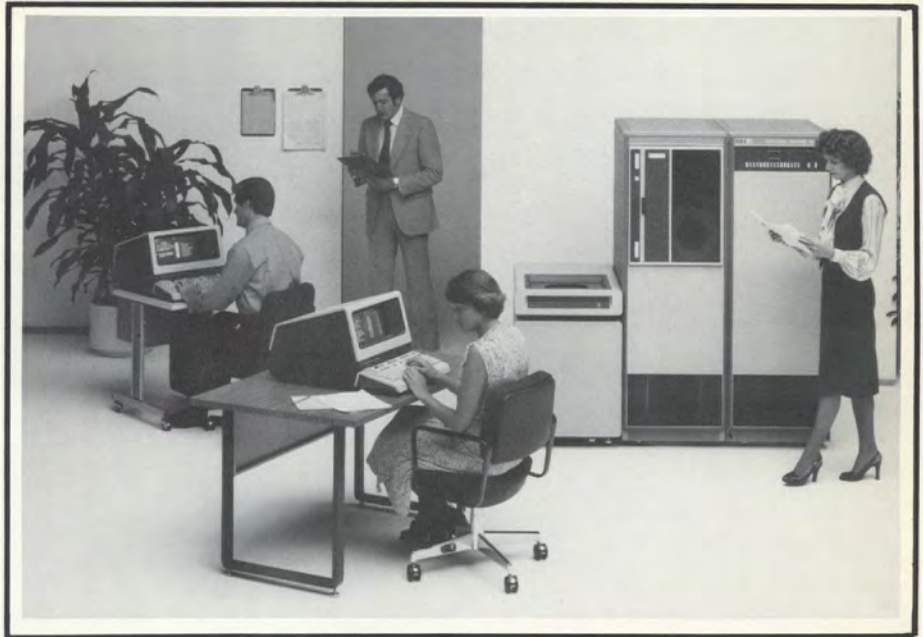
TITLE NEWS



**Michigan Title Woman
Contests Misinformation
On Compulsory Torrens**

TITON: the system for the 1980's

*It will give you
more control of your
business and save
you money...*



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 **Title
Data
Inc.**

TITLE NEWS

Volume 63, Number 2

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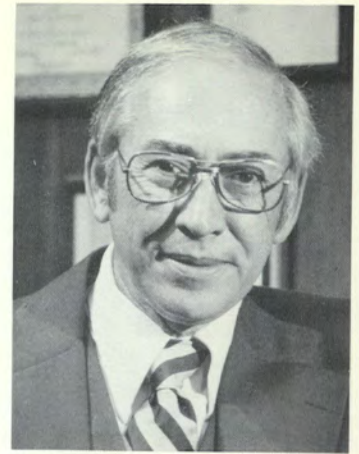
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Front Cover

Mary C. Feindt, an ALTA past governor and president of Charlevoix (Michigan) Abstract & Engineering Co., works in the field with her son, Lawrence R. Feindt. She is a member and past chairperson of the Michigan State Board of Land Surveyors; both she and her son are licensed land surveyors. Recently, the Michigan title woman took issue with a misinformed article published in *Surveying and Mapping*, journal of the American Congress on Surveying and Mapping, in which a fellow surveyor advocates compulsory Torrens land registration. Her resulting commentary appearing in that publication is reprinted beginning on page 7.



R. "Joe" Cantrell
"A title agent for title people"

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A Message From The Chairman, Abstracters and Title Insurance Agents Section

After four months as chairman of the Abstracter-Agent Section, I have found the experience to be interesting and exciting. As expected, keeping busy with ALTA affairs has presented no problem at all.

There are five very active committees within our Section and the energy and enthusiasm they generate are impressive.

The Organization and Claims Committee, chaired by Joe McNamara, met in November to plan future activity including statistical studies to profile the abstracter-agent segment of the title industry.

The Membership Recruitment and Retention Committee met in December under the leadership of its chairman, Jim Mills. I was able to attend this meeting and was pleased to see the committee determination to not only attract new ALTA members but also bring back former members who have dropped out. You will be hearing more about the work of this committee and how you can help in the near future.

Chairman Carleton Hubbard, Jr., of the Education Committee has set the dates of the Land Title Industry Education Seminar for April 6-7 of this year at the Henry VIII Inn and Lodge near the St. Louis airport. As this is written, program details have been completed and are about to be announced. The degree of participation in the seminar will have considerable bearing on whether other ALTA regional meetings of this type are held. Make your reservations early.

Chairman John Haviland and his Land Title Systems Committee met in January to plan another Workshop on Automation in the Local Title Office that will be held during the 1984 ALTA Annual Convention. Also on the upcoming Convention schedule is an automation exhibit featuring hardware and software concerns interested in offering their systems and equipment to the title industry. Members of the Systems Committee point out that a good deal of the information from the successful automation workshop and exhibit held during the 1983 ALTA Annual Convention will need updating by this fall. John Haviland and his committee associates strongly believe that effective use of automation holds the key to success—and survival—for title companies of all sizes.

Also hard at work is the Errors and Omissions Liability Insurance Committee, chaired by Earl Harper. This

committee will meet during the ALTA Mid-Winter Conference in March and faces a full agenda.

Members of the Section Executive Committee met in December to plan our part of the program for the Mid-Winter Conference. In keeping with the government relations emphasis suggested by the Washington site of the Conference, our program will provide an opportunity to engage in discussion with a member of Congress and with a leading state legislative lobbyist on how members of the title industry can become more effective as constituents.

You can see that our Section officers and committee people are doing a great deal to move the Association forward. But, for the level of results that we all want, it will take involvement by every member in 1984.

If you have an idea for a program topic, want to serve on a committee, want to suggest a Convention site—or have thoughts on anything else—please drop me a note at The Bryan County Abstract Company, Box 557, Durant OK 74701. We think we are doing a good job for you—but we need your input to make sure and, better still, your ideas on how we can improve. The success of our Section and our Association depends on your participation.

Through the outstanding work of Jack Rattikin, current ALTA president-elect who previously served two years as chairman of this Section, people from our segment of the industry are more involved in ALTA than at any time since I have been a member of the Association. The future of our business depends on more of the same—locally, and at the state and national levels.

Individually, we need to do a better job in representing our industry. So let's all get involved during 1984—in customer organizations and in our regional/state and our national title associations.

