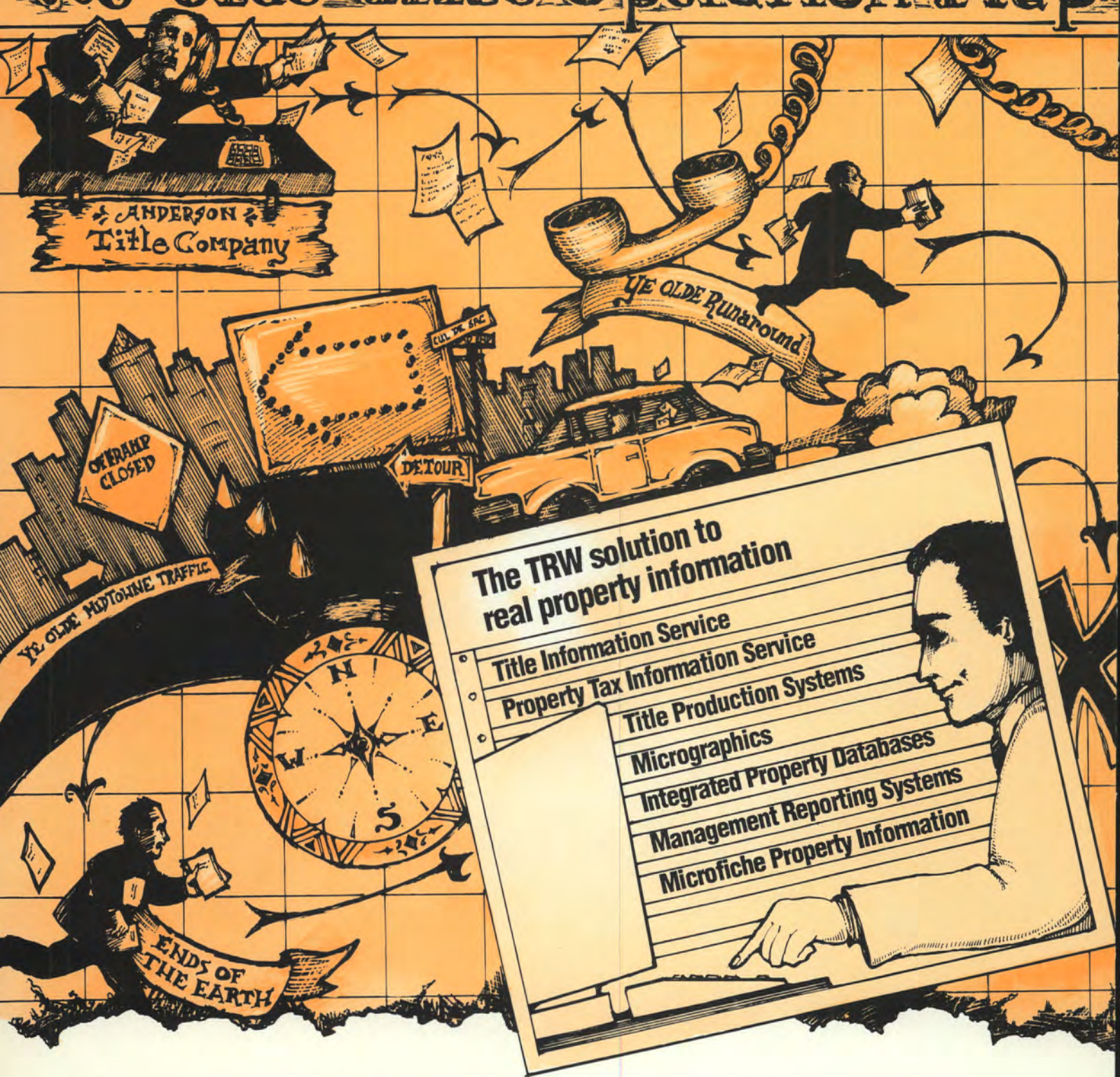


TITLE *News*



**U.S. Supreme Court Decides *Phillips Petroleum v. Mississippi*:
"Toothpick" Navigability Upheld—See Story on Page 5**

Ye Olde Title Operation Map



Take the toil and trouble out of your title operation.

We have the simple solution to timely, accurate real property information. From automated title plant indexes and on-line real estate property tax records to systems like Genesis that automate your office production functions, TRW offers a family of services and products from which to choose.

Whether your company is large or small, you can count on us for quick and convenient access to property information. Our wide range

of services, along with our attentiveness to your requirements, have made us the leading supplier of real property information.

Depend on us for the resources and continued support you need to increase your productivity, efficiency, and profitability.

TRW

Real Estate Information Services
714.385.2100

TITLE *News*

MARCH • APRIL 1988

Volume 67, Number 1

Cover Illustration by Peter Steiner.
Mr. Steiner is a freelance illustrator and cartoonist, whose work appears in a variety of publications, including The New Yorker magazine. He has also been a daily cartoonist for The Washington Times since 1983.

FEATURES

- 5** The United States Supreme Court Examines The "Floating Toothpick" Test of Navigability
By Edgar B. Washburn and Sean E. McCarthy
-
- 8** Nation's Capital Kickoff For TIPAC Trustees
-
- 12** ALTA Liaison Committee With NAIC Hard At Work
By Robert L. Statton
-
- 14** Moment By Moment . . . With The One Minute Manager
By Adina Conn
-
- 16** Book Review Of Robert Ellis' *Title Insurance Law Handbook*
By Hugh A. Brodkey
-
- 20** Jayne Meadows: Portrait Of An Artist . . . Known
By Adina Conn
-
- 22** From The Pioneers To Present: A History of Public Land Surveys
By Sheldon Bowers
-

DEPARTMENTS

- 3** A Message From The Abstracter And Agent Section Chairman
- 24** Names In The News
- 28** On The Homefront
- 28** New Arrivals
- 34** 1988 Affiliated Association Conventions
- 35** Calendar Of Meetings
- 36** New ALTA Members

Three reasons why title companies are replacing their current systems with Genesis



UNIX™ PC

When we asked our customers why they were replacing existing systems with Genesis, they told us they wanted more-advanced technology, greater flexibility, and a system that would be around for a while.

Today

Today's technology is simply better than it was just a few years ago. And Genesis gives you state-of-the-art technology at its finest. Greater speeds and improved capabilities streamline every step — from input and retrieval through processing. And simplified easy-to-learn commands make operating the system a pleasure. Greater profits await you through the benefits of advanced technology.

Genesis is the most advanced title system you can buy today.

Tomorrow

Buying a title system today shouldn't prevent you from having the best system tomorrow. Genesis' flexibility lets you choose the capabilities and hardware you need today. But you can add on at any time, use your existing equipment and still have a fully integrated system.

Genesis is also the best system you can buy for tomorrow.

The future

Genesis was designed with a vision for the future. It is a system that will stay with you for years to come, through periodic updates and system enhancements.

Genesis is a product of Title Data, a unit of TRW, the largest supplier of title systems and services in the world. We are as committed to maintaining Genesis' state-of-the-art performance as we were to developing it. And we have the resources to back up that statement.

As you might have predicted, Genesis is the best system you can buy for the future. Find out what the future holds for you. Call 800.525.8526 outside of Colorado or 303.220.8288 in Colorado.

Genesis

The future of the title industry



Genesis. From Title Data, a unit of TRW Real Estate Information Services



Title News is published by the American Land Title Association, 1828 L St., N.W., Washington, D.C. 20036. Telephone (202) 296-3671.

ISSN 0040-8190

Editor: Gary L. Garrity

Managing Editor: Adina Conn

ASSOCIATION OFFICERS

President

Marvin C. Bowling, Jr., Lawyers Title Insurance Corporation, Richmond, Virginia

President-Elect

Charles O. Hon, III, The Title Guaranty & Trust Co. of Chattanooga, Chattanooga, Tennessee

Chairman, Finance Committee

Richard A. Cecchetti, Title Insurance Company of Minnesota, Minneapolis, Minnesota

Treasurer

David R. Porter, Transamerica Title Insurance Company, Los Angeles, California

Chairman, Abstracters and Title Insurance Agents Section

Chairman, Title Insurance Underwriters Section

Richard P. Toft, Chicago Title Insurance Company, Chicago, Illinois

Section Representatives,

Board of Governors

Joseph D. Gottwald, California Counties Title Company, South Pasadena, California

Thomas A. Griffin, Mid-South Title Insurance Corporation, Memphis, Tennessee

Parker S. Kennedy, First American Title Insurance Company, Santa Ana, California

Herbert Wender, Commonwealth Land Title Insurance Company, Philadelphia, Pennsylvania

Immediate Past President

John R. Cathey, The Bryan County Abstract Company, Durant, Oklahoma

ASSOCIATION STAFF

Executive Vice President

Michael B. Goodin

General Counsel

James R. Maher

Vice President—Public Affairs

Gary L. Garrity

Director of Research

Richard W. McCarthy

Director of Government Relations

Robin E. Keeney

Vice President—Administration

David R. McLaughlin

Director of Education

Patricia L. Berman

Director of Meetings

And Conferences

Lynn D. Antilety

A MESSAGE FROM THE ABTRACTER AND AGENT SECTION CHAIRMAN



It wasn't long ago that grumbling from the abstracter-agent side of the title industry was commonplace among ALTA members. This frequent occurrence was perceived as underwriter "domination" of ALTA.

A highly active level of underwriter involvement has always been an integral part of the Association, and has brought member underwriters a certain prominence. Unable to match the contributions of time, money and man hours made by their larger underwriter brethren on an individual company level, a number of abstracters and agents remained on the sidelines with bruised feelings.

At that period in time, ALTA suffered from a lack of much-needed unity. The Underwriter and Abstracter-Agent sections continued to develop separate programs for simultaneous presentations at ALTA Conventions. This meant the duplication of organization effort and offering subject matter of potential interest to all attendees, to a limited segment of ALTA membership.

Today, we are fortunate that such problems do not pose a serious threat. In recent years, growing emphasis throughout the title industry on "unity through participation," helped to create a stronger and more effective Association.

As the 1988 ALTA Annual Convention in Toronto draws nearer, Underwriter Section Chairman Dick Toft and I are working on a program for a joint Business Seminar of our two sections. The program will address mutual interests of the abstracter, the agent and the underwriter.

Development through ALTA is near completion on a new errors and omissions insurance program. This important step would not have been possible without the dedication of abstracter and agent ALTA Errors and Omissions Committee members—as well as the financial support and cooperation of member underwriters.

These are but two current examples of the outstanding participation from abstracters, agents and underwriters characterizing ALTA in 1988. A glance at the members listed in the Association's current **Manual of Organization** will further attest to the continuing commitment to dedication shared by abstracters, agents, and underwriters serving on the respective ALTA committees.

As our Association continues to grow, the location of leading abstracters and agents nationwide, places us in an impressive strategic position for grass roots government relations work on issues vital to the industry.

Overall, this is a time of unparalleled opportunity for every abstracter and agent to be positively involved in ALTA. Please let me hear from you regarding new activities and ideas for our Association. I appreciate your input.

Bill Thurman



P. Steiner

The United States Supreme Court Examines The 'Floating Toothpick' Test Of Navigability

Edgar B. Washburn
Sean E. McCarthy

Editor's note: On February 23, 1988, the United States Supreme Court handed down its decision in *Phillips Petroleum v. Mississippi*. In a 5-3 ruling, the Court ruled in favor of Mississippi. They held that tidality, not navigability-in-fact, was the proper test for application of the public trust doctrine. The Court did not consider private parties' longstanding record title or payment of taxes as sufficient to overturn the state's constitutionally-based title claim. Finally, the Court did not believe that its decision would have broad effect on private titles, either in Mississippi or elsewhere.

A strongly-worded dissent by Justice O'Connor disputed the findings of the majority, contending that the majority had embarked on new grounds and that the Supreme Court's earlier decisions in this area had not addressed navigability in this context. The dissent would have substituted a navigability-in-fact standard for tidality in the context of this case. It also stated that the majority's view would have far-reaching impact on private titles.

It remains to be seen what the consequences of this decision, if any, will be for private landholders—and title insurers.

“Yet so long as by unbroken water course—when the level of the waters is at mean high water mark—one may hoist a sail upon a toothpick and without interruption navigate from the navigable channel/area to land, always afloat, the waters traversed *and the lands beneath them* are within the inland boundaries we considered the United States set for the properties granted the State in *trust*.” *Cinque Bambini Partnership v. State of Mississippi*, 491 So. 2d 508, 515 (Miss. 1986); emphasis added.

With these words a new and somewhat perplexing concept was added to the wetlands lexicon by the Supreme Court of Mississippi. Adoption of the “toothpick theory” of navigability was the cornerstone of the Mississippi high court’s remarkable, “heads-I-win/tails-you-lose” decision. That is if one is a private landowner or, heaven forbid, a title insurer. Armed with this captivating judicial discovery, the court then plunged headlong into the federal domain of the Equal Footing Doctrine which operates to grant title to the beds of all navigable in fact

waterbodies to a state in its sovereign capacity, at statehood (heads-I-win). The court then proceeded to conjure up additional sovereign lands for the State by reviving and applying, under the umbrella of the Equal Footing Doctrine, the ebb and flow theory of navigability. The Mississippi court felt compelled to revisit and invoke this musty doctrine so as to allow the State to claim as sovereign all those lands which are subject to the ebb and flow of the tide, up to the mean high water mark, without regard to whether the waters were navigable in fact (tails-you-lose).

From a land title perspective, the problem with reviving the ebb and flow test lies in the fact that in all coastal states, non-navigable tidally influenced waterbodies have not been treated as sovereign lands. Lands beneath these types of waters have been freely conveyed into private ownership and insured as such. The holding of the Mississippi court therefore poses a substantial and significant threat to private land titles in every coastal state, be they Atlantic, Gulf, or Pacific in their location.

The fact that a state supreme court has issued such a far reaching opinion, or has attempted to make more pervasive the public trust easement which attaches to those “navigable” water bottoms, is no longer news to the title industry since the phenomenon now occurs so frequently.¹ Normally, little hope exists that the offending state court will be set straight by the United States Supreme Court (most cases being viewed, quite incorrectly, as matters of purely local law) or by state legislatures, which have shown themselves lacking in courage when it comes to reversing the sweeping high tide of public trust expansion. However, every once in a while the unexpected occurs. That is the case with *Phillips Petroleum Co. v. Mississippi*, No. 86-870 (U.S. Sup. Ct. 1986), presently pending before the United States Supreme Court.² Perceiving the significance of this litigation, the ALTA has filed an amicus brief supporting the position of the private landowners. Recognizing the opportunity for retroactively voiding sales of property they once made, twenty-three states³ have rushed to support the position of the State of Mississippi.

