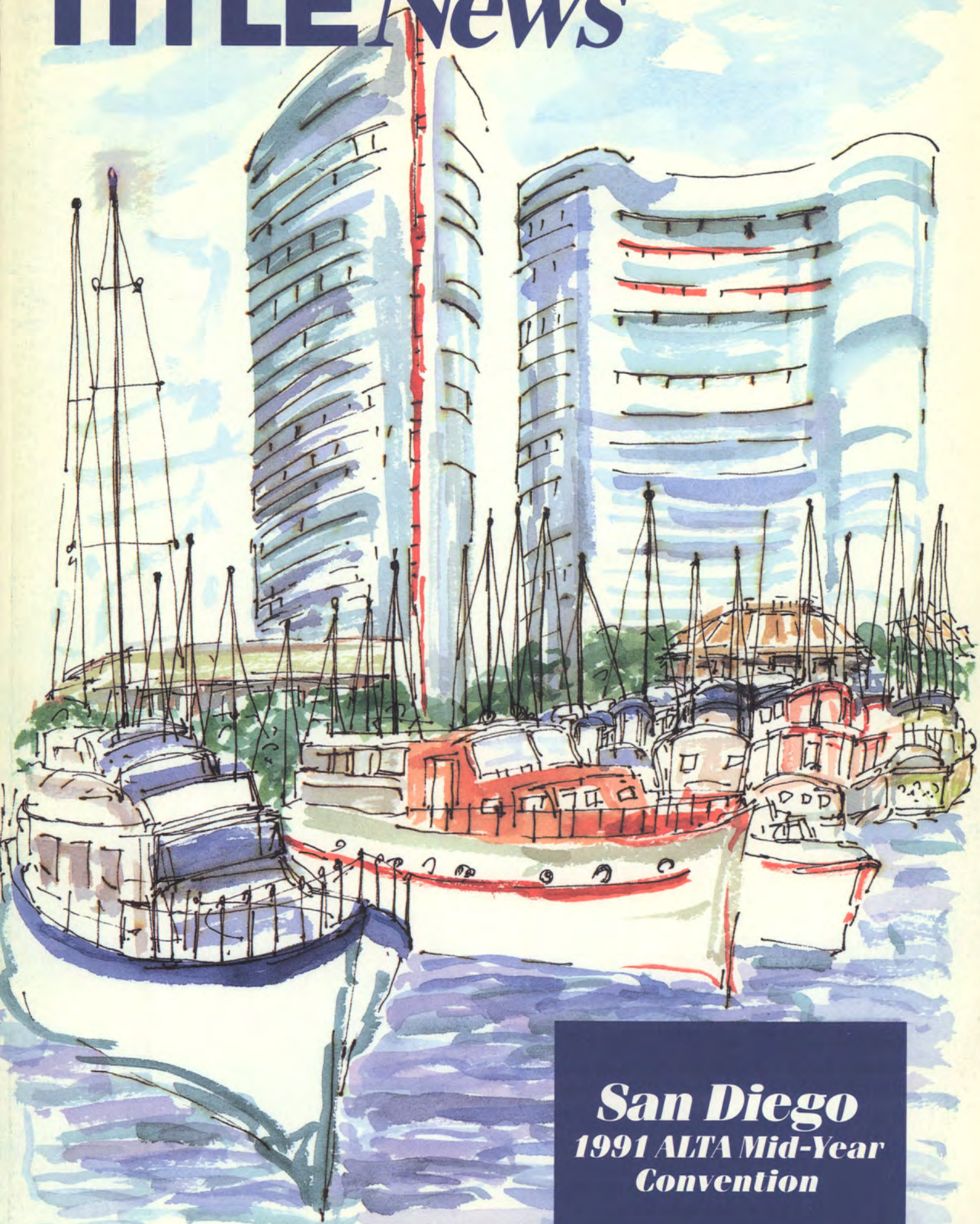


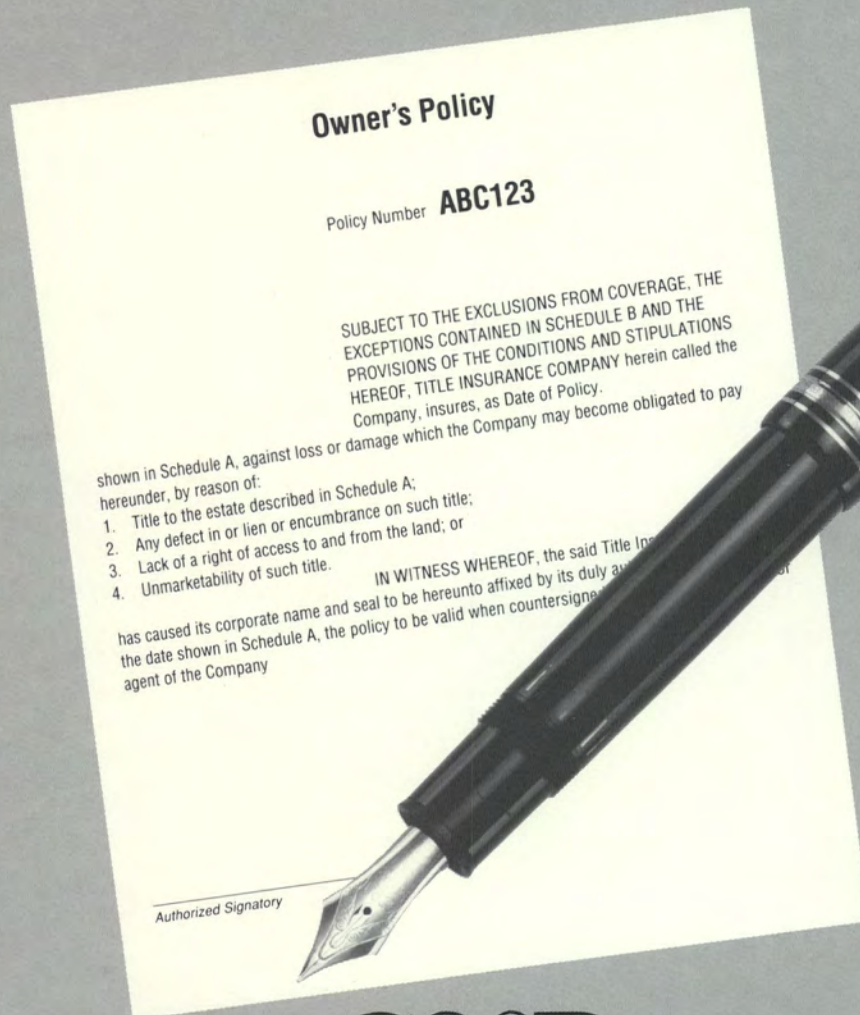
TITLE *News*

JANUARY • FEBRUARY 1991



San Diego
**1991 ALTA Mid-Year
Convention**

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Volume 70, Number 6

Editor: Adina Conn

On the Cover: *The Marriott Hotel and Marina in San Diego; site of this year's ALTA Mid-Year Convention. See story on page 4. Cover illustration by Rosemary Henry May.* Rosemary Henry May has become a contributing illustrator to **Title News**, as well as to a number of other ALTA publications. Her work has appeared internationally in the realm of fine arts, including a one-woman show in San Paolo, Brazil. Her work has also appeared in over 20 collective exhibitions in London, and the Paris Salon. As an illustrator, her work has been commissioned by the Smithsonian, the World Bank, with numerous other national organizations and associations, as well as magazines and books.

FEATURES

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By Adina Conn and Leigh Vogelsong

The ALTA Mid-Year Convention is right around the corner. Learn all the information you ever wanted to know about the beautiful city of San Diego, host to this year's ALTA Mid-Year Convention.

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By Phyllis K. Slesinger

Several environmental issues are currently facing the title industry. This article examines two of the most pressing problems.

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By Adina Conn

Most know him as the CBS host of **Sunday Morning**. He's the modern day John Steinbeck—the "boy from the South," who chronicles the stories of those that comprise America. In short, he's Charles Kuralt, champion of the working man, interviewer extraordinaire. In this article, the CBS correspondent shares some candid moments, thoughts and insights with **Title News** readers.