We owe it to the public good, to ourselves, and to those who will follow us as title people in years to come.

Best wishes for a happy and prosperous year.

John R. Cathey



By Richard W. McCarthy
ALTA Director of Research

The U.S. economy is continuing its strong recovery. The major questions now are: (1) How long will the recovery continue?, (2) Will inflation rebound to unacceptable levels? and (3) Will the Federal Reserve be able to control the money supply?

As of now, excluding either an oil supply disruption or a default by one of the third world debtor nations, the recovery should continue through the second quarter of 1984. After that, there is about a 50 per cent probability that serious inflation or monetary troubles will arise. However, the sustained recovery remains the most likely scenario through the first quarter of 1985.

Sustained recovery most likely will be characterized by a 5 per cent real GNP growth in 1984 and 3.5 per cent in 1985, a rate of inflation (GNP deflator) below 6 per cent in 1984 and below 6.5 per cent in 1985. Unemployment will fall throughout the period, reaching a level of 7 per cent by fourth quarter 1985.

Inflation is the most likely alternative scenario through the end of 1985. In mid-year 1984, price levels would begin to rise due to structural bottlenecks. However, the Fed would be unable to respond promptly due to political concerns and the international debt situation. After the election, interest rates would rise quickly, and inflation would persist. Real GNP would grow by 5.5 per cent in 1984, and 2.5 per cent in 1985; inflation would be at 6.7 per cent by year-end 1984, and close to 9 per cent by the end of 1985. Unemployment would drop to about 7.7 per cent by the end of 1984, and remain at that level throughout 1985.

A "monetary problems" scenario is the least likely path at this point in time. In this series of events, the large federal deficit—coupled with the Fed's inability to control the growth of the monetary aggregates—would lead to a situation where interest rates shoot up in the late spring of 1984. Therefore, the recovery would be abruptly short-circuited. The economy would, once again, begin to recover in late 1985. Under this scenario, real GNP would grow at a 2.5 per cent rate in 1984 and 1985, while inflation would be 5.5 per cent in 1984 and 4.5 per cent in 1985. Unemployment would decline to 7.8 per cent in the second quarter of 1984, and would climb to 9.8 per cent by mid-1985. By the end of 1985, unemployment would be 9.2 per cent.

These key indicators will foretell which scenario will become reality:

Sustained Recovery

(a) Monthly annualized increases in retail sales of under 2 per cent.

(b) Initial claims for unemployment insurance between 350,000 and 425,000 (under 350,000 would indicate upcoming inflation).

Inflation

(a) High wage settlements and "posturing" by major unions. In September, the 400,000-member UAW will negotiate with Ford and General Motors.

(b) An annualized increase of 7 per cent or more in the Monthly Raw Industrials Commodities Index.

(c) An annualized increase of 6 per cent or more in the Monthly Weighted Hourly Earnings Index.

Monetary Problems

(a) Increases in the inability of major foreign debtors to meet their obligations (Brazil, Argentina, Venezuela, etc.).

(b) Erratic behavior of the monetary aggregates (a swing of ± 50 basis points in the Federal Funds Rate).

With real estate among the areas most sensitive to change, the outlook for the title industry over the next two years depends on the economy's ability to maintain the recovery. If recovery continues, the accompanying growth in business investment (part of which is commercial real estate activity, which should average about 7 per cent in 1984 and 1985) coupled with a 6.5 per cent increase in residential investment in 1984 followed by 4 per cent growth in 1985, indicates that the present recovery in the title industry will continue. However, should higher levels of inflation reappear, rising interest rates will slow down growth in business fixed investment to less than 5 per cent per year, while housing activity will be virtually stagnant in 1984, and will decline by about 9 per cent in 1985. This would mean a slight contraction in the title industry in 1984, and a repeat of depressed 1981-82 levels of activity in 1985.

Setting the Record Straight For Land Surveyors on Torrens

(The following was written by Mary C. Feindt after publication of an article advocating compulsory Torrens land registration in Volume 43, Number 3, of *Surveying and Mapping*, journal of the American Congress on Surveying and Mapping, and appeared in the "Comment and Discussion" section, Volume 43, Number 4, of the aforementioned. It is reprinted with permission.)

The September, 1983, *Surveying and Mapping* contains another of the misinformed articles that emerge from time to time in support of replacing land recordation systems now used in a vast majority of United States counties with Torrens land registration.

As is typical in articles of this type, the September commentary does not explain why Torrens—with its slow, cumbersome function that ties up capital and its limited benefit—has failed the test of our active real estate market. Recent evidence of the inadequacy of registration includes the following.

- After studying various methods of land transfer as directed by the Real Estate Settlement Procedures Act, the Department of Housing and Urban Development reported to Congress that registration under current laws and practices is a less desirable method of title assurance than those provided by the settlement services industry.
- In Hennepin County, Minnesota, one of three jurisdictions in the na-

tion with fairly active registration systems, title insurance is requested for about as many Torrens titles as non-Torrens titles (Cook County, Illinois and Massachusetts are the other two).

- In Illinois, state legislation effective in 1983 authorizes owners to de-register Torrens property for the first time since the registration law was enacted over a century ago; present state law requires that, for property to be registered, the owner must furnish either a current abstract or current owner's title insurance policy; Torrens registration in Cook County, the only one of the state's 102 counties to adopt Torrens since the enabling law originally became effective, has been declining in recent years.
- As is pointed out by Blair C. Shick and Irving H. Plotkin, in their study,



Mary C. Feindt, a past governor of ALTA and a past president of the Michigan Land Title Association, is president of Charlevoix Abstract & Engineering Co., Charlevoix, Michigan. She is a member and past chairperson of the Michigan

State Board of Land Surveyors and has served as ALTA liaison representative with the American Congress on Surveying and Mapping. She is a licensed land surveyor.

Torrens in the United States (Lexington Books, 1978), registration does not prevent title defects from arising or eliminate the need for clearing up title problems—and is a system offering fewer benefits at equal or greater cost than recordation.

The unacceptability of Torrens also reflects a reluctance by public officials to bring the substantial cost and inconvenience of a judicial proceeding required for initial registration upon the existing property owner—and an unwillingness to incur public expense for the relatively high cost of technical personnel needed in a registrar's office, and for the Torrens assurance fund against which persons deprived of interests in land may attempt to recover.