In coastal states, non-navigable but tidally influenced backwaters, sloughs and streams have for more than a century been treated by the federal government and the states as falling outside the ambit of the Equal Footing Doctrine—beyond the reach of the public trust for commerce, navigation and fishing.

The ALTA, quite understandably, became concerned upon discovery that the Attorney General of Mississippi was urging that state sovereign ownership, under the Equal Footing Doctrine, extends to every tidal waterbody “regardless of whether the watercourses are commercially navigable, regardless of how shallow the water, and regardless of how far inland or remote from the sea.” This concern is justified by the fact that in *Cinque Bambini Partnership v. State*, 491 So. 2d 508 (Miss. 1986), the Mississippi Supreme Court adopted the Attorney General’s view and held that the State’s sovereign title follows the tide, for any distance, through

A TITLEPROFILE

Al Catani,
Executive
Vice President,
Guardian Title
& Guaranty
Agency, Inc.

Company: Guardian Title & Guaranty Agency, Inc.

Location: Northeast Ohio, Cleveland

Executive: Al Catani, Executive Vice President

Education: West Point

Favorites:

Book: David Eisenhower's biography, *Eisenhower*

Artist: Norman Rockwell

Vacation Spot: West Coast of Florida

Sports: Running and weight lifting

Family: Wife, Kathy; 4 children

Hobbies: Physical fitness and model railroading

Titlepro Systems: 2; Cleveland and Akron, Ohio

Work Stations: 16

Remote Work Stations: 3

COMMENT:

"We carefully compared all major systems. Titlepro came out on top because of its design, its features, and reputation. Now after a year of using it, I am delighted to endorse Titlepro. It is an association we are proud of."

TITLEPRO: The System of Preference for Independent Title Agents

Titlepro is a multi-user, multi-processor IBM-PC and PS/2 compatible computer system designed and developed by title people for title people.

Titlepro is modular, so you may select the modules you need, for your binder, policy and forms production; for closings, disbursements and escrow accounting; for indexing, scheduling; for task tracking, management reports, remittance reports, and more.

Titlepro saves time, because title information is entered just once, and used throughout the system without retyping.

Titlepro is fully IBM-PC/XT/AT and PS/2 compatible, and is provided on Novell Netware for the ultimate in multi-station performance.

Titlepro provides installation and training at your office, and courteous, dependable follow-up assistance.



1-800-221-8776

(In Pennsylvania call 717-299-2100)

every twist and turn, no matter how narrow and shallow or circuitous the route. This exceedingly broad view of those waters deemed navigable at law, and thus passing to the State by reason of its sovereignty under the Equal Footing Doctrine, appears to be such a departure from prior precedent that the United States Supreme Court has granted review in *Phillips Petroleum Co. v. Mississippi*. The case has been briefed, argued, and a decision is expected shortly.

The *Phillips Petroleum* case involves competing claims asserted by the record landowners and their oil, gas and mineral lessees and the State of Mississippi and its oil, gas and mineral lessees. The land in question consists of the beds of tidal influenced, but wholly non-navigable, shallow streams and drainage ditches located in marshy backwaters several miles

“In the last analysis, it is the title industry that has been hurt the most by the states’ recent successes . . .”

from the Bay of St. Louis and a considerable distance from a navigable river that empties into the bay—the Jourdan River. Portions of the property originally had been conveyed into private ownership by the Spanish government in 1813. Subsequently, these were confirmed by the United States and the State of Mississippi. Other parcels had been segregated as swamp and overflowed lands by the United States to Mississippi and sold as such by the State. A third category of land had been surveyed and sold as uplands by the United States. It is conceded by all that none of the waters in question are presently navigable nor were they at Mississippi’s statehood in 1817. The only contention made is that they are subject to tidal influence and, on that ground alone, deemed state sovereign lands inalienable into private ownership and subject to the public trust for commerce, navigation and fishing.

The theory adopted by the Mississippi Supreme Court is that navigable waters of the United States include not only waters that are navigable in fact, but also any tidal water, regardless of navigability. The theory is premised upon the notion that in England the only navigable waters were tidal. It is argued that with the adoption of the common law in the United States, navigability was initially equated with the reach of tidal influence without regard to navigability in fact. Given the existence in the United States of large inland lakes and streams, far beyond the reach of the tides, navigability was subsequently expanded to include waters that are in fact navigable. This adaptation of common law to meet the needs of the United States, argues Mississippi, did not revise the ebb and flow test of navigability, but only served to add another category of water to those deemed navigable for sovereign land purpose. Thus, the Mississippi court is of the opinion that there are, in effect, two tests of navigability: one premised upon navigability in fact, and the other grounded upon the existence of any tidal influence, without regard to the inability to navigate over the affected areas.

The landowners and ALTA are arguing before the United States Supreme Court that the Mississippi court and its supporting states have their history all wrong. First off, the Mississippi court reads more into the common law of England than was ever present. Admittedly, the only navigable waters in England are tidal and, thus, tidality has always been a factor when determining navigability in that country. The reverse, however, is not true. That is, all tidewater is not navigable. In England, the courts have long recognized this distinction and have refused to apply concepts applicable to navigable waters to those tidewaters that cannot sustain commercial navigation. This distinction was brought to this country and has always been in place, even prior to the adoption of the more universally applicable navigability in fact test.⁴

Secondly, in a series of cases decided in the mid and late 1800s, the United States Supreme Court totally rejected the ebb and flow test as the

basis for determining what lands were navigable and thus passed to the State under the Equal Footing Doctrine.⁵ In so doing, the court declared the judicial concept of navigability to include the nation’s vast inland freshwater navigable lakes and rivers. Non-navigable lakes and rivers, therefore, remained outside the purview of the Equal Footing Doctrine and state sovereign ownership. In adopting the navigability in fact test, the United States Supreme Court did not except tidewater from the requirement of navigability. To have done so would have led to the obvious anomaly of requiring that freshwater lakes and rivers be navigable in fact, whereas tidal backwaters need only be tidally influenced and not navigable at all. Under this line of reasoning, the Equal Footing Doctrine is rendered unequal in that states having within their borders non-navigable, tidally influenced sloughs, streams and backwaters would receive sovereign title to those lands, while states that contained identical fresh waterbodies, not tidally influenced, would receive no title or interest in them at all.

What makes *Phillips Petroleum* such a significant case is the amount of land impacted by its ultimate resolution. The dispute itself involves the Gulf Coast. It is well-known that in Mississippi, Louisiana and other Gulf states, vast tidal marshes and swamps possessing tidally influenced, but non-navigable, drainages, sloughs and streams have been treated as wholly private and sold as such to private owners by the federal and state governments. As with the case at hand, oil and gas leases exist with respect to many of these lands. In states, such as Mississippi, where sovereign lands are inalienable, there will be a total failure of title—both as to surface rights and mineral interests—should the Mississippi Supreme Court’s notion of the tidal “toothpick test” be validated.

Property owners in the thirteen original states are not immune from this claim; they, too, have experienced challenges to title in tidally affected non-navigable creeks and marshes.⁶ Coastal states, such as Florida and California, which possess large salt marsh areas laced with tidally affected non-navigable creeks and drainages, will obviously be impacted by the decision. California, always at the forefront in its hunger to reacquire waterfront lands it conveyed into private ownership during the middle and latter parts of the nineteenth century, is now claiming that tidally influenced non-navigable tributaries in swamplands or former swamplands remain sovereign lands subject to the public trust notwithstanding their confirmation as swamplands by the federal government, their sale as such by the state and their filling and development over the past 100 years. In fact, California has expanded its claim to reach non-navigable backwater tributaries of the Sacramento and San Joaquin Rivers located more than 100 miles from San Francisco Bay, contending that they are tidally influenced and therefore equal footing lands.⁷

Assertion of retroactive state ownership of privately held lands under the guise of a reinterpreted Equal Footing Doctrine is on the increase. Most coastal states are convinced of the value of using this vehicle to retake lands long since conveyed into private ownership. The fact that the land is filled and developed and no longer even wet—much less navigable or subject to the ebb and flow of the tide—is of no moment to these states. Asserting that the grants are either invalid in their entirety⁸ or subject to a pervasive public trust easement, which, in the case of California, acknowledges only bare legal title in the landowner, permitting the state to deny any private use whatsoever,⁹ the states have enjoyed remarkable success in their state supreme courts.

It is not that the legal concepts involved are new and susceptible to initial construction by the state courts. They are as old as the common law. The fact is that the federal government, the states and private grantees were in agreement for the better part of 150 years over what waters were navigable for sovereign title purposes and therefore subject to the public trust for commerce, navigation and fishing and those which were not so burdened. It is only with the advent of public pressure on states to either prevent development of or acquire more coastal land—with its resulting pinch on the public purse—that the states have entered into an era of renegeing on past grants. Realistically, only the United States Supreme Court seems willing to take on the states and return rules of property governing sovereign land claims predicated upon the Equal Footing Doctrine to their former status.¹⁰

continued on page 29

Nation's Capital Kickoff For TIPAC Trustees

What happened when TIPAC Board and State Trustees recently gathered in the nation's capital to kick off their activities during this election year? They found the conversation charged with talk of Presidential politics—a kind of “who’s on first base” analysis of Republican and Democratic contenders.

They also personally met with influential members of Congress, who wanted to hear where title industry leaders stand on key issues such as national banks expanding into the title insurance business and IRS real estate reporting requirements.

All this and much more were part of an impressive TIPAC Trustees’ annual visit to Washington for a meeting that inspired enthusiasm for the political action committee

that presents a unified voice of the title industry to Congress. TIPAC contributions support U.S. Senate and House candidates from both parties with views compatible to those of the industry.

TIPAC’s meeting February 3-4 began with separate dinners for three House Judiciary Committee leaders in the support of the industry-backed Antitrust Damages Clarification Act that would protect from antitrust treble damage lawsuits title insurers in appropriate compliance with state regulation. The Trustees thanked Congressmen Hamilton Fish, Jr. (R-NY), William Hughes (D-NJ) and Dan Glickman (D-KS) for their leadership concerning the bill, and stressed the title industry’s continuing strong support for the McCarran-Ferguson Act federal antitrust law exemption where appropriate state regulation is in effect.

At another dinner location, TIPAC Trustees engaged in a lively conversation on financial deregulation issues with Senate Banking Committee Member Jim Sasser (D-TN). Beyond the opportunity to discuss the “issues of the hour,” the intimate setting of each dinner allowed industry professionals to help members of Congress in attendance better understand the unique character of the title insurance business.

Another Congressional highlight awaited the Trustees at breakfast the next morning. Senator Alan Cranston (D-CA), chairman of the banking committee’s subcommittee on housing, spoke on major financial institutions legislation pending before the Senate as well as his support for a national housing policy now being developed. The TIPAC dignitaries appreciated having Senator Cranston’s presentation of his “insider’s” view on banking and real estate initiatives. Following Senator Cranston’s speech, the Trustees heard the latest statistics on political action committees from an expert on the Federal Election Commission staff—Craig Engle, executive assistant to FEC Commissioner Lee Ann Elliott.

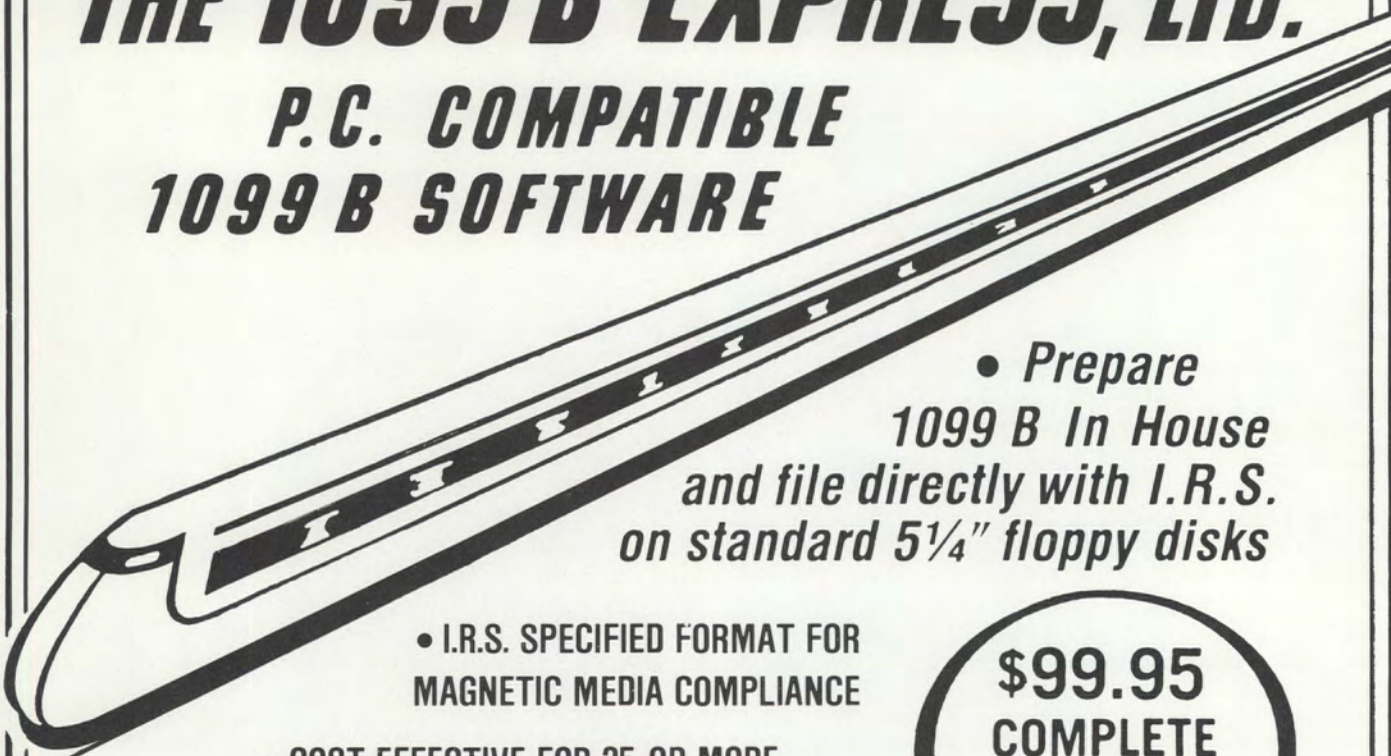
Later, the program focused more on the specifics of operating a PAC, when a panel of Washington fundraising specialists from the U.S. Chamber of Commerce, National Federation of Independent Business, and the National Association of Professional Insurance Agents moved to the spotlight. The Trustees heard about techniques used by these national organizations—which provided food for thought regarding their own state-by-state fundraising efforts. The Trustees discussed how an issue such as IRS 1099 real estate reporting, which originated from Congressional tax-writing committees, underscores the necessity of TIPAC activities in Washington.



TIPAC Chairman Roger Bell (KS), left, greets Senator Alan Cranston (D-CA), at the TIPAC Trustee breakfast.