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By Ellen T. Wied

A fresh look at the basics of handling claims is presented in this article.

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A MESSAGE FROM THE PRESIDENT



(As I am writing this message, the Persian Gulf War is eight days old. I hope and pray that the war will be over by the time this reaches you—that this message will be outdated.)

It's hard to believe it is time for our Mid-Year Convention in San Diego. We had an excellent Board of Governors meeting on January 14th in California. Your Board is dedicated to preserving the financial strength of the American Land Title Association and the ideals, standards and programs as set forth by past ALTA Boards and committees. The individuals involved are a wise

and energetic group of people who have come up with new ideas and improvements which you will observe taking shape.

We, on the Board, met the day before **"THE DEADLINE"** date of January 15th. The threat of war was in the back of our minds as we worked all day that Monday.

The war started shortly after we returned home. We did not let the threat of war affect our deliberations.

Even after the war began, ALTA activities and the activities in our own offices continued. In my view, it must remain the way—even though the war most assuredly affects us all. It's almost like a victory for Saddam Hussein, if we fail to carry on with our business and association activities. The public still needs our title services. Our industry still needs our Association and the American Land Title Association needs you to continue to serve on committees and attend the Mid-Year Convention in April.

We have a fantastic Mid-Year program arranged (as you will read about elsewhere in this edition of **Title News**). We have extended our educational content to a full day this year. And, Dr. Carl Sagan's presentation alone could make your trip worthwhile.

Some have expressed a fear of flying during these times. I'm not going to give Saddam the satisfaction of stopping me this year, as I make more trips than ever before. I hope you will do the same; taking solace in the realization that security is better than ever and life must go on. We cannot let fear rule our lives. I have loved ones in the service as do many of you. I can't adequately put into words the pride and patriotism I feel for my country—its brave service men and women, and for the entire U.N. Alliance as they fight to liberate Kuwait, protect the U.S. and world economic survival, eliminate nuclear capability from a power-hungry and sadistic dictator, and to hopefully bring, as President Bush has referred, "a new world order." I feel for the first time this *can* happen and the U.N. *can* be effective and prevent any future actions such as Hussein's, if we are successful in this action.

How strange it is to watch the events of the war unfolding in the comfort of my home. When I see on TV, the courageous pilots flying off on their missions, all the thousands of dedicated technicians doing their jobs, the ground forces readying for battle in the desert, the medical personnel, the forces at sea, and the highest caliber of military officers, I find myself cheering and crying at the same time. The sacrifices that these military service people and their families make is insurmountable. I hope we will let them know in a positive way we support them at home, and we will continue our daily lives as normally as we possibly can.

Bill Thurman

Spring by the S

by Adina Conn, *Title*
and

Leigh Vogelsong, *ALTA director*

Join ALTA in the city where visitors are said to take beautiful days for granted. San Diego, site for this year's ALTA Mid-Year Convention, April 10-12, is known for its perfect climate, as well as the myriad of wonderful and exciting activities the city has to offer. To begin, there are 70 miles of Pacific beach, two beautiful bays, mountain ranges, and a magnificent desert. A city noted for its wonderful climate, you'll probably find yourself, like most San Diegans, spending a great amount of time outside. Join natives on one of the city's 70 golf courses, or on the tennis courts, jogging, or biking along the beach. In sum, San Diego is a city that has everything. And, if all this isn't enough, those with more "international" tastes, can visit the exciting city of Tijuana, Mexico—located just 20 minutes south of the border. San Diego simply offers the perfect relaxing, resort atmosphere.

The San Diego Marriott Hotel & Marina is site for this year's Convention activities. The hotel, located right on the harbor, boasts a lovely view of Coronado and the San Diego Bay. Title professionals from around the country will meet for three days of educational workshops, meetings and festivities.

Warning:

While in San Diego, be sure to take advantage of the outdoor lifestyle of Southern California. See Seaport Village, site of many quaint shops and restaurants, or, sample the flavor of the Old Town area in original San Diego. But be forewarned: San Diego's climate will put quite the "demand" on your wardrobe. Leave your raincoats and topcoats at home. Since the days are quite warm (70 degrees is the average temperature), have your shorts and swimwear handy, pack a light wrap for the cool evenings, and **always**, be prepared for great weather.