Most Torrens assurance funds carry a small balance in relation to potential claims. Poor administration of the funds can result in claims far in excess of their resources, a development that led to failure of the California fund and subsequent repeal of the Torrens act in that state.

Further, persons deprived of interests in land other than by wrongful acts or omissions on the part of registrar's office employees generally must first attempt to recover against persons liable and, if unsuccessful, then must bring suit if attempting recovery against assurance funds.

Continued on page 13

The Mini-Computerization of an Abstract Office



By Paul R. Welshons

Using a small computer to solve the problems of an abstract office can be an enlightening experience. There are computers that can do almost anything—depending on how much you want to pay.

Some computers can make graphs, plan your future, overthrow governments, predict Rose Bowl and Super Bowl winners, ring bells and tell stories. At Dakota County Abstract Company, I didn't need or want that. I wanted something that would help me run the office, do what I wanted done, without costing too much.

It has always been my philosophy to buy equipment for what I need done—not for what the equipment can do. This approach was followed in selecting mini-computers for our office and the results are excellent. Besides an important gain in accuracy, the equipment has worked out well enough for the single drive unit to pay for itself in less than four months through saving of time. The double drive unit should pay for itself within one year after installation of the equipment.

Dakota County Abstract Company is moderate in size and is the main abstract

and title company in a county with about 250,000 population. Our county is first in growth in Minnesota at the present time.

The company has a main office in Hastings with 22 full time and three part time employees; a branch in Apple Valley with three full time and two part timers; and a branch in West St. Paul with two full time and one part time employees. Our branches are mainly closing offices; we have a complete abstract plant and are an agent for Title Insurance Company of Minnesota.



Paul R. Welshons is a past president of the Minnesota Land Title Association and currently serves as co-editor of Land Title News, newsletter of that organization. He entered the title business in 1947 and he has been owner and president of Dakota County Abstract Co., Hastings, Minnesota, since 1961. Prior to that, he served seven years as Dakota County register of deeds following 13 years as deputy register of deeds for the county.

kota County Abstract Co., Hastings, Minnesota, since 1961. Prior to that, he served seven years as Dakota County register of deeds following 13 years as deputy register of deeds for the county.

For years we have maintained a ROLODEX file system to list names of people in our county who have judgments, federal or state tax liens, or bankruptcy proceedings filed against them. We also have a "reception book" that has to be checked for documents filed in the office of the county recorder but not yet completely posted to our records.

This "reception book" is a photo copy of the official book in the recorder's office that is added to or subtracted from daily as work progresses there. Employees of the recorder's office normally are 10 days to six weeks behind in recording—so checking the "reception book" each time to be sure there are no recent filings affecting the property being abstracted is quite time consuming.

Another time-eater for us is checking for stored abstracts; we store some abstracts for mortgagees and keep a considerable number of abstracts in our closed title insurance files.

In our title insurance agency operation, we have a number of "master plan" files. Our "master plan" system calls for writing a policy for the complete addition and doing takeoffs for policies on the respective lots as they are sold. In

Minnesota, an abstract and title opinion state, this is fairly new to us. In our "master plans" there are many phrases that are repetitious with each separate file in those plans and many of the phrases in our binders and policies also are fairly repetitious.

Typewriter Use Provides Basis

Our mini-computerization was built around our existing use of Adler typewriters, which led to the recent purchase of two Adler SE 1005s—part of their latest line—for about \$1,050 each. These do everything our older models do, run much more quietly and have a built-in memory of 33 K—33,000 characters.

Adler also came out with a mini-computer/word processor called a Textwriter, which attaches to the SE 1005 or one of the more expensive models in the same line and consists of a small panel that attaches directly to the back of the typewriter, a small detached key pad and a viewing screen.

The Textwriter comes in a single drive model and a dual drive model and we bought one of each, which cost us \$2,750 and \$3,081, respectively, over and above the cost of the typewriters. Our typewriters still can be used as typewriters when not providing input for the storage bank or serving as printers for retrieval. This variation in use is achieved simply by touching the proper key on the key pad. We use the standard 5¼-inch disk that has a storage capacity of 85 K.

Our next step was to hire a recent graduate of the local high school with computer training. After a small amount of instruction from the vendor, she was able to sit down with the single drive unit and work out our programs.

The first program she was given was our ROLODEX indices of the judgment, etc., roll, and she loaded all the names into the file showing the full names just as they appear on the judgments and other documents. She also listed the docketing date or filing date and the amount of money on each.

In searching a name, we now ask the mini-computer to show us anything on file against just the last name. If it is a very common name—such as Johnson or Bauer—we might also add the first name. The mini-computer calls up the first instrument listed under that name. Then, by use of another key on the pad, we scroll the list to see if there are any others. If there is no listing for that name, the screen will simply say "cannot locate" and we know they are clear.

"Besides an important gain in accuracy, the equipment has worked out well enough for the single drive unit to pay for itself in less than four months . . ."

For the "reception book," we use a slightly different program. Our programmer first made a photo copy of the listing of all the active additions in Dakota County and then numbered them 101 to the end—in this case 1850. Then she plugged that into the memory of the mini-computer and went to the "reception book" and listed only the addition number for each entry in the book. When a document contained a legal description that was unplatted, she simply listed the section, township and range numbers. (Sample: Section 22, Township 28, Range 23 becomes 22-28-23)

For satisfactions and assignments of mortgages, she used the document number on the mortgage affected. She maintains this on a daily basis, adding the new filings and deleting documents as they are indexed.

Now, to check the "reception book," all we do is punch in the addition number and, if "cannot locate" shows up on the screen, we know there is nothing in the book on our addition beyond the point of posting.

If unplatted, we use the section-township-range number instead of the sub-

division number. If there is anything in our subdivision or section, we can scan on the viewer and decide if we are affected. We then plug in the document number of any unsatisfied mortgages to see if there is a satisfaction or assignment of record.

For our stored abstracts we are using the same basic numbering system as used in the "reception book" but we are showing a little different information in the mini-computer memory bank. We store the legal description, the name of the party we are storing the abstract for and the specific location of where it is stored. Any time a client or would-be client contacts us trying to locate an abstract, we use the mini-computer to do our searching for us. It used to take 20 minutes or more to see if we have the abstract; it now requires less than a minute.