THE 1099 B EXPRESS, LTD.TM

P.C. COMPATIBLE 1099 B SOFTWARE



- *Prepare
1099 B In House
and file directly with I.R.S.
on standard 5 1/4" floppy disks*

- I.R.S. SPECIFIED FORMAT FOR
MAGNETIC MEDIA COMPLIANCE

- COST EFFECTIVE FOR 35 OR MORE
CLOSINGS PER YEAR

**\$99.95
COMPLETE
plus
\$ 700 S/H**

TO ORDER CALL 1-800-225-5669 - 7 DAYS A WEEK
OR USE CONVENIENT COUPON BELOW

The 1099 B EXPRESSTM Ltd. © 1987, The 1099 B Express, LTD.

144 EAST CENTRAL AVENUE, PEARL RIVER, NEW YORK, 10965

YES, I WOULD LIKE TO ORDER THE 1099 B EXPRESS SOFTWARE PACKAGE AT \$99.95 PLUS \$7.00 SHIPPING & HANDLING. (NEW YORK FIRMS ADD \$6.25 SALES TAX)

METHOD OF PAYMENT CHECK ENCLOSED VISA MASTERCARD UPS COLLECT

CARD NO. _____ EXP. DATE _____

Name _____ Telephone _____

Firm _____

Address _____ City _____ State _____ Zip _____

The 1099 B Express Ltd. 144 East Central Avenue - Pearl River, New York 10965

TIPAC State Trustees also appeared on a panel to discuss their respective state drives. They included California Trustee Don Wangberg, First American Title Insurance Company; Wisconsin Trustee Gloria Kirking, Title Consultants, Inc.; and Indiana Trustee Harry Finch, Grant County Abstract Company. The trustees detailed activities linked to state land title association conventions, direct mail solicitations and company-by-company solicitations.

Concluding the meeting on a high note, TIPAC Chairman Roger Bell, The Security Abstract and Title Company, introduced the trustees to the luncheon speaker, Norman Ornstein. "Few people, if any, have Mr. Ornstein's understanding of both the players and issues on Capitol Hill," said Chairman Bell, who is from Wichita, Kansas. Offering a wealth of political insight, Mr. Ornstein compared the 1988 Presidential election with past elections. Drawing on his experience as a Resident Scholar at the American Enterprise Institute, on the **McNeil/Lehrer Newshour**, and a vast array of articles he has written for national publications, Ornstein commented on issues ranging from the Bush-Rather television interview, the analogous parallel of this election climate to that of 1960, the media and privacy rights of candidates, and the impact of the Iowa caucus.

TIPAC trustees who participated in the program went back home with a greater understanding of the political pressures facing a member of Congress, and a desire to have a greater title industry voice on Capitol Hill. Such inspiration will undoubtedly be felt throughout the title industry as TIPAC Trustees work to make 1988 another record-breaking year.

For further information on TIPAC, please contact **Robin E. Keeney**, Title Industry Political Action Committee, 1828 L Street, N.W., Suite 705, Washington, DC 20036; 202/296-3671.



1. Joseph Burke (PA) seated left, is a captive audience to Craig Engle, executive assistant to the Federal Election Commissioner.

2. Norman Ornstein, resident scholar, the American Enterprise Institute, discusses the 1988 presidential election climate.

3. From left: Joe Burke (PA); William Loughlane (NJ); and Senator William Hughes (D-NJ) found chatting over industry related topics during reception.

4. David Lanier (NM), is deep in thought during a panel discussion.

5. Former Congressman Mick Staton (WV), of the United States Chamber of Commerce, listens intently to fellow panelist Judy Blaseg of the Professional Insurance Agents PAC.

6. TIPAC Trustees look on at a panel discussion. From left: William McAdams (AL); Roy Hill, Jr. (WV); J. Frank Mowery (DC); Don Wangberg (CA); and Bo Croley (TN).

7. Panelist Gloria Kirking of Title Consultants (WI), and TIPAC Chairman Roger Bell, provide helpful hints to members at the "Successful TIPAC Tactics Panel."



4



5



6



7

ALTA Liaison Committee With NAIC Hard At Work

Over the past year, the NAIC has been hard at work. Here is an insider's view of the committee's activities.

Robert L. Statton

Over the past several years, the ALTA Liaison Committee, with the National Association of Insurance Commissioners, has been aggressively monitoring the activities of N.A.I.C. on behalf of the title insurance industry. Title insurance and the title insurance industry have, in previous times, held a low threshold of recognition with the N.A.I.C. As an insurance industry, title insurance is one of, if not the, smallest of all insurer groups. Across the nation, the scope of State regulation of the title industry lacks uniformity and ranges from minimal regulation to strict supervision. Each state determines the scope or extent of regulation subject to their jurisdiction, and needless to say, the lack of uniformity of regulation is obvious.

With this in mind, the ALTA Board of Governors identified the purpose and scope of work of the Liaison Committee as follows:

1. Maintain a positive profile with the N.A.I.C.
2. Monitor and report on all title industry matters that arise through the N.A.I.C.
3. Work with the N.A.I.C. in order to promote sound legislation and regulation, and to prevent inappropriate legislation.
4. Assist the Government Affairs, Research and Accounting Committees in their dealings with the N.A.I.C.
5. Maintain liaison with other insurance lines that are represented at the N.A.I.C.

The Liaison Committee is composed of nine members, and reports to the Title Insurance Underwriters Section. ALTA Director of Research Richard W. McCarthy, is the staff coordinator. The N.A.I.C. meets on a quarterly basis. These quarterly meetings provide Liaison Committee members with an opportunity to meet with the regulators and their respective staff members in attendance, and to discuss current issues before the N.A.I.C. as well as specific issues or events in their particular states. The Liaison Committee members attend a great number of Task force and Committee meetings, as many of the current issues affecting the title industry are discussed among the various committees. Due to the large number of meetings running concurrently, attendance by a minimum of four ALTA committee members is necessary to secure adequate coverage.

Early in the 1980s, the N.A.I.C. established a "Title Insurance Task Force" for the purpose of creating a "Model Title Insurance Act." The members of the Liaison Committee spent countless hours in meetings, discussing the facts of the Model Act and their impact on the industry. This endeavor consumed the majority of time at the quarterly meetings, as well as at special committee meetings between quarterly meetings. Several of the Liaison Committee members, as well as title industry representatives, presented testimony before the Title Insurance Task Force. The "Model Title Insurance Act," when adopted by the N.A.I.C., incorporated many of the recommendations of the ALTA Liaison Committee. The efforts and contributions of the Liaison Committee in this effort were monumental. After the adoption of the Model Act, the Title Insurance Task Force was discharged.

Other committee actions often include additional items which impact the title industry. Some of those committees are:

Taxation of Property and Casualty Insurance Companies

continued on second column, page 35



The author is 1987-1988 chairman of the ALTA Liaison Committee with the National Association of Insurance Commissioners, where he has been a member for seven years. He is also director of technical support for Chicago Title Insurance Company with responsibility for quality control, title and escrow training, and pricing and regulatory compliance. He has worked in the title industry in California for 43 years.

EXPERTEASE may not be the first escrow closing and title software system you buy. . . but it will be the last. Nearly 50% of our customers purchase **EXPERTEASE** to replace their existing systems.

We understand that the Title Industry is ever-changing and that Title Professionals, like you, must have a software system available to you today which will transcend all the changes of tomorrow. **EXPERTEASE** is a system as unique as the Companies that use it, with features that include:

- ✧ Single-entry data system
- ✧ Last minute changes updated instantly
- ✧ Easy file tracking and productivity reports
- ✧ No-fuss printing, whether fill-in-the-blank preprinted forms or customized text documents
- ✧ Checks cut and files balanced to the penny
- ✧ Easy access base files for all your major clients and subdivisions

EXPERTEASE is a custom designed system for your Company . . . not a carbon copy system. We understand the importance of you being in control of the computer system, rather than it controlling you. **EXPERTEASE** conforms to your wants and needs. You make the choices. You make the decisions. After all, isn't that the way it should be?

By Original Developer of TI-STAR
— Used by over 450 TICOR agents

Marketed and Supported by

MICRONET
Business Systems Inc.

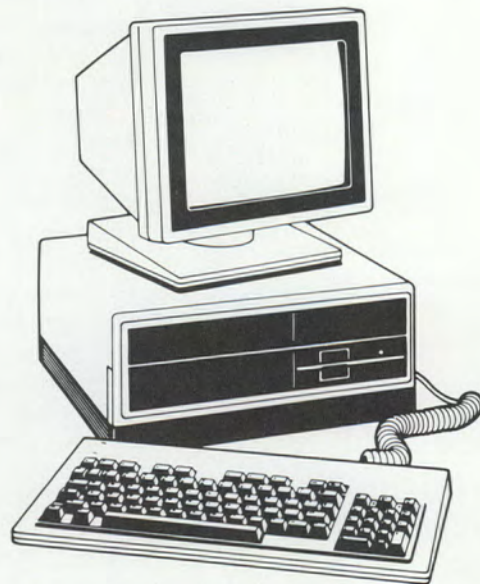
Tulsa, Oklahoma

1 (800) 327-7585 - Outside Oklahoma
(918) 493-3506 - In Oklahoma

Growth is important to every business, and yours is no exception. **EXPERTEASE** has been designed to grow with you. The single-user system of today can become the multi-user network of tomorrow without missing a beat.

EXPERTEASE not only adapts to growth and expansion, it promotes it. By increasing the productivity rate and overall quality of your work-product, **EXPERTEASE** leaves you more time, and room, to grow.

We invite you to call us for a free on-site demonstration. Whether this is your first system or a replacement for your existing one, you owe it to yourself to preview **EXPERTEASE**. **EXPERTEASE** is a software system which is easy to learn and even easier to love. We think you will agree!



EXPERTEASE
makes a beginner perform like an expert

Moment by Moment . . . With The One Minute Manager

Adina Conn



Kenneth Blanchard

“**E**ver since I came out of the womb, everyone was cheering me on. I started out with a really positive attitude. My mother said I learned to smile before I cried.”

In today's ever-changing, tenuous and turbulent world of business, few individuals have been talented enough to make even the smallest dent in the "Corporate American Jungle." One very extraordinary person who has managed to create a niche for himself among entrepreneurs nationwide is Ken Blanchard, co-author of **The One Minute Manager** and "**The One Minute Manager Library**." Respected by many, Blanchard has had a tremendous impact on the day-to-day management operations of American companies.

Open, honest, extraordinarily down to earth, and genuinely nice—Ken Blanchard is just the sort of person you'd want as your very best friend.

A sought-after and prominent lecturer, Blanchard is unanimously characterized by friends and colleagues as one of the most relaxed, informal and powerful men in business today. Fortune 500 and various other organizations and corporations have benefited immensely from his unique approach to helping others achieve their potential.

A faculty member in leadership at the University of Massachusetts, Blanchard also maintains a position as a visiting lecturer at Cornell University. In addition to teaching and lecturing, Blanchard is actively involved in Blanchard Training and Development, Inc., a human resource development firm in Escondido, California, which he and wife, Majorie, co-founded.

His co-authored text, **Management of Organizational Behavior**, now entering into its fifth edition, is used as a "bible" in academic circles, among graduate schools across the nation.

Blanchard "managed" to take time from his demanding schedule for an early interview over breakfast. At the time of the interview, he was co-authoring **The Power of Ethical Management: Integrity Pays! You Don't Have to Cheat to Win**, with Dr. Norman Vincent Peale. In a period of ethical deterioration in politics, business and education, Blanchard joined with Peale to prove that good guys don't always finish last, and that it isn't necessary to cheat to win.

Their collaborative efforts offer strategies that can help create a positive feeling about behaving on one's good intentions and to make clear, ethical decisions that will enhance a person's life both at home and in the office.

Through the 7 a.m. din of dishes and coffee cups, Blanchard discusses a variety of subjects. A true enthusiast about life in general, the following emerged:

In the past 10 years, how has the threat of Japanese competition changed the role of management in this country?

I think people got a little tired of Japanese advice and began asking, "What do we have to sell ourselves?" Look at what's atop the **New York Times** bestseller list: **Megatrends, In Search of Excellence, The One Minute Manager**, etc. Books such as these leaped and dominated the charts. And then of course, along came Iacocca . . .

Would you say that all this is indicative of the "self-help book" and "me generation" era?

It's really interesting. A lot of people say that if you want to go into business, find out where the baby boomers are. Well . . . the baby boomers are coming up to 40 now. I heard Seattle anthropologist, Jennifer James, talk about an insightful study which asked several generations what it took to be successful.

The parents of baby boomers said success was having a job you could count on, owning your own house, getting a new car maybe every four years, and being able to educate one's children. Then baby boomers were asked the same question. They answered a little differently. They wanted a second home, a fancy sports car, and to be able to go to Europe on the spur of the moment. When the kids of baby boomers were asked the same question, their answers centered around the quality of life—being able to balance work and leisure time, your organization and your

family. Here, there's an interesting twist between parents and their offspring. Today's youth are asking questions on "being" because they assume they are going to "have." As James said, "they all assume the VCRs come in the mail." So there's an interesting crunch between a bulge in the population coming into their 40s, coupled with a generation that's no longer that materialistic.

You have a new book coming out, which you co-authored with Norman Vincent Peale. How did the idea for the book come about?

The past two years, I have been working with Norman Vincent Peale on **The Power of Ethical Management**—how integrity pays and how one doesn't have to cheat to win.

Initially, I thought of writing about something along the lines of positive management and working on how to build people's self-esteem. I thought about working with someone like Dr. Peale—someone whose life work has been writing about self-esteem. The focus on my career has been on how you (managers in particular) can help other people feel good about themselves. Together the two would be a really neat combination. When Norman and I met with publisher Larry Hughes, at that time the president of William Morrow & Co., Inc., he felt the main issue in America today, which will progressively worsen, is ethics and morality. Larry was sort of a prophet, because things have certainly gotten worse in the past three years.