The standard phrase work for our title department is not completed as yet but we envision much of the same conservation of time when this becomes operational. We have simply been too busy to

Continued on page 17



Mini-computerization at Dakota County Abstract Co. was built around the existing use of typewriters with built-in memory of 33,000 characters per machine. Shown working with the office system are, from left, Maureen Ficker, Sandy Ahern, Kelly Berg and Joanne Reinardy.

Schedule B

THE FOLLOWING ARE THE REQUIREMENTS TO BE COMPLIED WITH:

1. The following are the requirements to be complied with:

2. The following are the requirements to be complied with:

3. The following are the requirements to be complied with:

4. The following are the requirements to be complied with:

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10. The following are the requirements to be complied with:

SCHEDULE B - SECTION 1

REQUIREMENTS

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17. The following are the requirements to be complied with:

18. The following are the requirements to be complied with:

19. The following are the requirements to be complied with:

20. The following are the requirements to be complied with:

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LOAN OFFICER: [Name]

DATE: [Date]

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11.00%	\$1,100.00	11.00%	\$110.00
12.00%	\$1,200.00	12.00%	\$120.00

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DATE: [Date]

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APPLICANT: [Name]

LOAN OFFICER: [Name]

DATE: [Date]

PROPERTY: [Address]

APPROVED: [Signature]

DATE: [Date]

PROPERTY SETTLEMENT STATEMENT

PROPERTY: [Address]

APPLICANT: [Name]

LOAN OFFICER: [Name]

DATE: [Date]

APPROVED: [Signature]

DATE: [Date]

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Inc.
012

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PROPERTY TAX
PROPERTY TAX

STATEMENT OF RECEIPTS

DATE: 10/15/80

TO: THE STATE OF PENNSYLVANIA

FROM: [Name]

AMOUNT: \$1,000.00

Schedule A

Form No. 1041-80

DATE: June 1, 1980

PROFESSOR FOR: [Name]

AMOUNT: \$1,000.00

Schedule A (Continued)

AMOUNT: \$1,000.00

SUMMARY OF DEBITOR'S TRANSACTION

1. DEBITOR'S BALANCE	100,000.00
2. DEBITOR'S PAYMENTS	10,000.00
3. DEBITOR'S INTEREST	1,000.00
4. DEBITOR'S FEES	500.00
5. DEBITOR'S OTHER	0.00
TOTAL	111,500.00

DEBITOR'S STATEMENT

DEBITOR'S BALANCE	100,000.00
DEBITOR'S PAYMENTS	10,000.00
DEBITOR'S INTEREST	1,000.00
DEBITOR'S FEES	500.00
DEBITOR'S OTHER	0.00
TOTAL	111,500.00

DEBITOR'S STATEMENT

DEBITOR'S BALANCE	100,000.00
DEBITOR'S PAYMENTS	10,000.00
DEBITOR'S INTEREST	1,000.00
DEBITOR'S FEES	500.00
DEBITOR'S OTHER	0.00
TOTAL	111,500.00

DEBITOR'S STATEMENT

DATE: 10/15/80

TO: THE STATE OF PENNSYLVANIA

FROM: [Name]

AMOUNT: \$1,000.00

DEBITOR'S STATEMENT

DATE: 10/15/80

TO: THE STATE OF PENNSYLVANIA

FROM: [Name]

AMOUNT: \$1,000.00

DEBITOR'S STATEMENT

DATE: 10/15/80

TO: THE STATE OF PENNSYLVANIA

FROM: [Name]

AMOUNT: \$1,000.00

Program Details Announced For ALTA Regional Seminar

Program details for the ALTA Land Title Industry Regional Education Seminar to be held April 6 and 7 at the Henry VIII Inn and Lodge, Bridgeton, Missouri, are being completed by the Association Abstracters and Title Insurance Agents Section Education Committee and staff.

With the meeting agenda in final form for this "shirtsleeve" event for local owners, top executives and middle managers, work is now concentrating on development of an impressive lineup of speakers and discussion leaders. There will be emphasis on attendee participation in discussion and a feedback-evaluation period has been scheduled at the close of the second day's activity.

The Henry VIII is located at 4690 North Lindbergh, near the St. Louis airport. Sleeping rooms have been reserved at the hotel for attendees (\$46.00 per night for singles; \$52.00 for doubles), who are asked to call the facility to con-

firm their reservations. The hotel's toll-free numbers are 800-392-1660 (Missouri) and 800-325-1588 (out of state).

Sleeping rooms not reserved by March 15, 1984, will be released by the hotel.

Registration for the seminar is \$60.00 per person, which does not include meal or lodging expense. Those who have not already done so may register by sending their check, made payable to American Land Title Association, and names of those who will be attending to Gary Garrity, American Land Title Association, Suite 705, 1828 L Street, N.W., Washington, D.C. 20036. Registration correspondence should be on company letterhead.

In order to facilitate travel plans, the seminar will begin at 1:00 p.m. on Friday, April 6, and the first day's program will wind up at 5:00 p.m. The program on Saturday, April 7, the final day, will run from 8:30 a.m. through noon.

Opening the first day's program will

be a discussion on working more effectively with land title customer groups, followed by an ALTA presentation on trends in state legislation and regulation and a workshop-type discussion on automation in the local title office. Leading off the second day will be a discussion on converting from abstracting to title insurance, followed by presentations on title insurance coverages and claims. The feedback-evaluation period will complete the seminar.

Members of the Education Committee are Chairman Carleton L. Hubbard, Jr., president, Stewart Title of Glenwood Springs, Glenwood Springs, Colorado; Wallace E. Buchanan, president, Western States Title Company of Summit, Park City, Utah; Cara L. Detring, vice president, The St. Francois County Abstract Co., Farmington, Missouri; Glenn Graff, assistant state manager, Lawyers Title Insurance Corporation, Winter Haven, Florida; Fred McMahon, president, Cascade Title Company, Eugene, Oregon; Connie Wimer, president, Iowa Title Company, Des Moines, Iowa; and Phillip B. Wert, manager, Johnson Abstract Company, Kokomo, Indiana.

ALTA Land Title Industry Regional Education Seminar

Friday, April 6

- 1:00 p.m. Customer Relations (Workshop discussion on working more effectively with attorneys, brokers, lenders, builders and consumers)
- 2:30 p.m. ALTA Presentation on Trends in State Legislation and Regulation
- 3:30 p.m. Break
- 3:45 p.m. Automation in the Local Title Office (Workshop discussion)
- 5:00 p.m. Adjournment

Saturday, April 7

- 8:30 a.m. Converting from Abstracting to Title Insurance
- 9:30 a.m. Know Your Title Insurance Coverages
- 10:30 a.m. Break
- 10:45 a.m. Claims: How to Avoid Starring in a Horror Story
- 11:45 a.m. Seminar Feedback
- Noon Adjournment



Members of the ALTA Abstracter-Agent Section Education Committee discuss plans for the Association's April Regional Seminar in St. Louis. Seated are Chairman Carleton L. Hubbard, Jr., and Cara L. Detring. Standing are Phillip B. Wert, left, and Wallace E. Buchanan. Not in photograph: Glenn Graff, Fred McMahon, Connie Wimer.

Persons owning registered property must defend at their own expense in actions involving claims against their titles—which can mean incurring litigation costs even when the defense is successful. In addition to clearing up title problems and payment of valid claims, title insurance will pay for defending against an attack on title as insured.

An owner covered by a title insurance policy who experiences a title loss can recover up to the full face amount of the policy and voluntarily increase coverage to cover the increased value of his or her property. Under Torrens, a person with a valid claim against the assurance fund generally can recover only up to the value of the property at the time the last payment with respect to the property was made into the fund.

Rights Must Be Determined

There are a number of rights or claims not reflected in a registration certificate—meaning that a determination of these must be made, generally through a search of public records, before property can be transferred. Examples include the following:

- Rights or easements arising through use or adverse prescription
- Federal tax liens arising from delinquent taxes
- Liens in favor of state or local taxing authorities, resulting from failure to pay real estate taxes or special assessments
- Rights or claims arising from bankruptcy proceedings
- Rights arising from conveyance of interest of a person who is deceased, incompetent or a minor
- Building or use restrictions in a recorded plat
- Rights of mechanics or materialmen who have not yet filed their

“... any changes should be geared to the needs of our dynamic real estate marketplace and should reflect ideas whose moment has arrived—not registration, whose time has passed.”

mechanic's or materialmen's lien notices but who, under state or local law, have from 60 days to six months after furnishing material or labor to the owner to file these lien notices

Even though the title search under registration may be narrower in scope than under recordation, the real estate purchaser still requires professional assistance in examining and evaluating the title information in a Torrens certificate and attendant costs thus remain.

Attorneys and title companies will remain essential under either conveyancing system when the buyer is concerned about possible claims from mortgagees, judgment creditors or other lienors, adjacent landowners, governmental entities, etc.

As the Shick-Plotkin study concludes: “The total experience of American jurisdictions with the Torrens approach to establishing and transferring land ownership is essentially negative. The overall picture is one of failure to attract the interest of landowners, failure to

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recognize and carry out the administrative and financial obligations inherent in operating a complex system affecting important legal interests, and failure to fulfill original expectations. . . . The broader role of Torrens that was envisioned by its late nineteenth-century proponents has been filled by other title assurance mechanisms in combination with conventional recording systems. Torrens has been unable to compete with this approach because, for most purposes, it offers fewer benefits at equal or greater cost."

Recordation Systems Work Well

Land surveyors are fully aware that our present recordation systems are in need of improvement. Yet, when augmented by title insurance and the work of real estate professionals including attorneys, title company personnel and surveyors, recordation systems serve remarkably well most of the time.

Primarily through the facilities of title companies, important information from the public record on easements and other matters is readily available to surveyors under recordation systems; it would be impossible to obtain this kind of information with Torrens.

The increasing accuracy of survey descriptions due to modern techniques and equipment—especially with the ad-

vent of satellite systems—is continually changing the figures ascribed to calls in descriptions and the entire accuracy of mapping. There are now more efficient means of relocating original corners than reliance on the cumbersome maps used with land registration systems.

In areas of the country where legal descriptions of land involve the metes and bounds system, there is more room for interpretation by the surveyor and consequently a greater possibility for confusion. In a land registration judicial proceeding, the technical expertise necessary for evaluation of such surveys may well be lacking and lines may be incorrectly set. When this occurs and the purchaser of property benefits, the abutting land owner suffers correspondingly.

Title policies can insure survey boundaries if the insured provides an acceptable survey. The same cost for a survey is involved whether land transfer is under a recordation or a registration system.

Insuring by a competitive, financially responsible title company provides impressive benefits for the parties in a real estate transaction. For example, the Torrens advertising procedure for attempting to locate heirs or others with interests in property leaves a great deal to be desired when compared with the

effort made by a title insurer before its policy is issued.

Our land transfer process should be upgraded wherever possible, when the cost is justified by the improvement attained. But any changes should be geared to the needs of our dynamic real estate marketplace and should reflect ideas whose moment has arrived—not registration, whose time has passed.

Donald Bell Elected President of NLTA

Donald M. Bell, Bell Abstract and Title, Inc., Plattsmouth, Nebraska, has been elected 1983-84 president of the Nebraska Land Title Association

He previously served as NLTA president in 1969, was re-elected to the association board of directors in 1981 and is a former member of the ALTA Abstracters and Title Insurance Agents Section Education Committee.

New IVT Facilities

Industrial Valley Title Insurance Company has opened a new and expanded Chester County, Pa., headquarters that contains settlement offices and its title plant for the county.

PLEASE

Help your Errors and Omissions Committee help you—We need to know:

**What problems you have had
What successes in finding E&O coverage you have had
Whom you are insured with—Are you happy with coverage and cost?**

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Land Title Industry Regional Seminar— 1984

*Presented by the Education Committee,
ALTA Abstracters and Title Insurance Agents Section*

**Program information reported in
this issue of *Title News***

**1 to 5 p.m. Friday, April 6
8:30 a.m. to 1 p.m. Saturday, April 7
Henry VIII Inn and Lodge
4690 North Lindbergh, Bridgeton, MO 63044
(near St. Louis Airport)**