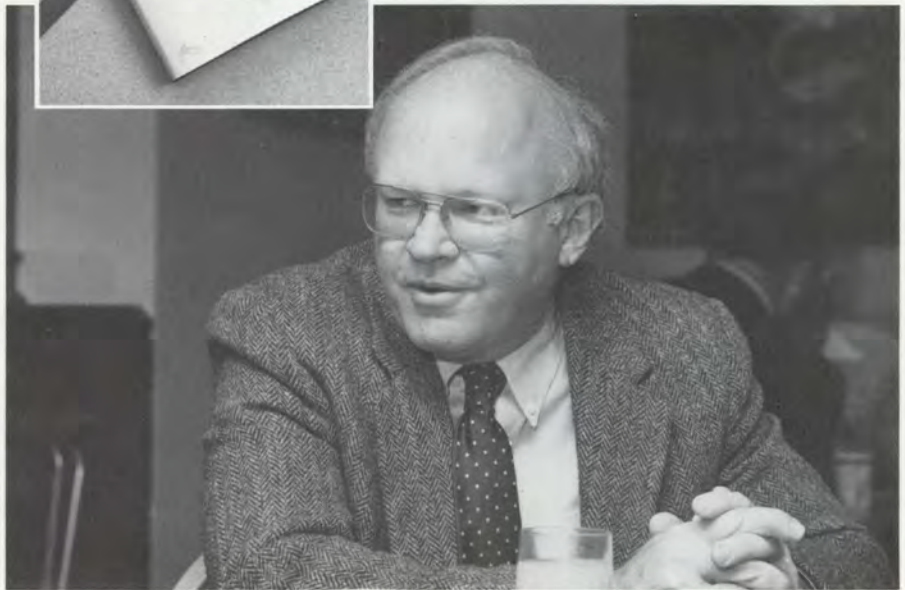
What are the main points of the book?

We tried to give guidance to people in two ways. The first is to give them a framework from which they can determine what is right and what is wrong. So we developed an "Ethics Check," suggesting people ask themselves three questions when they are confronted by an ethical issue:

Is it legal? This question addresses corporate policy as well as civil law. You need to look at both.

Is it balanced? With respect to this question, we feel any time you make a decision, that's a big win for you and a big loss for someone else, you eventually end up with a lose-lose situation. Now you not only might have a competitor, but an enemy. "Is it balanced" is a fairness question.

The last question, **How will it make me feel about myself?** This question is all about self-esteem. Other questions that get at this one are: Would you like your family



to know? or, Would you like it published in the newspaper?

Norman Vincent Peale is an incredible individual—what's it like working with him?

He's a wonderful human being. Norman walks his talk. He is just as much of a positive-thinking-thinker as his writing and speaking suggests. I've told him, "Norman, you ought to slow down!"

He replied, "All the people I've known who have slowed down have died. When the Lord wants me to slow down, he'll ask me to lie down."

Norman has real inner peace. I define "inner peace" as when people feel good enough about themselves that they don't have to act like they are important. And, one of the neat things about Norman is that no matter who comes up to him (old friend or brand new acquaintance), he acts as though that person was the most important person in the world. Since he feels good about himself, he doesn't have to act as if he were important. As a result, he can focus on the other person.

What was it like for you growing up?

My experience was fabulous. Ever since I came out of the womb, everyone was



Top left: Ken Blanchard's and Norman Peale's latest bestselling book; middle, Ken Blanchard discusses management problems over breakfast, before his address to the ALTA members at the General Session, Seattle Annual Convention; bottom, Co-authors Dr. Norman Vincent Peale and Ken Blanchard.

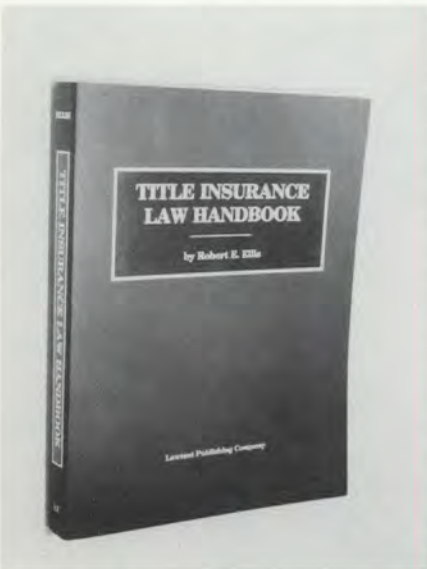
continued on page 30

BOOK REVIEW

TITLE INSURANCE LAW HANDBOOK

By Robert E. Ellis
Lawtext Publishing Company, P.O. Box
146465, Chicago, IL 60614-6465
Price: \$69.00

By Hugh A. Brodkey



What does the title insurance policy really mean?

The recent revisions of the ALTA policy forms have triggered an avalanche of speeches . . . and programs . . . and panels . . . and forums . . . and seminars. For the first time in years, attention is being focused on the exact words of the policy and what they mean. Title insurance underwriters and title insurance users can discuss or even debate the issue all they want but there is only one answer. As with any legal contract, when the crunch comes, the document and its words mean only what a court says it means.

This legal truism is sometimes overlooked by people dealing with title insurance, but it's always in the

minds of those attorneys who deal with title insurance claims—whether they represent claimants against an insurance company or the insurance company itself. Unfortunately, the job of digging through the various reported case decisions is difficult, time consuming and sometimes inconclusive. Robert Ellis's new **Title Insurance Law Handbook** makes the task infinitely more simple.

The book has two major—and totally unique—benefits:

1. It puts in one place *all* of the reported court decisions interpreting the wording of the ALTA policies.
2. It organizes the cases in exactly the same order that the wording appears in the policy.

The book reads very much like a volume of annotated statutes: each paragraph of the text of the policy is followed by a summary of the holding of each case interpreting that section.

In addition to this, however, the book is liberally sprinkled with cross-references (within and among the policy forms), with references to outside sources (such as law review articles and ALR annotations), and with Ellis's own summaries and comments.

If, for example, there are no cases interpreting a particular phrase in the Owner's Policy but the same phrase has been interpreted as it appears in the Loan Policy, the reader's attention is called to this fact. How do the "old" interpretations apply to the new policies? A very valuable feature of the book is that each section found in the 1970 ALTA forms is cross-referenced with the 1987 forms and supplemented with Ellis's comments.

Of course, title companies often find themselves in litigation even where the policy wording is not an issue—even where no policy is involved at all. These situations are also covered by Ellis under the category of "Related Law" and include legal precedents on search liability, agent and approved attorney questions, escrows and closing matters, the interpretation of indemnity agreements and more.

Is the book complete? It certainly seems to be. The author claims only that it covers cases decided up to the summer of 1987 and he plans future supplements. Indeed, even recent, offbeat cases appear—such as the sole reported case (decided in 1987) interpreting the 1970 policy to exclude liability for problems related to a hazardous waste statute.

Are the case summaries and the com-

ments accurate? Considering the author's qualifications, it is highly likely. Ellis has extensive background in the title insurance business—he is the former general corporate counsel of Chicago Title Insurance Company and has been involved in various aspects of the title insurance business for 25 years. He also has extensive research and writing experience and clearly knows the difference between a memorandum of law and an advocate's brief. The book does not seem to have a bias.

Is the book usable? Recently I had a telephone call from an attorney who wanted to know why the 1987 policy had been "changed" with regard to the measure of damages. He noticed that the new policy states that the title insurer's liability for a title encumbrance is measured by the difference between the value of the estate as insured and the value of the estate subject to the encumbrance; the 1970 policy doesn't say this. In *literally one minute*, I went from a table which compared that section of the new policy to the corresponding section of the old policy and then to pages containing summaries of eight court decisions saying that this was, indeed, the proper measure of damages under the *old* policy (to be fair, the same pages contain a reference to a case which criticized one of the eight!).

Are there drawbacks to the book? It did take a few tries to get used to the indexing and page numbering (material for different policies is assigned different sequences of page numbers so that, while the book contains a little over 600 pages, the last page is numbered 952). It also would help to have some finger tabs or dividers separating the various sections of the book and to give quick access to the main reference tables—but this is easily remedied by attaching your own tabs on the appropriate pages. The book is soft-covered but appears sturdy enough to last for some time. It will be interesting to see exactly what format Ellis uses to update the book in the future.

Who can make the best use of the book? This book is not a general discourse on the

continued on first column, page 35



The author is vice president and associate general counsel of Chicago Title Insurance Company, with principal responsibility for re-establishing underwriting policies and procedures related to real estate financing transactions and to foreign investment in real estate, and for underwriter training.

TITELAC[®]

ERRORS AND OMISSIONS INSURANCE SPECIALISTS

Serving the Title and Insurance Industry Since 1948

- Title Searches • Abstracters
- Title Insurance Agents
- Escrow Agents/Closers • Title Examiners • Settlement Checks
- Premium cost reduced to reasonable levels
- Prior acts coverage available in most cases • Prompt premium indications
- Broad coverage • Extensive title expertise • Skilled claims adjusters
- Representing Home Insurance Cos. • Lexington Co. • National Union Fire Co.
- Lloyd's of London • Evanston Insurance Co.

Contact us directly for prompt service

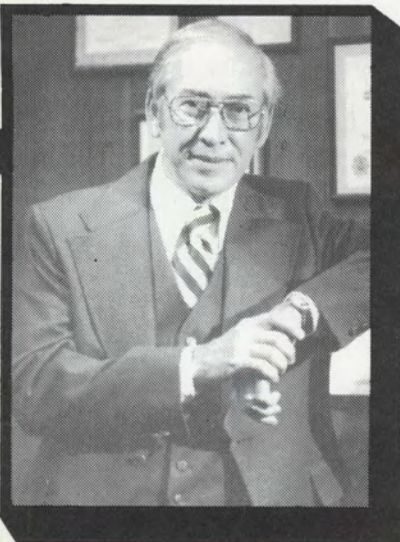
TOLL FREE NUMBER

1-800-331-9759

Except Alaska and Oklahoma

RC
CANTRELL
AGENCY

P.O. Box 857
2108 N. Country Club Road
Muskogee, OK 74402
918/683-0166



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

"There's hardly anything in the world that some men cannot make a little worse and sell a little cheaper, and the people who consider price only are this man's lawful prey."

— John Ruskin (1819-1900)

STAMP YOUR AUTOMATION FIRST CLASS



When you are thinking of automating and you want to go First Class, it will comfort you to know that one company has seven real property programs approved by the American Bar Association.

After a year of testing and evaluation—and yes, program revisions—the ABA's Legal Technology Advisory Council awarded Sulcus Computer Corporation the first approval for real property systems in September 1987. We take particular pride in this accomplishment because no program has ever made it through the evaluation process unscathed. Enhancements have been required in all...yes, even ours. And the approval is not given until all enhancements have been made.

Today, only one company offers you all these approved programs:

- **Settlement/Disclosure**—closing documents, including HUD-1 form, individual buyer/seller sheets, 1099's, balance sheets, and checks.
- **Forms Generation**—document preparation for *all* your forms (policies, agreements of sale, deeds, notes, mortgages, and anything else).
- **Indexing**—file and find key information at the touch of a button.
- **Regulation Z**—complete truth-in-lending disclosures calculating APR, finance charges, and payments (either fixed or variable rate, or discounted ARM's).
- **Amortization**—personalized schedules for all types of loans.
- **Escrow Accounting**—automating client files, recording deposits, allowing recall by client or bank, printing checks, and reconciling accounts.
- **Turbotract**—parcel plotting from the legal description.



The ABA's stringent evaluation process is designed to ensure that programs work as real property conveyancing professionals need them to work.

So when you want management and control of time, money, people, and paperwork, go First Class all the way...Sulcusize your office today (Sulcusizing is simplifying).

For a no-cost inquiry, please call 1-800-245-7900. In Pennsylvania, call (412) 836-2000.

The Solution Professionals

We Turn Problems Into Profit™



Computer Corporation

Sulcus Tower
Greensburg, PA 15601

Automate your office for as little as \$4.21 a day!

Jayne Meadows: Portrait Of An Artist . . . Known

Adina Conn



Jayne Meadows (middle) pauses for a photograph with granddaughter, Stephanie (left); and stepson, Brian (right), after her presentation at the Spouse/Guest Brunch at the ALTA Annual Convention, Seattle.

Whoever coined the phrase, “blondes have more fun,” clearly never met Jayne Meadows.

A fiery redhead, Meadows gives new definition to the word, “pizazz.” Meadows’ dramatic presence in a room commands one to stop and take notice. Underneath her petite frame lies a person who is, without question, as much down to earth as she is “larger than life.”

During lunch with Meadows, stepson, Brian, and granddaughter, Stephanie, a variety of subjects were discussed—from Meadows’ childhood in China, the theater, life with husband, Steve Allen, to her work at the Los Angeles Rape Treatment Center.

After spending a leisurely two hours with her, one thing is evident; Jayne Meadows is the most marvelous Auntie Mame anyone could ever wish for.

Daughter of a missionary, Meadows at age six and her family fled Wuchang, China due to political unrest in the country. The family escaped to the States. Meadows’ memories of China are few. Yet, there are several individuals who have contributed to her knowledge on the subject.

One letter Meadows received from an elderly gentleman was enclosed with a navy log. The man was one of the American officers who rescued Meadows and her family from China, delivering them to safety. He was sent, one night, by the United States Consul to get the family out of the city, and onto a steamer, destination—Shanghai. The log is a detailed account of the entire incident.

The formative years spent in China influenced her acting career. Says Meadows, “As a very young actress on the Broadway stage, I was often described as having an unusual, rather mysterious quality. And, when I came to Hollywood under contract to MGM, one of my first movies, **Lady In The Lake**, was directed by Robert Montgomery, who labeled my qualities exotic and even eerie. It is only in her work, however, that these characteristics which she attributes to the years spent in the mysterious and exotic Orient, surface. Admits Meadows, “In everyday life, I’m as American as apple pie!”

When described as the daughter of a “straight-laced” Episcopalian minister, Meadows’ reply was, “I’m compensating . . . compensating . . . compensating.” She attributes her “compensating” nature and interest in the theater to the fact that she

“The norm of any art form is failure. Stop and think about it. The rarity is success.”

was a straight-laced daughter of missionaries. Meadows lived in a rectory and attended boarding school on a scholarship. She wore uniforms given to her by the principal of the school. “The uniforms were old and had been worn by girls the year before,” said Meadows, adding, “All the girls had bright blue uniforms—all except me. Mine were grey and faded from having been washed so much.”

The childhood years weren’t always easy for Meadows—perhaps that’s why she was drawn to the stage. At age seven, Jayne found hallowed ground; she was already a

one woman show—writing, producing and acting in her own plays with sister, Audrey (later of **Honeymooners** fame). Jayne gave Audrey all the ingenue leads, while keeping what she deemed the “interesting” character parts for herself. “I always created characters akin to Medea, or Craig’s Wife,” she explained. “At that time, I had never even heard of these plays. We had just come to America—and though bi-lingual, Chinese was my native tongue.”

“I would have been in Steve’s shadow only if I were a comic. I’m a comedienne—an actress who creates a comedic character and says things in a funny way.”

When her family escaped from China, they settled in New England, where she lived as a “poor relation” among wealthy cousins. Says Meadows, “My mother’s family had been **enormously** wealthy. One of my ancestors, my mother’s great great grandfather, gave Union Square and Gramercy Park to New York City as parks for the people. At one time they owned all that land—all the land where Radio City is. And, when they lost their money, all my relatives married back into wealth—all except my mother. That’s the Cinderella parallel referred to so often by journalists.”

Meadows, however, wouldn’t describe herself as Cinderella. “I like to say I have ‘many faces,’” she explains. “My godfather, a British naval officer, brought me a unique doll from Paris for my third birthday. It had one torso with seven heads of seven different nationalities with seven corresponding costumes. I would unscrew a Japanese head and screw on a blonde one with long braids. Then I would exchange the kimono for a Dutch costume to have another doll.”

Meadows so identified with this doll that the seeds were firmly sown for what she is considered today—a character actress. “I just unscrew Marie Antoinette and replace her with Susan B. Anthony. Perhaps that’s the reason I like to put on false eyelashes, wear beautiful clothes and be admired. It’s akin to Catherine the Great [one of the many characters she portrays]. She [Cather-

ine] was always trying to overcome her poverty stricken and miserable childhood.”

Directors say Meadows has a dynamic energy—akin to that of Bette Davis, Joan Crawford and Katherine Hepburn. Meadows claims she gets up with it in the morning. “It’s not talent—talent is imagination. Talent is what you do with a part. There are certain actors and actresses who **totally** have no energy. It’s so **boring**. And every major star, you know, comes on like gangbusters. Stop and think about it. It’s energy. All the old school actors have it. You know why? The theater. They had to project to the balcony. Come on the screen like gangbusters and the audience can’t miss you. I say, if you have that type of energy and you’re good, they never stop writing about you. If, however, you give a bad performance . . . they crucify you.”

So why is it then, that, 30 years ago, American entertainment had television programs like Sid Caesar’s **Show Of Shows**, with a variety of naturally talented “old-school” comedians, and today, in order for someone to be funny, it seems they have to be crude and derogatory?

Says Meadows critically, “Vulgarity is **not** funny. I might laugh at an isolated joke, but I’m **so** embarrassed by vulgarity that it doesn’t amuse me. The shows in the old days were **truly** funny. They were creative.”

Meadows has studied various acting styles, and says her favorite teacher is Stella Adler. When she gets a part in a play, one of the first things Meadows does is to call the costume designer to talk about wardrobe and hair. She also shows up for rehearsal with what Robert Montgomery once deemed “Jayne’s bag of tricks.” Says Meadows, “I arrive the first day on the set with every single prop I’m going to use—even if I have six weeks of rehearsal. I have more than I’ll ever need, and I eliminate.”

Utilizing various acting techniques has made Meadows a seasoned professional—one who’s been around long enough to see the changes in the acting styles. How does she view the type of training taught at schools today? “There are many excellent drama schools all over the United States,” notes Meadows. “Diction, however, is the missing ingredient among today’s acting students.”

“If you’re going to be on the stage, good diction is an absolute **must**.” “That’s why,” explains Meadows, “those in the silent movies never got to be stars in the talkies. It was because of their voices. Most American actors do not have very charming voices—



“Most actors don’t realize if you have one hit in your life, you’re ahead of the game.”

continued on page 32

From The Pioneers To Present: A History Of Public Land Surveys



Sheldon Bowers

A History

The date—approximately 1750. Covered wagons rolled westward, carrying thousands of people and their possessions from the American Colonies to parts unknown—“public lands” located beyond the western boundaries of the settlements.

This movement gave rise to the Public Land Surveys which, through history, has come to be known as the rectangular survey system.

The majority of readers probably reside in states surveyed by the rectangular system. Readers, however, will also be familiar with the terms, “section,” “township” and “range,” when describing rural real estate. Many lawyers and titlemen in Vermont and other states not surveyed by the rectangular system, seldom come in contact with this survey system, unless they represent clients having real estate holdings in western states.

The private surveyors involved in surveying the great rectangular system, were themselves pioneers dedicated to their profession. Government employees did not perform the actual surveying of the rectangular system until after 1910. Prior to that time, work was performed by private surveyors under contract with the government. Around 1785, public land surveys were first controlled by the “Geographer of the

United States,” which then became the “Register of the Land Office,” and, since 1946, has been the “Bureau of Land Management.”

When the Continental Congress became aware of the movement of pioneers into lands west of the Colonies, legislators realized the need to devise a method of dividing the western terrain into numerous small parcels of land.

In the early Colonies (and still used somewhat in the New England states), property lines were described using natural objects for beginning points and boundary lines. This system, “metes and bounds” (“metes,” meaning measurement, roads, trees, boulders and fences), resulted in irregular tracts with obvious problems when trees, boulders and other natural objects were moved, became lost or disappeared.

Congress knew it had to adopt a more permanent and systematic method of surveying the western lands, thereby allowing settlement and homesteading by pioneers of tracts of land that could easily be marked with permanent boundaries.

Thomas Jefferson, chairman of the committee addressing the matter, studied various methods of producing a reliable surveying system. Around 1784, at Jefferson's suggestion, the committee adopted a plan based on parallels of latitude and meridians of longitude. This plan became known as

the beginning of the rectangular system, used to survey most of the United States (with, the exception of the original 13 states as well as several others—including Texas).

Initial Survey Points

A decision needed to be made, as to the starting location of the rectangular system of surveys. Established in 1785, the beginning point was located at the intersection of the northern bank of the Ohio River with the western boundary of Pennsylvania. From this point, many initial survey points (referred to as initial points) were established.

Throughout the United States, 37 initial points were implemented. From each initial point, lands were surveyed into a rectangular system, some lands vast in size, some smaller. Each rectangular system surrounding a particular initial point was independent of other rectangular systems.

To create a rectangular system surrounding each initial point, there had to be two imaginary lines crossing at the initial point and running at right angles (90 degrees) to one another. The first line, or principal meridian, through the initial point was a line running true north and south. If extended, this line would run through both the north and south poles. The meridian having zero degrees longitude runs through Greenwich, England. Meridians west of Greenwich

have a degree reading of west longitude, those of East Greenwich have a reading of east longitude.

Principal meridians in the rectangular system are identified by name or number and may run north or both from the initial point. All principal meridians vary as to length—some may be less than a hundred miles, some extend over several hundred miles. Since all principal meridians of the rectangular system are located in the U.S., they all have a degree reading of west longitude.

The second line through the initial point is a latitude line, void of number or name. This latitude line, or base line, circles the globe and is parallel to the equator. At the equator, the latitude line is zero degrees. North of the equator, the line has degree reading of north latitude; south of the equator, south latitude. Base lines in the rectangular survey system all have a degree reading of north latitude.

In Idaho, for example, all lands were surveyed into one rectangular system surrounding one initial point. The principal meridian running north and south through this initial point is called the Boise Meridian.

In contrast, lands in Arkansas, Iowa, Missouri, North Dakota, and portions of Minnesota and South Dakota, were surveyed from one initial point located in Arkansas. Due to its vastness in size, Alaska has five initial points.

The principal meridians and base lines for all initial points in the United States can be described by degrees in longitude and latitude. The longitude and latitude figures, however, are not used in real estate descriptions.

Setting Up A Rectangular System

Taking as an example a rectangular system which was established in 1855 on a base line located on a parallel having a reading of Latitude N 40°00'07", later used as the boundary between Nebraska and Kansas, the base line continued west, through what is now Colorado. Surrounding this point, was a rectangular system devised by Jefferson. A length of a chain, a unit of measurement of 66 feet, was the common measuring unit. Beginning on the base line at the initial point and extending north and south along the 6th P.M. at every 40 chains (half mile), a monument was dropped or set.

The instructions to surveyors around 1855 stated that, when measuring off 80 chains, the error in distance was not to exceed 14 links (one link being 7.92 inches).

In running each 80 chains, the deviation from true north was not to be more than three minutes (60 minutes equals 1 degree).

This was no easy task considering the equipment and conditions under which the surveyors operated. Legends are told how the early surveyors measured off 40 chains when surveying prairie lands. While one manned the horses, the other, aided by a compass, kept the driver on a straight course while serving as lookout for Indians on the horizon. Pioneers knew exactly how many times the front left wagon wheel had to go around to travel 40 chains. A heavy rope was tied at one spot on the rim of the wheel, and every time the wagon would bounce, they knew the wheel had one complete turn. After a certain number of bounces, they knew they had gone 40 chains, and a boulder was pushed from the wagon.

Every 24 miles north and south of the base line, there were surveyed standard parallels all being parallel to the base line. Then guide meridians were run true north and south every 24 miles east and west of the 6th P.M. The standard parallels and guide meridians affected all lands in Kansas and Nebraska and were extended west and north into area affected by the initial point (i.e., portions of Colorado, South Dakota and Wyoming). A monument was set at every 40 chains on all the standard parallels and guide meridians.

The surveyors encountered another problem—correcting each guide meridian every 24 miles. The 6th P.M. and the guide meridians all run true north and south, and from the equator running north they get closer together because they converge at the north pole. The large 24 mile squares were then surveyed into 16 smaller squares having six miles on each side. Each six mile square was called a township, and each township was in turn surveyed into 36 square miles. On occasions, smaller areas known as fractional sections were surveyed due to convergence of the meridians, errors in surveying and encountering large lakes and streams, Indian lands, land grants, etc.

As a result of the rectangular survey system, survey lines ran either north and south, or east and west. As towns were established in the movement west across the country, it was only natural streets ran either north and south, or east and west. It is said the 6th P.M., running north and south goes down the center line of Meridian Street in Wichita, Kansas. Flying over lands of the west, one can see farm roads following the boundaries of mile square sections, outlining small squares on the ground below.

Title Evidencing

Title evidencing of rural property in states surveyed by the rectangular system is much easier than in states not surveyed.

Opening a large book, or index, to the desired section, township and range, the local abstractor finds a ready made chain of title for that section. Using indices is the practice still followed in small title plants. Larger plants may use a computerized search.

Each day, an abstractor makes a "daily take off" of all instruments recorded in the local filing office. These are kept in the county court house where all real estate transfers in that county are recorded. The take off is then copied in the abstractor's own books or indices. Indexing of transfers is on a geographical basis. Years ago, the take off was by hand, then by typewriter, now in larger operations by computer.

In comparison with other New England states, Vermont is almost void of local abstractors and title plants. A searcher of titles is limited to a name search from grantee-grantor records maintained by the town clerk. There is no county wide recording system, only in the town where the property is located.



The author is president of the Vermont Secured Title Company, Inc. He was formerly counsel for the National Life Insurance Company of Montpelier for 21 years. The author also spent an earlier period in Ottawa, Kansas, where he was in the abstracting business.

NAMES IN THE NEWS



McCulloch

The Real Estate Section of the Orange County (California) Bar Association has named **Oscar H. Beasley**, ALTA Title Insurance Forms Committee chairman, recipient of its newly-created annual award for outstanding achievement. Beasley is senior vice president and senior title counsel, First American Title Insurance Company. The Real Estate Section's Outstanding Achievement Award was created to honor those members of the Orange County legal profession who have made significant contributions to the understanding and practice of real estate law in the county.

Jack Rattikin, Jr., company president, announced the retirement from the title insurance industry of **Philip D. McCulloch**, executive vice president, Rattikin Title Company, Fort Worth, Texas. McCulloch has worked in the abstract and title industry 42 years, the past nine at Rattikin Title as executive vice president. He previously was vice president of Commonwealth Land Title Company of Dallas, president of Lawyers Title Company of Central Colorado, Denver, and president of Hexter-Fair Title Company, Dallas.

McCulloch has served as president of three major industry organizations—the American Land Title Association, the Texas Land Title Association, and the Title Underwriters of Texas, Inc.

Lawyers Title Insurance Corporation announces the election of **Charles H. Foster, Jr.**, as executive vice-president—operations, Richmond. Foster succeeds **Charles E. Brodeur**, who retired



Foster



Brodeur



Blanchard



Schofield



Sloan



Ward



Pease



Beierle



Holmes



Watts

from the company after 37 years of service. **John R. Blanchard** was elected senior vice-president—chief financial officer, Richmond. **Lawrence F. Schofield** has been elected vice-president—New England states counsel, Boston. **F. Linton Sloan, Jr.**, has been elected vice-president—Florida state counsel, Lakeland; **Dana R. Ward** elected vice-president—corporate planning officer and claims prevention manager, Richmond; **Mary B. Pease**, elected as vice-president—New Hampshire state manager, Manchester.

The following individuals have received appointments at Lawyers Title: **Edward R. Beierle**, vice-president—Pacific state counsel, Universal City, CA; **John T. Kieley**, branch counsel, Baltimore; **Patrick J. Egan**, assistant state manager in Michigan, Troy; **Candace E. Holmes**, branch counsel, Hartford; **Robert W. Watts**, Georgia state sales manager, Marietta; **Robbie D. Hildebrand**, Florida state agency manager, Lakeland; **Nancy Ann Meyer**, branch manager, Troy, MI; **Linda K. Bunch**, branch manager, Merrillville, IN; **Douglass W. Dewing**, senior title attorney, Norfolk, VA; **Lisa E. Grenadier**, New York national division counsel, New York City; **Bette B. Lehmborg**, branch counsel, Stamford, CT; **Robert M. Lynch** and **Kathryn S. Weiner**, senior claims attorneys, Lawyers Title southwest states office, Dallas; **Linda A. Nagle**, senior title attorney, Chicago national division operation; **John Savoca**, senior title attorney, New York state office, White



Hildebrand



Meyer



Bunch



Lehmborg



Weiner



Rogers

Plains; **Jay W. Thomas**, assistant counsel—claims, Dallas; **Elizabeth F. Steinle**, senior claims attorney, southwest regional division office, Dallas; **Henry S. Rogers**, Georgia state counsel, Atlanta; **Charles L. Decker**, branch manager, West Palm Beach; and **Kelly J. O'Brien**, assistant state counsel assigned to the company's Alabama state office, Birmingham. **James M. Boyar** has joined Lawyers Title national division, San Francisco, as vice president and Pacific northwest national division manager.

Commonwealth Land Title Insurance Company has named the following individuals to the respective positions: **William G. Anderson**, vice president and assistant treasurer, Philadelphia; **Craig A. Johnson**, vice president, D.C.; **Arlene Tilley**, assistant vice president, Severna Park, MD; **John M. Obzud**, assistant vice president, Saverna Park; **Richard J. Sadler**, assistant vice president, D.C.; **Graham C. Lant**, vice president and Minnesota state manager, Bloomington; **Leo K. O'Drudy, Jr.**, assistant counsel, D.C.; and **Kathleen A. O'Connell**, assistant secretary, Philadelphia. **Marc S. Smith** has joined Commonwealth as title officer in Harrisburg.