**Toll-free telephone: 800-392-1660 (Missouri)
800-325-1588 (Out-of-State)**

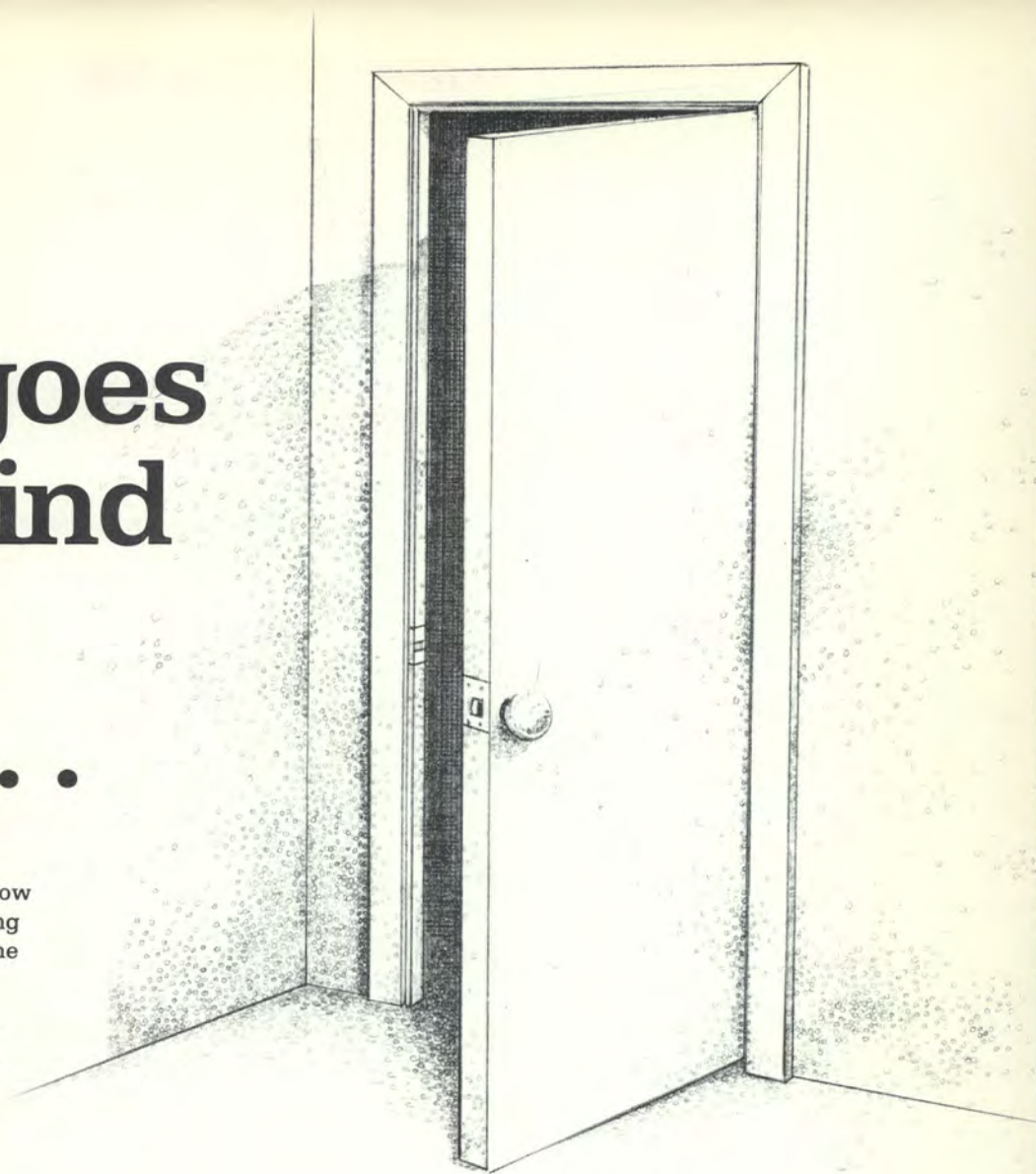
*Contact hotel directly to confirm your reservation;
single sleeping rooms available at \$46.00 per night,
doubles \$52.00 per night.*

Hotel will release all rooms not reserved by March 15, 1984.

What goes on behind closed doors . . .

in the title industry? Do your customers really know? The brochures and visual aids listed below can be a tremendous help in advising the public and your customers on the important and valuable services provided by the title industry.

These materials may be obtained by writing the American Land Title Association.



Brochures and booklets

**(per hundred copies/shipping and/or postage additional)*

House of Cards.

This promotional folder emphasises the importance of owner's title insurance \$22*

Protecting Your Home Ownership

A comprehensive booklet which traces the emergence of title evidencing and discusses home buyer need for owner's title insurance \$30*

Closing Costs and Your Purchase of a Home

A guidebook for homebuyer use in learning about local closing costs. This booklet offers general pointers on purchasing a home and discusses typical settlement sheet items including land title services. \$30*

Things You Should Know About Homebuying and Land Title Protection

This brochure includes a concise explanation of land title industry operational methods and why they are important to the public. \$22*

The Importance of the Abstract in Your Community

An effectively illustrated booklet that uses art work from the award-winning ALTA film, "A Place Under the Sun" to tell about land title defects and the role of the abstract in land title protection. . . \$35*

Blueprint for Homebuying

This illustrated booklet contains consumer guidelines on important aspects of homebuying. It explains the roles of various professionals including the broker, attorney and titleperson. \$40*

ALTA full-length 16mm color sound films

A Place Under The Sun (21 minutes)
Animated film tells the story of land title evidencing \$155

1429 Maple Street (13½ minutes)
Live footage film tells the story of a house, the families owning it, and the title problems they encounter. \$140

The American Way (13½ minutes)
Live footage film emphasizes that this country has an effective land transfer system including land recordation and title insurance. \$140

The Land We Love (13½ minutes)
Live footage documentary shows the work of diversely located title professionals and emphasizes that excellence in title services is available from coast to coast. \$115

Miscellaneous

ALTA decals \$3
ALTA plaque \$3

sit down and work out a complete program.

Mini-Computers Aid Searching

Besides the saving in time, our mini-computers make searches formerly done manually that are very subject to human error. Mini-computers don't get interrupted in mid-stream nor do they carry on conversations with others while checking through indices.

If we leave out the unknown quantities of time lost visiting, the effect of an employee in a bad mood for whatever reason, and the effect of interruptions from a myriad of causes and put everyone and everything at the top of the efficiency scale, the mini-computer experience at Dakota County Abstract can be summed up as follows.

Our "reception book" length can run 30-80 pages so let's call 50 pages average. Manual checking of the book can take 10-15 minutes for each abstract certification and an average probably is about

"... for the six women working in our abstract typing department, we pay the salary of four and the mini-computer pays the other two."