Robert P. Mooney, resident vice president and North Florida area manager, was elected vice president of Chicago Title Insurance Company, Jacksonville; **Miriam M. Schneider**, corporate marketing counsel, was elected vice president, CTIC, Chicago; **Grant Berning** has been elected vice president, commer-



Boyar



Anderson



Tilley



Obzud



Lant



O'Drudy

cial and industrial sales for the Mid-Atlantic region of CTIC, Chicago. The following people have received promotions at Chicago Title: **Kim Blazek-Scislo**, assistant vice president and remains manager, residential sales, Chicago; **Irene Cualoping**, appointed manager, governmental services division, Chicago; **David Nelson**, appointed technical advisor, governmental services division, Chicago; **James L. Smith**, appointed regional counsel, Gulf Central region, Dallas; **Sandra Balmer**, assistant counsel in the Illinois claims department, Chicago; **Anthony Crowder**, title examining officer, Chicago; **Philip J. Fanning**, associate regional counsel, Hartford; **William Glewicz**, title officer, Chicago; **Richard Stoll**, counsel and manager, Washington, D.C., metro commercial unit, Fairfax, VA; and **Joseph Strobel**, title officer, Chicago.

Allan F. Montezon was named vice president and national title service officer for Ticor Title Insurance, Milwaukee. **Montezon** is a member of the Wisconsin Land Title Association, where he served as regional chairman and the Wisconsin Mortgage Bankers Association.

National Attorneys' Title Insurance Company has promoted **Bertram W. Rosen**, to senior vice president/finance and administration; and **William J. McGowan**, to senior vice president/operations, White Plains, NY. The appointments were announced by **Peter E. Becker**, president of National Attorneys' Title First American Title



O'Connell



Smith



Mooney

Guaranty Company Chairman and Chief Executive Officer **William B. Morrish**, announced the appointment of **Richard P. Pauletich** as president and chief operating officer of the Oakland, CA, company. **Richard E. Garklick** has been appointed vice president-assistant senior title officer, national division, on corporate staff for First American.

Landmark Title Inc., has promoted **Leslie P. Weiss** to vice president/marketing director, Manchester, NH.

American Title Insurance Company appoints a new head of its Phoenix operation. **Michael A. Pollack** has joined the company as vice president and county manager, Phoenix.

Nancy Roche has



Schneider



Berning



Blazek-Scislo

been promoted to president of Five Points Title Services Company, Miami.

J.C. Hedgpeth II has been appointed vice president of First Title Insurance Company. He will be in charge of the company's Piedmont Triad office, located in Greensboro, NC.

Irvin H. Cohen and **Robert G. Hofheimer, Jr.**, recently announced the association of **J. Henry Godwin III** with their firm, Pioneer Title of Virginia.

Cascade Title Co., Eugene, Oregon, has redeemed its outstanding common stock, according to Fred McMahon, president. The company is now owned by **Fred** and **Marian McMahon**, and by **Tom** and **Nancy McMahon**, and has entered

TITLE INSURANCE LAW HANDBOOK

\$69⁰⁰

Postpaid

(IL Residents add \$4.83 sales tax)

the complete guide to title insurance litigation and policy interpretation — by Robert E. Ellis...

Featuring:

- ALTA policies (1970 Owner's and Loan forms) annotated with *all* relevant case law.
- Selected commentaries highlighting key litigation issues.
- Fully cross-referenced to new '87 ALTA policy forms.
- 600 + pages, attractive softcover edition.
- Semi-annual supplement feature.

Send check or money-order with order to:

LawText Publishing Company
P.O. Box 146465
Chicago, Illinois 60614-6465



Montezon



Pauletich



Garlick

into an agency agreement with Ticor Title Insurance Company.

James E. Gibbons, counselor of real estate, Garden City, New York, has been named the 1987 recipient of the Landauer Award of the American Society of Real Estate Counselors. Established in 1986, the Landauer Award is presented annually, when appropriate, to a CRE who has furthered the ideals of the Society and the CRE designation.

A. Alexander Bull, M.A., CPA, CSM, and **Nicolas Ordway, Ph.D.**, coauthors of "Sequential Innovations in American Shopping Centers," which appears in the current **Real Estate issues** (Fall/Winter 1987), have been named the 1987 recipients of the Ballard Award. Awarded by the American Society of Real Estate



Weiss



Pollack



Roche

Counselors each year, the honor is given to recognize the author/s whose article best exemplifies the high standards of content maintained by the journal.

Robert Kratovil, distinguished professor of law at the John Marshall Law School, Chicago, is the coauthor of **Real Estate Law with Raymond Werner**. As of January, the book, in its ninth edition, has sold over 700,000 copies.

Herbert N. Morgan, president, owner and chief executive officer of Real Title Company, Inc., Fairfax, Virginia, has announced the celebration of the company's 60th anniversary this year. Real Title had its genesis in 1927 under the name of Real Title Corporation of Clarendon. The original subscribers of the com-



Hedgpeth II



Morgan

pany were: **Charles T. Jesse, Walter T. McCarthy, and Henry J. Klinge**.

The Small Business Council of the Salt Lake Area Chamber of Commerce named Salt Lake-based Guardian Title Company Small Business of the Year. The 16-year-old company was the first recipient of the award. Guardian Title was founded by **Warren and Doug Curllis** with two other employees. It has grown to 37 employees with a gross revenue of two million dollars. The company has three offices at 317 East 500 South, 335 400 South and 7050 South Union Park Center.



How do I educate my title company employees when there's so little time available during the work day?



Hmmm... that's a tough one—might as well stand on my head!



Contact the Land Title Institute about its correspondence courses. P.O. Box 9125 Winter Haven, FL 33883 (Telephone 813/294-6424)

1988 ALTA Regional Seminars

*designed for land title
owners and managers*

- **April 15-16 (two half-day programs)**, Hyatt Seattle Hotel, Seattle/Tacoma Airport (\$62 singles/doubles, telephone 206-244-6000)

(Registration \$70 for ALTA members, \$110 for non-members)

Topics: "Surely You Have Not Been Living Under The Presumption That A Section Is Square"
"Forgery and Other Underwriting Problems"
"Handling Claims for Fun and Profit"

- **April 29**, Stouffer Concourse Hotel, Denver (near the airport) (\$89 singles, \$99 doubles, telephone 303-399-7500)

(Registration \$82 for ALTA members, \$122 for non-members includes buffet luncheon)

Topics: "Handling Claims for Fun and Profit"
"Problems in RESPA, RICO and Bad Faith Claims"
"Forgery and Other Underwriting Problems"

To register: Checks made payable to the Association may be sent to Director of Education and Membership Services Patricia L. Berman in the ALTA office, Suite 705, 1828 L Street, N.W., Washington, D.C. 20036.

Topic suggestions for future Regional Seminars may be addressed to the ALTA Education Committee through Mrs. Berman in the Association office.

Past President Don Nichols Dies



Nichols

Services and burial were in Hillsboro, Illinois, for Don B. Nichols, 1965-66 president of ALTA, who died there January 10 after an extended illness. He also was a past president of the Illinois Land Title Association.

Prior to his retirement about six years ago, he had owned and operated Montgomery County Abstract Co. at Hillsboro for 40 years. His wife, Vera Rose Nichols, assumed management of the company when he retired and continued until the business was sold in July, 1986.

Last year, Don and Vera Rose were named ILTA Lifetime Honorary Members, and were the first couple so designated by that association.

He served as an Air Force officer during World War II and the Korean Conflict.

Memorial contributions to the Hillsboro Hospital Auxiliary have been suggested by the family.

ON THE HOMEFRONT



Minor

Sherri-Lynn Minor has been promoted to legislative assistant on the ALTA staff, it was announced by Association Executive Vice President Michael B. Goodin.

She joined the staff as office assistant after graduation with a major in speech communications from Glassboro (New Jersey) State College. While an undergraduate, she served as news director for WGLS-FM, the college station and the only station in surrounding Gloucester County.

Her responsibilities at the station included training a staff of 32 students and organizing election coverage. Among the dignitaries she interviewed for broadcast was New Jersey Democratic Senator Bill Bradley.

The ALTA office staff is pleased to begin operation of their new Telecopier (FAX) machine. Now, offices around the nation will be able to send instant copies of important documents directly to Washington headquarters. This service can be used in place of overnight delivery. The FAX number is 202-223-5843. For further information, contact Laura Kahn, computer development specialist at the Association, (202) 296-3671.

Title's sister-company, Mississippi Valley Title Insurance Company (MVT), at the same address. MINNTICO, which opened in November, 1985, was responsible for the development, administration, and servicing of MVT agents throughout New York. Most of MVT's New York agents are being converted to Minnesota Title agents. Minnesota Title is planning to expand its agency network and agency service capabilities by opening additional offices in New York during 1988.

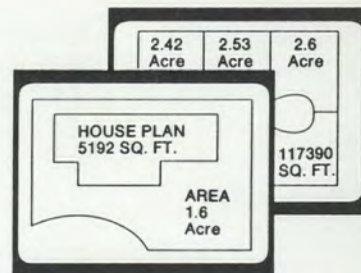
NEW ARRIVALS

Richard A. Cecchetti, president of Title Insurance Company of Minnesota (Minnesota Title), has announced the opening of the Company's New York State Office at 100 State Street, Albany, NY. The office will be managed by Assistant Vice President **Richard O. Beman, Jr.**, an 18-year veteran of the title insurance industry in New York State. Prior to Minnesota Title receiving its New York license, Beman had been manager of MINNTICO, a New York State agency-servicing office for Minnesota

DEED-CHEK

Determines area and prints map in seconds!

- Easy-to-use program for IBM and compatibles.
- Determines area and closure from legal descriptions.
- Draws map on the screen and printer as you enter metes and bounds.
- Determines square footage of house plan.
- Handles curves and unknown courses.
- Offers amortization schedule, loan and investment calculations.



Introductory Offer

\$89

To order Deed-Chek call now or send check to:

AGT

Advanced Graphics Technology
4385 E. Brandon Drive, Suite 2020
Marietta, Georgia 30066
(404) 924-9692 Ext. 20

FLOATING TOOTHPICK
continued from page 7

In the last analysis, it is the title industry that has been hurt the most by the states' recent successes for it has been called upon to pay millions of dollars to resolve these claims. Whether the states will be allowed to continue to revise and rewrite doctrines governing navigability laws so as to expand—retroactively—their sovereign title, or whether traditional concepts of the reach of navigable waters are to remain in place, will be known soon when the Supreme Court acts in *Phillips Petroleum*. We hope that Court will follow the example of Lord Mansfield who, more than two centuries ago, ridiculed the idea that the cellar of a house, into which tidewater regularly seeped, was an "arm of the sea," and thus navigable. *Mayor of Lynn v. Turner*, 1 Cowp. 86, 98 Eng. Rep. 980, Lofft 556, 557, 98 Eng. Rep. 796, 797 (K.B. 1774).

Let us trust that the toothpick set adrift by the Mississippi Supreme Court meets its early demise on the shoals of the United States Supreme Court's continuing insistence upon adherence to the common understanding of the Equal Footing Doctrine.

¹ *Hirsch v. Maryland Department of Natural Resources*, 416 A.2d 10 (Md. 1980); *Velsicol Chemical Corp. v. State Department of Environmental Protection*, 442 A.2d 1051 (N.J. 1982); *Coastal Petroleum Co. v. American Cyanamid Co.*, 492 So.2d 339 (Fla. 1986), cert. denied sub nom. *Mobil Oil Corp. v. Board of Trustees*, No. 86-823 (U.S. Sup. Ct., Feb. 26, 1987); *City of Berkeley v. Superior Court*, 26 Cal. 3d 515, 606 P.2d 362 (1980); *State v. Superior Court, (Lyon)*, 29 Cal. 3d 210, 625 P.2d 239 (1981); *State v. Superior Court (Fogerty)*, 29 Cal. 3d 240, 625 P.2d 256 (1981); *Marks v. Whitney*, 6 Cal. 3d 251, 491 P.2d 374 (1971).

² The case below is *Cinque Bambini Partnership v. State*, 491 So. 2d 508 (Miss. 1986). Note, it is most probable that the decision of the United States Supreme Court in this matter will have been handed down prior to the date of this publication. As of this writing, we await that decision.

³ Alabama, Alaska, Arizona, California, Connecticut, Delaware, Florida, Georgia, Hawaii, Louisiana, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, South Carolina, Texas, Virginia, Washington.

⁴ *Commonwealth v. Charlestown*, 18 Mass. (1 Pick.) 184, 186-188 (1822); *Elder v. Burrus*, 25 Tenn. (6 Humph.) 342, 350 (1845); *Carson v. Blazer*, 2 Binn. 475 (Pa. 1810); *Commonwealth v. Alger*, 61 Mass. (7 Cush.) 53, 68 (1851); *Shively v. Bowlby*, 152 U.S. 1, 31-32 (1984).

⁵ See *The Propeller Genesee Chief v. Fitzhugh*, 52 U.S. (12 How.) 443 (1851); *The Daniel Ball v. United States*, 77 U.S. (10 Wall.) 557 (1871); *Barney v. City of Keokuk*, 94 U.S. (4 Otto) 324 (1877); *Utah v. United States*, 403 U.S. 9 (1971); *Montana v. United States*, 450 U.S. 544 (1981).

⁶ *Hirsch v. Maryland Department of Natural Resources*, 416 A.2d 10 (Md. 1980); *Velsicol Chemical Corp. v. State Department of Environmental Protection*, 442 A.2d 1051 (1982); Mass. Ann. Laws ch. 91, § 1 (Law. Co-op 1985).

⁷ *California ex rel. Public Works Board v. Southern Pacific Transportation Co.*, No. 277312 (Sacramento Superior Ct. 1985).

⁸ *Coastal Petroleum Co. v. American Cyanamid Co.*, 492 So. 2d 339 (Fla. 1986), cert. denied sub nom. *Mobil Oil Corp. v. Board of Trustees*, No. 86-823 (U.S. Sup. Ct., Feb. 26, 1987).

⁹ *Summa Corp. v. California ex rel. State Lands Commission*, 466 U.S. 198 (1984); *Marks v. Whitney*, 6 Cal. 3d 251, 491 P.2d 374 (1971).

¹⁰ In the one other instance in recent years where the United States Supreme Court has had occasion to review the actions of a state supreme court expanding sovereign land claims and the imposition of the public trust, the Court reversed the California Supreme Court in *Summa Corp. v. California ex rel. State Lands Commission*, 466 U.S. 198 (1984). In *Summa*, the California Supreme Court had previously ignored 100 years of precedent (including decisions of the United States Supreme Court) and claimed sovereign lands within confirmed Mexican rancho grants that had been confirmed by federal patents, free of any state sovereign interest.



Edgar B. Washburn is a founding partner and oversees the operation of the San Francisco office of Washburn and Kemp. He has lectured and written extensively in the areas of natural resources, real property, title insurance litigation, and waterfront ownership and development problems. The author graduated from the University of California's Boalt Hall School of Law in 1962. Admitted to the California Bar in 1963, Mr. Washburn has argued cases in state and federal trial courts, various district courts of appeals, the California Supreme Court, and the United States Supreme Court.



Sean E. McCarthy heads the Sacramento office of Washburn and Kemp. He has authored numerous articles on title insurance matters. The author graduated from the University of California, Davis, School of Law in 1970. He was admitted to the California Bar in that year. He served as counsel to the State of California Senate Committee on the Judiciary, followed by a 13-year period as California Land Title Association executive vice president and counsel.

Now Available

ALTA Title Insurance Policy Handbook. Containing all current title insurance policy forms adopted by ALTA, including new forms now in effect. This extremely useful Handbook contains the full course discussion papers prepared by the faculty for use at the **ALTA seminars, "UNDERSTANDING THE NEW ALTA TITLE INSURANCE POLICY FORMS."** The Handbook is in a 3-ring binder format which will permit periodic updating. This updating service will be included in the purchase price for ALTA members only. Non-members will pay \$7.50 for future updates.

ALTA Members	\$28.00
Non-members	\$35.00
Orders of 11 or more	\$25.00 (each)

Note: Additional forms proposed for adoption at the ALTA 1988 Mid-Year Convention will be included.

SEND ORDERS TO
POLICY FORMS HANDBOOK
American Land Title Association
1828 L Street, N.W.
Suite 705
Washington, D.C. 20036

Please make check payable to The American Land Title Association.

ONE MINUTE MANAGER

continued from page 15

cheering me on. I started out with a really positive attitude. My mother said I learned to smile before I cried. I learned how to sing before I could talk. So I'm a positive thinker just like Norman Vincent Peale.

“Today's youth are answering questions on 'being' because they assume they're already going to 'have.' As James said, 'they all assume the VCR's come in the mail.' **”**

Yet your backgrounds are very different . . .

Yes, but we're at the same place now—although I think Norman is undoubtedly much further along on inner peace. I think inner peace is a journey. As we talk about in our book, what you need is pride with humility. And people with humility don't think less of themselves—they just think of themselves less.

We contend that we all have two selves: an inner self, which is thoughtful and reflective; and an external, task-oriented self. The problem in life is the inner self takes longer to wake up in the morning than the external. A lot of times, we get out of bed, charge around and are into our day before we have taken any time to think about what life is all about.

Who were your mentors while growing up?

I guess the biggest one, really, was my father—a Mr. Roberts-like character in the Navy. He was a very special person. He retired as a rear admiral but never seemed to use his power to motivate people. He was a gentle soul—all 6'3" of him. I think one of the greatest things I learned from him was how to be androgynous. According to Alice Sargent, who wrote a book called **The Androgynous Manager**, androgyny is a Greek term that suggests that we all have a male and female part of us. In other words, men need to recognize that they have an emotional gentle part of them, which is the traditional stereotype female element. Most men try to deny their female

element. Not my Dad. He always said his trouble was that his bladder was too close to his eye. He would cry at the drop of a hat. He was a real "sentimental slob," just like I am.

Was there a particular model for your One Minute Manager?

No. The One Minute Manager came from a lot of people and places. It's interesting . . . life is what happens to you when you're planning on doing something else. My wife, Margie, and I were invited to a cocktail party for authors in San Diego in November, 1980. Attending the party was Spencer Johnson, an author who had written a series of very popular children's books called **ValuTales**. He was working on a book called **The One Minute Parent**. I talked him into going to one of my seminars. He sat in the back and laughed and laughed. At the end of the seminar, he came running up and said, "The devil with parenting. Let's go for managers." That's pretty much how the book got started.

The material in The One Minute Manager is so basic. What do you think accounts for the fact that people haven't caught on?

The issue about being a good manager in America is not about skill—it's about commitment. Think for a moment—when you meet someone of the opposite sex that you're attracted to, suddenly you have the greatest listening and attending skills.

But why aren't people using common sense? Why is something so simplistic so difficult to practice?

I have a feeling it stems from what I said earlier. Most managers are racing out of bed in the mornings. Their mind-set is "ready, fire, aim." They're so busy cleaning up messes that they're reactive rather than proactive. And, even though they want to change their behavioral patterns, they're caught in their own inertia.

Until managers find some way to quiet themselves, I think they'll always be caught in inertia. I think few managers are good at resisting the temptation to just charge on without thinking things through. I think it's a matter of intention rather than skills.

What exactly does it take to work at Blanchard Training and Development?

We have an extraordinarily huge percentage of genuinely nice people—the kind of people, if you had a chance, you'd want to have as friends.

Initially, there were two main reasons for



Ken Blanchard emphasizing the importance of being a good manager at the General Session, Seattle.

“Most managers are racing out of bed in the mornings. Their mind-set is 'ready, fire, aim.' They're so busy cleaning up messes that they're reactive rather than proactive.
”

starting the company. When Margie and I first began BTM, we wanted to create an environment where people we liked could come to work and play together. Our hiring rule was, if one of our people walked through the door, you would feel a chemical difference in your body because you were really glad to see the person.

Secondly, we wanted to see if we could create the type of organization we tell other organizations to be. This way, we work at practicing what we preach—so it's a journey, not a destination.

Basically, we employ the type of people who care about other people and want to make a difference.

What's the most humbling experience for managers?

To not only realize they were wrong—but to admit it as well. That goes hand-in-hand with the One Minute Apology.

We have a real fear in our society about saying we're sorry. For example, take the movie, **Love Story**. What was the saying from that movie that everyone thought was so great? "Love means never having to say you're sorry." When you really think about

“People with humility don't think less of themselves—they just think of themselves less.”

it, that's an **awful** statement. That's what's wrong with marriages today, American foreign policy, labor negotiations, etc. I once heard former Senator Edwin Brooke from Massachusetts say at a graduation speech at the University of Massachusetts, "I'd like to rewrite that quote so it said, 'Love is being able to say you're sorry.'"

I think the toughest job for managers is to admit to themselves that they were wrong, before admitting it to others. And that's a lesson we can all benefit from—not just in our professional lives, but in our personal ones as well.



**TITLE AGENTS
OF AMERICA**

**ERRORS AND OMISSIONS
INSURANCE
FOR
THE TITLE AND ESCROW
INDUSTRY**

**TITLE AGENTS OF AMERICA (TAM)
P.O. Box 218694
Houston, Texas 77218-8694
1-800-637-8979**



Meadows' many faces—from left: Marie Antoinette, Margaret Sanger, and Catherine the Great.

PORTRAIT OF AN ARTIST
continued from page 21

they're just not very interesting. But the English **do**. In fact, you'll hear every word. The same with the French. Why? Because the English are trained in Shakespeare and the French language is like Chinese—it's a musical language."

In Meadows' view, the most humbling experience for an actor? Simple. "A flop." Says Meadows, "Most actors don't realize if you have one hit in your life, you're ahead of the game. The norm of any art form is failure. Stop and think about it. The rarity is success."

Meadows has been married for 34 years to Steve Allen, one of the brightest, most creative geniuses in show business. Allen, lyricist, writer, composer, singer, producer and comedian, is, by 20th century standards, the purest of Renaissance men.

So what's it like being married to Allen? Meadows claims that the seemingly outgoing Allen was so shy during their first meeting, he wouldn't even speak to her. "He spoke to everyone else at the table **but** me. I felt, 'He's either really shy and likes me, or he's so rude, I never want to see this man again.'"

The truth? Allen didn't have a crush on Meadows, but he did think she was cute. Confesses Meadows, "We're most afraid of the one we're most attracted to."

Meadows says Allen was so insecure that, after their first meeting, following her debut on **I've Got A Secret**, Allen didn't have the nerve to ask her to dinner. Instead, he casually asked Audrey to bring her sister along. "On the way to the restaurant, he didn't have enough nerve to ask me to sit up front with him in his car. It wasn't until **after** we finished dessert that he said, 'Sit next to me, and let the others sit in the back seat.'"

With two of the funniest, wittiest, and most dynamic individuals packed into one

household, what must an argument be like? Says Meadows, "It's very unfunny and **very** unwitty."

Marriage to a person with multiple talents can often lead to petty jealousies and troubles—especially in celebrity marriages. Meadows, however, has never felt she travels in Allen's shadow. "Not at all," replies

"Talent is imagination—it's what you do with a part. There are certain actors and actresses who totally have no energy. It's so boring. Every major star, you know, comes on like gangbusters. Come on the screen like gangbusters and the audience can't miss you. If you have that type of energy and you're good, they never stop writing about you . . . give a bad performance—they crucify you."

Meadows. "I had been married previously and, everyone said to me, 'Why marry again? You'll ruin your career.' When I was signed by MGM, I was the hottest young actress on Broadway."

The primary reason Meadows has her own identity is she doesn't consider herself a musician, or a stand-up comic. "I would have been in Steve's shadow **only** if I were a comic. I am a comedienne—an actress

who creates a comedic character and says things in a funny way."

Meadows and Allen have one son, Bill, vice president of comedy development at Mary Tyler Moore Studios. Steve has three other sons by a former marriage; Steve Jr., a physician in Corning, New York; Brian, a real estate broker in Seattle; and David, a composer.

Currently, Meadows and Allen have a big hit on their hands—a read-along cassette/LP series entitled, **Shakin' Loose With Mother Goose**. It's "reading, rapping and singing along" to 44 favorite children's nursery rhymes. Says Allen, "This is the hippest and most exciting collection of traditional rhymes that I've seen. It gives me Mother Goosebumps just to think about it!" And, indeed, the two have received the highest accolades on their new venture. **People** magazine, **USA Today** and other newspapers nationwide, have given Jayne and Steve rave reviews.

From Mother Goose to Catherine the Great, is there any role Jayne Meadows is not yet ready to play? She doesn't think so. Meadows feels there's not a part written she wouldn't enjoy playing. "That doesn't mean I'd be right for the part, all it means is I'm a character actress who will try anything once."

And who else would know best about creating parts? Meadows has created many on Allen's award-winning TV show, **Meeting of Minds**, as well as on the stage, in movies and many of the better dramatic TV programs and movies of the week.

Admits Meadows, "Let's say there was a part for a 14 year old girl, just like Stephanie. I might be able to play it better than she, but I wouldn't be right for it, you see."

Of all the roles she's played, and characters she's created, Meadows says two of her favorites were Margaret Sanger and Florence Nightingale. "Always when I'm at my best, I unconsciously play my mother or my aunt. Florence Nightingale and Margaret

Sanger were crusaders like my mother!"

Meadows' stage career wasn't always glitzy and glamorous. Her involvement as a board member of the Rape Treatment Center in Los Angeles stems from an experience she had as a young actress in New York. Meadows was the rape victim of a noted playwright she had dated several times. Says Meadows, "This was before anyone heard of date or acquaintance rape. And this was a man who had written the most beautiful plays filled with beautiful characters. I was 16 years old—an innocent little country girl living in a charity home in New York."

This is one of the major concerns she has for her granddaughter Stephanie. Declares Meadows, "Among the biggest problems we have in America today are rape and

“Always when I'm at my best, I unconsciously play my mother or my aunt. And Florence Nightingale and Margaret Sanger were crusaders like my mother.”

drugs. In the society I was raised in, you didn't grow up in the drug culture—where you had boys on drugs and alcohol who would knock you down and rape you. Today, the statistics indicate rape occurs in one out of every four women. Most of them are young girls—Stephanie's age!”

Lunch with Jayne was lunch with: Margaret Sanger, Catherine the Great, Elizabeth Barrett Browning, Cleopatra, Florence Nightingale, Marie Antoinette and a whole entourage of unforgettable characters rolled into one.

Although the entertainment industry would be at a loss without Jayne Meadows, she's the first to admit—it wouldn't bother her if she couldn't act anymore. "There are too many other things I could do. Too many. I always wanted to be a writer. Writing is it—that's the talent! There's absolutely nothing like writing!"

Maybe she's right. After all, what a loss not to be afforded the opportunity to read what's behind the real Auntie Mames of this world!



ALTA Group Insurance Trust

Formed in 1957

Full Range of Plans

- Group Term Life
- Long Term Disability
- Comprehensive Medical Expense
- Dental Expense

Purchasing-Power Plus Stability

“Over 1,000 insured employees guarantee the resources to provide us with fair and competitive insurance rates.”

“The stability of the rates has made budgeting much easier.”

Well-informed Representation

“The 4-member board, composed of well-known, successful ALTA members, ensures the Trust is always working in my best interest.”

“Whether my question involves billings, claims, or benefits, a group insurance specialist will work to give me the answer – fast, and to my complete satisfaction.”

Toll-free Access

“When I need answers, I don't waste time; I call my ALTA Trust representative – direct.”

“I can take as much time as I need to get the answer to my question using the toll-free number.”

For More Information

1-800-346-ALTA

Illinois residents call 312-922-5000, collect

Trust Broker



Administrator



Underwriter



1988 AFFILIATED ASSOCIATION CONVENTIONS

April

22-23 Oklahoma, Marriott Hotel, Oklahoma City, OK.

28-30 Arkansas, Hot Springs Hilton, Hot Springs, AR.

May

1-3 Iowa, Conway Civic Center/Holiday Inn, Waterloo, IA.

12-14 Virginia, Kingsmill on the James, Williamsburg, VA.

12-15 Texas, Westin Galleria Hotel, Houston, TX.

13-15 Palmetto, Marriott at Hilton Head Island, Hilton Head Island, SC.

18-21 California, Newport Beach Marriott, Newport Beach, CA.

19-21 New Mexico, Sallyport Inn, Roswell, NM.

June

5-7 Pennsylvania, Hershey Hotel, Hershey, PA.

9-10 South Dakota, Holiday Inn-Downtown, Sioux Falls, SD.

12-14 New Jersey, Pocono Hershey, White Haven, PA.

16-18 Oregon, Ashland Hills Inn, Ashland, OR.

16-19 New England, The Balsams, Dixville, NH.

16-19 Illinois, Adams Mark Hotel, St. Louis, MO.

23-25 Colorado, Tamaron Inn, Durango, CO.

23-25 Tennessee, Park View Hotel, Gatlinburg, TN.

July

6-10 Utah, Sun Valley, Sun Valley, ID.

10-12 Michigan, Grand Traverse Resort, Traverse City, MI.

28-30 Wyoming, Holiday Inn, Douglas, WY.

August

11-13 Montana, Billings Plaza Holiday Inn, Billings, MT.

11-14 Idaho, Coeur d'Alene Resort, Coeur d'Alene, ID.

11-14 North Carolina, Wintergreen Resort, Wintergreen, VA.

18-20 Minnesota, Cragun's Resort on Gull Lake, Brainerd, MN.

18-21 Kansas, Wichita Marriott, Wichita, KS.

21-24 New York, The Equinox, Manchester Village, VT.

September

8-10 Missouri, Holiday Inn-Executive Center, Columbia, MO.

14-17 Dixie Land, Perdido Beach Hilton, Gulf Shores, AL.

15-17 North Dakota, Sheraton Galleria, Bismarck, ND.