12 minutes. Each abstract typist should be able to complete three abstracts per hour but let's go with two as an average.

Checking the "reception book" on the mini-computer takes about two minutes each time, a saving of 10 minutes per abstract. If the typist doing the checking completes only two abstracts per hour, she still saves 20 minutes per hour compared to manual checking—or a third of her monthly salary.

I like to think that, for the six women working in our abstract typing department, we pay the salary of four and the

mini-computer pays the other two.

If I were to start over with mini-computers using what I recently have learned, I would be especially mindful of the following.

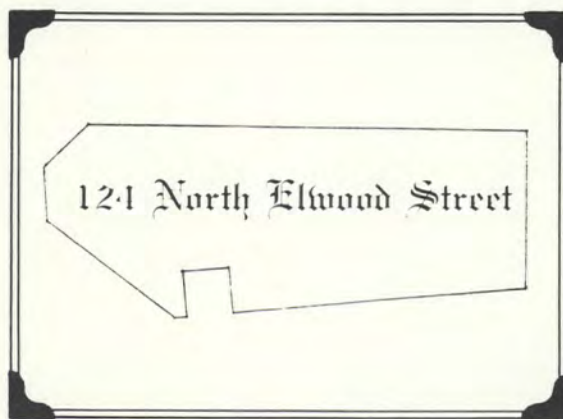
—*Start looking immediately.* Even if you greatly doubt that you will ever need a mini-computer, you should have as much background and information as possible in case the day unexpectedly arrives when automation becomes a must.

—*Don't move too fast.* Whether buying mini-computer, large computer or word processor, remember that each system is different. You need what best suits your operation. Study the alternatives.

—*Don't postpone the inevitable.* Automation technology is forever changing. When you have found what you want and are satisfied, buy it... or lease it... or whatever. But do it.

—*Don't look back.* Once you have taken the plunge, plan ahead within the parameters of your equipment where the future is concerned. Don't look back. As Satchel Page once said, somebody might be gaining on you.

a picture is worth...



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...And 124 North Elwood Street should certainly be worth a picture!

With the new **Turbotract** plotting program from SULCUS, you and your customers get a scaled drawing of the legal description...whether it's a single tract or multiple tracts within a given matrix (e.g., quarter section or subdivision). You get at-a-glance evidence of closure or overlaps, plus easements.

Fully compatible with the Forms Generation program, **Turbotract** enables the user to plot from the legal description already entered, or to enter a new description then carry it over into Forms Generation.

Here are some important features:

- Personalized company identification
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- Choice of plotting to any scale or preset auto-scaled sizes
 - Ability to plot straight courses, arcs, corners
- Standard measurement units (e.g., rods, links, chains) plus 10 user-defined units
- Index of all plotted parcels

Turbotract is available with your choice of the economical #4P plotter (four-inch plain roll paper) or the letter-size #12P plotter. Both plotters offer you four-color plotting capability and software selection of pen color.

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Names In The News . . .

Ticor Title Insurance Company has named **Erich E. Everbach** senior vice president, secretary and general counsel and **Michael J. Melton** vice president—assistant general counsel, Los Angeles, California. **Paul McNutt, Jr.** has been named vice president and general counsel for the company's American Title division, Houston, Texas. **Vonnie Putnam** has been named assistant vice president and Dallas, Texas, area sales manager.

Gerald B. Beeny, a vice president with Ticor Title Insurance of California, has been named Riverside, California, county manager. **David R. Ball** has been named sales director for Los Angeles,

Orange and Ventura counties. **Fred Angelis** has been named Ventura county sales manager, Oxnard, California. **David Sims** has been named advisory title officer, Fresno, California; **George L. Nash** assistant area manager, Fresno and Madera, California, counties; and **Gary L. Peterson** plant supervisor, Oxnard, California.

George M. Ramsey has been elected senior vice president—operations, Dallas, Texas, Southwestern states office of Lawyers Title Insurance Corporation. Lawyers Title has also announced the appointments of **Alexander E. Conlyn** to assistant counsel—claims, **George E. Hursig** to rate administrator, and **Ruby W. Adams** to assistant reinsurance administrator in national headquarters, Richmond, Virginia.

Peter E. Powell has joined Lawyers Title Insurance Corporation and Lawyers Title of North Carolina, Inc. as vice president in charge and is located in Richmond, Virginia. **Bruce L. Park** has joined Lawyers Title as sales repre-

sentative, Philadelphia, Pennsylvania, national division office.

James P. Kozel has been named vice president—controller for Commonwealth Land Title Insurance Company, Philadelphia, Pennsylvania. **Kozel**, former vice president—accounting, succeeds **James C. Miller**, who has been named president of Commonwealth Mortgage Assurance Company.

Chicago Title Insurance Company has appointed **Gary R. Cortellessa**, vice president and former Mid-Atlantic regional counsel, to director of corporate marketing, Chicago, Illinois. **Barbara G. Blitz** has been elected vice president and succeeds **Cortellessa** as Mid-Atlantic regional counsel, Arlington, Virginia.

Other appointments at Chicago Title are **Elizabeth Bierwirth** to assistant vice president and remains title production manager, Milwaukee, Wisconsin; **Peter Miller** to assistant vice president, sales, Los Angeles, California; **Linda K. Sklenar** to assistant vice president and remains office manager, Waukesha, Wisconsin; and **Michael Hardecopf** to title operations officer and manager, Kendall county office, Geneva, Illinois.

Paul G. Roos has been named president of Real Estate Title Service Corporation, Cleveland, Ohio, a subsidiary of Title Insurance Company of Minnesota. **Roos**, former executive vice president, has been with the company since 1967.

Richard F. Tyson has joined American Title Insurance Company as Wisconsin state legal counsel, Milwaukee, Wisconsin.

Industrial Valley Title Company has appointed **Alexander J. Tarasca** branch manager, Exton, Pennsylvania and **Judith A. Homolash** office manager, Philadelphia, Pennsylvania, headquarters office.



McNutt



Angelis



Conlyn



Hursig



Adams



Powell



Kozel



Cortellessa



Blitz

ALTA Past President Morton McDonald Dies

Funeral services and burial were January 17 in DeLand, Florida, for ALTA Past President and Honorary Member Morton McDonald, who died there January 15 after an extended illness.