18-20 Ohio, Hotel Sofiteo, Toledo, OH.

21-23 Nebraska, Midtown Holiday Inn, Grand Island, NE.

21-23 Washington, Red Lion Inn, Pasco, WA.

21-23 Wisconsin, Embassy Suites-Brookfield, Brookfield, WI.

24-27 Indiana, Indianapolis Hilton at the Circle, Indianapolis, IN.

November

10-12 Arizona, Holiday Inn, Casa Grande, AZ.

9-12 Florida, Omni Jacksonville Hotel, Jacksonville, FL.

*

Louisiana—Dates and site not final

Alaska, Nothing scheduled for 1988

Maryland, Nothing scheduled for 1988

Nevada, Nothing scheduled for 1988

Mergers, Acquisitions & Appraisals

Are you interested in: Buying? Selling? Valuing?

...a title plant

...an abstracting company

...an agency company

...a branch operation

For prompt confidential service contact:

Lawrence E. Kirwin, Esq., President

Dennis J. Ryan, Associate

Members: American Land Title Association; American Society of Appraisers

CORPORATE DEVELOPMENT SERVICES, INC.

151 S. Warner Road, Suite 202

Wayne, PA 19087

(215) 688-1540

The title industry is our only business!

CALENDAR OF MEETINGS

March

11-13 ALTA Mid-Year Convention, The Westin La Paloma, Tucson, Arizona

April

15-16 ALTA Regional Seminar Hyatt Seattle, Seattle, Washington

24-26 ALTA Eastern Regional Title Insurance Executives, Radisson Resort Hotel, Myrtle Beach, South Carolina

29 ALTA Regional Seminar Stouffer Concourse Hotel, Denver, Colorado

June

8 ALTA Board of Governors, The Broadmoor, Colorado Springs, Colorado

9-10 ALTA Western Regional Title Insurance Executives, The Broadmoor, Colorado Springs, Colorado

October

16-19 ALTA Annual Convention, Westin Harbour Castle, Toronto, Canada

1989

January 9 ALTA Board of Governors, Desert Springs Resort, Palm Springs, California

April 5-7 ALTA Mid-Year Convention, The Mayflower-A Stouffer Hotel, Washington, D.C.

April 30-May 2 (tentative) ALTA Eastern Regional Title Insurance Executives, Marriott's Griffin Gate Resort, Lexington, Kentucky

June 7 ALTA Board of Governors, The Broadmoor, Colorado Springs, Colorado

June 8-9 ALTA Western Regional Title Insurance Executives, The Broadmoor, Colorado Springs, Colorado

October 15-18 ALTA Annual Convention, Hyatt Regency Embarcadero Center, San Francisco, California

1990

January 15 ALTA Board of Governors, The Ritz-Carlton Hotel, Naples, Florida

April 4-6 ALTA Mid-Year Convention, Hotel Inter-Continental, New Orleans, Louisiana

April 29-May 1 (tentative) ALTA Eastern Regional Title Insurance Executives, Hotel undecided

June 6 ALTA Board of Governors, The Broadmoor, Colorado Springs, Colorado

June 7-8 ALTA Western Regional Title Insurance Executives, The Broadmoor, Colorado Springs, Colorado

September 30-October 3 ALTA Annual Convention, Hyatt Regency, Chicago, Illinois

BOOK REVIEW

continued from page 16

history, economics or social value of the title insurance industry. Its principal appeal will be to anyone within a title insurance company or agency—or outside, for that matter—who has to evaluate policy coverage or deal with the ticklish questions of whether a claim comes within the purview of the policy. Inside and outside claims counsel will certainly find themselves in this category (that feeling of "wasn't there a case a few years ago which said . . ." can be confirmed with surprising ease). In addition, however, those of us who have to explain the policy to knowledgeable customers and those who draft endorsements modifying the policy provisions, will be helped tremendously. Those who supervise agency and closing functions will benefit from the "Related Law" section. Of all the books and articles in the field, none are as comprehensive, technically accurate or practical as Robert Ellis's.

In short, **Title Insurance Law Handbook** is a welcome resource for those of us who need a fast, sure way of determining what title insurance policies really mean.

NAIC

continued from page 12

Environmental Liability Insurance Task Force (Hazardous Waste)
Valuation of Securities
Blanks Committee (Annual Statements)
Integrated Financial Services
Data Systems Management
Accounting Procedures and Practices
Market Conduct and Consumer Affairs
Examination Oversight Task Force
Financial Condition Subcommittee
Risk Retention Companies Task Force
Loss Reserve Discounting

The years 1986 and 1987 became very busy ones for the Liaison Committee as the Blanks Committee proposed a change in the method of reporting premium income on Schedule "T" of Form 9. Several discussions were held between the N.A.I.C. Task Force members and the Liaison Committee members in an attempt to resolve differences of opinion.

In June, 1987, the Blanks Committee accepted the report of the Task Force and adopted the recommended Schedule "T"

Form 9 changes for use in preparation of the 1987 Form 9. The Liaison Committee continued to work with the Task Force members to secure technical changes in the instructions. The members of the Task Force agreed to place the suggested technical changes on the agenda for the 1988 Blanks Committee meeting in Santa Fe. The results of the efforts of the Task Force will be known after the meeting.

The activities of the Liaison Committee members are increasing due to the ever changing make-up of the N.A.I.C. membership. State insurance regulators are either appointed or elected. Each State election usually brings changes in the make-up of the N.A.I.C. Committees and Task Forces. The need for ongoing dialogue and open communication channels with the membership of the N.A.I.C. is essential in today's environment. And, it is important that the ALTA Liaison Committee and the members of ALTA continue to contact and discuss with the insurance departments, those areas of concern in their respective areas of operations.

NEW ALTA MEMBERS

(The names listed in parentheses are recruiters who have now qualified for membership in the ALTA President's Club.)

ACTIVE

Arizona

Network Escrow & Title Agency, Inc., Tempe
(Rick Benson, Commonwealth Land Title Insurance Company, Mesa, AZ)

Arkansas

Faulkner County Abstract Company, Conway
First Security Title, Little Rock
Lincoln Abstract Company, Star City (Craig Gill,
Pine Bluff-Jefferson Abstract and Title Company, Inc., Pine Bluff, AR)

California

Inyo-Mono Title Company, Mammoth Lakes

Connecticut

The Heritage Title Company, Danbury (Thomas M. Ferraro, Chicago Title Insurance Company, Stamford, CT)

Delaware

Atlantic Title & Abstract Company, Wilmington

Florida

AAction Title Agency, Inc., Punta Gorda
Bonifay Abstract & Title Company, Bonifay
(J.H. "Skip" Boos, First American Title Insurance Company, Plantation, FL)
Executive Title of Sebastian, Inc., Sebastian
(J.H. "Skip" Boos, First American Title Insurance Company, Plantation, FL)
Sumter Title Company, Bushnell (James H. McKillop, Tigor Title Insurance Company, Los Angeles, CA)

Illinois

Lincoln Land Companies, d/b/a Lincoln Land Title & Abstract Company, Springfield

Missouri

Assured Title Company, O'Fallon (Lynda Aird, Safeco Title Insurance Company, Arlington Heights, IL)
Missouri Title Insurance Company, Kennett (Alfred J. Holland, Paragould Abstract Company, Paragould, AR)

Montana

First American Title Company of Great Falls, Great Falls (Robert Field, First Montana Title, Billings, MT)

New Jersey

Cooper McWhorter Title Agency, Inc., Cedar Knolls (David Porter, Transamerica Title Insurance Company, Los Angeles, CA)

New York

Accord Abstract, Ltd., Hicksville (Harold S. Schwartz, First American Title Ins. Co. of New York, Garden City, NY)
Amity Title Services, Inc., Belmont (Thomas F. Clark, Stewart Title, Williamsville, NY)
Bay Street Abstract Corporation, Glens Falls (Richard Marcus, Commonwealth Land Title Ins. Co., New York, NY)
Custom Title Services, Inc., Staten Island
Fidelity Title, Ltd., Hartsdale (Brian Reardon, General Abstract Corp., Staten Island, NY)
Finger Lakes Land Corporation, Canandaigua
Holcombe Abstract Corporation, Plattsburgh
Public Abstract Corporation, Rochester (Thomas F. Clark, Stewart Title, Williamsville, NY)
Title Network, Ltd., Buffalo (Thomas F. Clark, Stewart Title, Williamsville, NY)
Transamerica Title Insurance Company of New York, New York (David Porter, Transamerica Title Insurance Company, Los Angeles, CA)

Pennsylvania

Able Abstract Company, Inc., Hawley (Elmer Angststadt, Title Insurance Corporation of Pennsylvania, Bryn Mawr, PA)
Pocono Mountain Land Abstract Company, Inc., Stroudsburg

Tennessee

American Escrow Company, Hendersonville (Thomas Garner, Southern Title Insurance Company, Knoxville, TN)
Title Specialist, Inc., Knoxville (Charles B. DeWitt, Memphis Title Company, Memphis, TN)

Utah

Mountain View Title & Escrow, Inc., Ogden (Michael J. Jensen, Western States Title, Salt Lake City, UT)
Southern Utah Title Company of Cedar City, Cedar City

Washington

Coast Title & Escrow, Inc., Aberdeen (L.R. "Bud" Morgan, Title Guaranty Company of Lewis County, Chehalis, WA)
Olympic Peninsula Title Company, Port Angeles (Gary Kidd, Transamerica Title Insurance Company, Seattle, WA)
Stevens County Title, Colville

Wisconsin

BB&G Title Services, Inc., Milwaukee (Ronald Antoine, Chicago Title Insurance Company, Milwaukee, WI)
B&H Abstract & Title, Appleton (Norm Evilsizer, Minnesota Title Insurance Company, Brookfield, WI)
Rock Title & Abstract Service, Janesville (John R. Bethell, First American Title Insurance Company, Madison, WI, and Norm Evilsizer,

Minnesota Title Insurance Company, Brookfield, WI)

Wyoming

Southwest Land & Title Insurance Agency, Diamondville (Roy Hill, First American Title Guaranty of Wyoming, Casper, WY)

ASSOCIATE

Arizona

Accurate Business Systems, Inc., Scottsdale

California

Dick Lundin, Newport Beach
Stephen J. Tully, Beverly Hills (Sheldon Rubin, Rubin, Eagan & Feder, Beverly Hills, CA)

Georgia

Mark Weber, Atlanta

Massachusetts

Martin Gottlieb, Boston (Eugene Ratto, (Retired) John Hancock Mutual Life Insurance Company, Chestnut Hill, MA)
Alan Mason, Esq., Worcester

Ohio

David J. Harwood, Cincinnati (Dale W. Griffin, Lawyers Title Insurance Company of Cincinnati, Cincinnati, OH)
Joseph E. Kane, Cincinnati (Jay Rosenberg, Porter, Wright, Morris & Arthur, Cincinnati, OH)

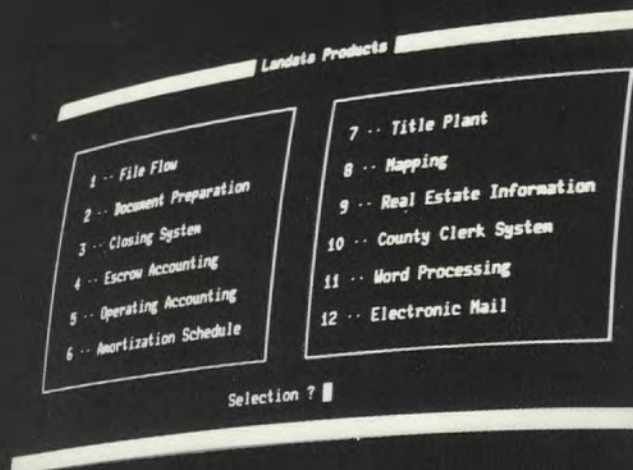
Texas

North American Mortgage Company, Houston
Jack L. Tickner, Rockwall (Sheldon Rubin, Rubin, Eagan & Feder, Beverly Hills, CA)

Washington

Edward W. Kuhrau, Seattle (Warren S. Olson, Commonwealth Land Title Insurance Company, Seattle, WA)

Look to Landata for the *right* system to automate your title insurance company



Landata has, quite simply, what you need: the most flexible, accurate and efficient computer systems to *fully automate* all the ways in which your title insurance company uses real estate information.

Just ask any of the customers among our user base spanning 30 states. They looked over the competition carefully before selecting Landata.

Here's what they found:

- Each Landata system is developed and tested by title industry veterans.
- Only experienced title industry professionals handle our systems installation and training.
- Landata title systems are *continually updated* to meet the changing requirements of our users.
- Systems are available for desk top computers, microcomputers, and mainframes.

And there's one more thing our customers find with Landata automated title services . . . increased productivity and profits.

Isn't it time *you* looked to Landata?



Real Estate Information

For additional information, phone or write the office nearest you.

GENERAL OFFICES

LANDATA, INC.
2200 West Loop South, Suite 500
Houston, Texas 77027
(713) 871-9222
(800) 551-3220

PALM BEACH

LANDATA, INC. OF W. PALM BEACH
2001 Broadway
Riviera Beach, Florida 33404
(305) 863-8001

DENVER

LANDATA SALES OFFICE
7400 East Caley Avenue
Englewood, Colorado 80111
(303) 741-5540

PORTLAND

LANDATA, INC. OF PORTLAND
200 SW Market, Suite 110
Portland, Oregon 97201
(503) 226-7169

HOUSTON

LANDATA, INC. OF HOUSTON
9720 Beechnut
Houston, Texas 77036
(713) 271-0241

SAN ANTONIO

LANDATA, INC. OF SAN ANTONIO
5409 Jackwood Drive
San Antonio, Texas 78238
(512) 680-4060

LOS ANGELES

LANDATA, INC. OF LOS ANGELES
412 West Broadway, Suite 211
Glendale, California 91204
(818) 244-8100

TAMPA

LANDATA, INC. OF TAMPA
6304 Benjamin Road, Suite 503
Tampa, Florida 33634
(813) 884-7111

BIG BEAR COMPTITLE PACKAGE™

The Comprehensive Title Package for the Big Agency

- Complete title package — title insurance, settlement tracking, disbursement, escrow tracking, full internal accounting
- Sophisticated document preparation and forms generation — complete user flexibility
- Full office automation — from personal calendar to electronic mail
- Complete turnkey system — all hardware, software and on-site support
- Perpetual license — no regular software maintenance fees

call **BEAR TRACK
COMPUTER
COMPANY**

1100 Wayne Ave., Suite 1200
Silver Spring, MD 20910-5601
(301) 588-0326



**American
Land Title
Association**
1828 L Street, N.W.
Washington, D.C. 20036

**BULK RATE
U.S. POSTAGE
PAID
Silver Spring, Md.
Permit No. 550**