He served as ALTA president in 1955-56 and was elected to Honorary membership in 1978. In addition, he was the prime mover in founding the ALTA Group Insurance Trust and served as its first chairman.

A past president of the Florida Land Title Association, he also served a total of 14 years as FLTA secretary—both before and after his presidency.

At the time he received his Honorary membership, he recalled beginning his land title career more than 53 years earlier with Lawyers Title Group, Inc., DeLand, a company he served as chairman of the board at the time of his death. It was noted then that he attended his first ALTA meeting in 1934 and was present at 32 ALTA Annual Conventions.

Among his many activities, he helped establish the First Federal Savings and Loan Association of DeLand, now Empire of America FSA. He helped organize and served as first president of the West Volusia Council on Human Relations. He received the Algernon Sydney Sullivan Award from Stetson University, DeLand, in recognition of his contributions as a leader.

A son, Thomas S. McDonald, is president of Lawyers Title Group and currently is ALTA immediate past president and a member of the Association Board of Governors and its Executive Committee.

The family suggests contributions to the Trinity United Methodist Church Memorial Fund for Morton McDonald; the church address is 306 West Wisconsin, DeLand, FL 32720.



Morton McDonald

Local Title Office Automation Workshop, Exhibit Set for 1984



Automation and the future is discussed during a break in the 1983 ALTA Annual Convention Workshop on Automation in the Local Title Office by, from left, James A. Tunis, assistant vice president and director—data processing research and development, Lincoln National Corporation, Fort Wayne, Indiana; Association President-Elect Jack Rattikin, Jr., president of Rattikin Title Company, Fort Worth, Texas; and Herbert N. Morgan, president of Real Title Company, Inc., Fairfax, Virginia. Tunis and Morgan served as discussion leaders for a workshop session entitled: "Future Office or Future Shock—the Office of the Future Contrasted with the Office of the Present."

Work is now under way on a Workshop on Automation in the Local Title Office and an accompanying systems-equipment exhibit that will be part of the 1984 ALTA Annual Convention October 14-17 at the MGM Grand Hotel, Reno, Nevada.

Both activities are being developed through the ALTA Abstracters and Title Insurance Agents Section Land Title Systems Committee, which was in charge of similar events that proved successful during the Association's 1983 Convention.

The workshop will consist of three different one-hour segments. Each will be repeated three times to allow an opportunity for attending the entire program. Segments are: "NON-TITLE Automation for the Local Abstract-Title Office for a Small Investment (General Ledger, Accounts Payable and Receivable, Payroll, Word Processing Communications, Mailing Lists, Advertising, Etc.);" "TITLE Automation for the Local Abstract-Title Office for a Small Investment (Abstracting, Commitment and Policy Preparation, Closing/Escrow, Title Plants);" and "What the Agent and Underwriter Should Expect from Each Other in Automation."

Entitled, "Automation Symbiosis," to characterize the interdependence of title companies and systems-equipment concerns on each other for progress in land title automation, the exhibit will be open during Convention sessions and will be located near the Convention registration desk and a central lounge facility where complimentary coffee and soft drinks will be available.

Members of the Systems Committee include Chairman John D. Haviland, president, South Ridge Abstract & Title Co., Sebring, Florida; Alfred J. Holland, owner and attorney, Paragould Abstract Company, Paragould, Arkansas; Dennis R. Johnson, attorney and automated conveyancing consultant, Spring, Texas; Richard A. Johnson, president, Nebraska Title Company, Lincoln, Nebraska; Richard J. Oliver, president, Smith Abstract & Title, Inc., Green Bay, Wisconsin; and Theodore W. Schneider, president, Kenosha County Abstract Company, Inc., Kenosha, Wisconsin.

Prospective exhibitors who did not receive the Automation Symbiosis exhibitor prospectus mailed earlier this year may contact ALTA Vice President—Public Affairs Gary L. Garrity in the Association's Washington office.

Calendar of Meetings

March 28-30

ALTA Mid-Winter Conference
Capital Hilton Hotel
Washington, D.C.

April 26-28

Arkansas Land Title Association
Inn of the Ozarks
Eureka Springs, Arkansas

April 29-May 1

Iowa Land Title Association
New Hotel Savory
Des Moines, Iowa

May 10-13

Oklahoma Land Title Association
Skirvin Plaza Hotel
Oklahoma City, Oklahoma

May 16-18

California Land Title Association
Hyatt Del Monte
Monterey, California

May 17-19

New Mexico Land Title Association
Marriott Hotel
Albuquerque, New Mexico

May 24-27

North Carolina Land Title Association
Mills House
Charleston, South Carolina

May 17-20

Texas Land Title Association
Registry Hotel
Dallas, Texas

June 3-5

Pennsylvania Land Title Association
Toftrees
State College, Pennsylvania

June 7-9

Tennessee Land Title Association
Ramada Inn
Gatlinburg, Tennessee

June 21-23

Colorado Land Title Association
Keystone Resort
Keystone, Colorado

June 21-23

Oregon Land Title Association
Pendleton, Oregon

June 21-24

New England Land Title Association
Dunfeys Hyannis Hotel
Hyannis, Massachusetts

June 22-24

Illinois Land Title Association
Clarion Hotel
St. Louis, Missouri

July 8-10

Michigan Land Title Association
Grand Hotel
Mackinac Island, Michigan

August 16-18

Idaho Land Title Association, Montana Land
Title Association, Wyoming Land Title
Association
Virginian Motel
Jackson, Wyoming

August 16-18

Minnesota Land Title Association
Grandview Lodge
Brainerd, Minnesota

August 23-25

Kansas Land Title Association
Hilton Hotel
Garden City, Kansas

September 8-11

Indiana Land Title Association
Radisson Plaza Hotel
Indianapolis, Indiana

September 12-14

Nebraska Land Title Association
Regency West
Omaha, Nebraska

September 13-15

North Dakota Land Title Association
Holiday Inn
Dickinson, North Dakota

September 12-15

Dixie Land Title Association
Hyatt Regency
Savannah, Georgia

September 19-22

Washington Land Title Association
Sheraton Tacoma Hotel
Tacoma, Washington

September 20-23

Missouri Land Title Association
Hyatt Regency
Kansas City, Missouri

October 14-17

ALTA Annual Convention
MGM Grand Hotel
Reno, Nevada