Affiliate Seminar Program

On Tuesday, April 9, membership retention will be the subject of the affiliate seminar for regional and state title association officers and executives. There will also be a number of other ALTA committee meetings. Convention registration will open on Tuesday. Section executive committees are scheduled to meet on Wednesday morning, followed by an afternoon meeting of the ALTA Board of Governors.

Ice-Breaker Mexican Style

A "Mexican-Fiesta" is the theme for Wednesday evening's Ice-Breaker Reception. Colorful Mexican garb is a must for those who truly want to indulge their senses in the flavor of Mexico—Ole!!! Exhibits will be open and will be located in the same room as the Ice-Breaker (exhibits will also be open on Thursday and Friday. Refreshments will be served in the hall during show hours).

Educational Program Expanded

An entire day of educational sessions are planned during this Convention. Thursday's sessions have been expanded, beginning in the morning and continuing into the afternoon. Rather than choosing from several concurrent workshops, each workshop will be offered in an exclusive time period to enable participants to attend each workshop. Topics to be discussed include the following:

At 8:30 a.m., the national accounting firm of Price Waterhouse will present "IRS Information Reporting." This session will cover Federal tax reporting obligations of real estate closing agents, including the new real estate reporting regulations that became effective on January 1 1991. The discussion will also cover reporting on the sale or exchange of real estate federally subsidized financing; separate charge prohi-



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bition; reporting on interest and services; cash reporting requirements; and penalties for non-compliance.

"Environmental Clean-Up and the Title Industry," scheduled for 9:55 a.m., will be comprised of a panel of experts who will tackle the unthinkable—environmental liability. Panelists will address current environmental issues confronting the title industry. Topics will include: pending California litigation seeking to hold title insurers liable for environmental clean-up costs; the effect on the title industry of EPA's filing a groundwater contamination suit in the Tucson area; and possible amendments to the Comprehensive Environmental Response, Compensation and Liability Act, and other changes to the regulatory landscape and their impact on the title industry.

A session on ALTA Endorsements, proceeds the program on environmental clean-up issues. Members of the ALTA Title Insurance Forms Committee will provide a mini-seminar on the ALTA Title Insurance Policy Endorsements. The discussion will answer such questions and issues as, When endorsements should and should not be used?; necessary documentation; the legal effect of the Form 9 comprehensive endorsement; and Fannie Mae's policy regarding the 8.1 Endorsement.

ALTA will provide a complimentary light luncheon, and at 1:45 p.m. the educational sessions resume. "The Feds and Title Insurance: Compliance with FHA and FNMA Title Insurance and Closing Requirements," will cover HUD debarment of settlement agents, FNMA coverage and policy delivery requirements.

At 3:10 p.m., the final session of the day will be "The Changing Nature of the Agent-Underwriter Relationships." Panelists will provide an update and discussion of the perceived responsibilities of the agent and the underwriter in delivering the title insurance product. The issues involved are errors and omissions losses, fidelity problems, controlled business relationships, underwriting support, and agent underwriter direct competition.

Spouse/Guest Brunch

Follow in Dr. Dolittle's style, by talking with the animals. Attendees will have the opportunity to join in casual chatter with their favorite animal. As you make the acquaintance of the zoo friends, you will learn about their care and feeding during a very special spouse/guest brunch event at the San Diego Zoo on Thursday morning, April 11. Enjoy a "purrfect" brunch at the zoo—but please absolutely **NO** feeding of the permanent residents! After brunching with the denizens, a special guest speaker will be on-hand to introduce you to several large zoo residents. Guests will then depart on an optional private behind-the-scenes tour highlighting the logistics of operating one of the world's largest and most prestigious zoos.

Dr. Carl Sagan to Speak at General Session

Friday's General Session will feature Dr. Carl Sagan, one of the most widely-noted authorities on space exploration and the consequences of nuclear war. Dr. Sagan has won countless awards including the Pulitzer Prize for his book **The Dragons of Eden**; The Emmy and Peabody Awards for his television series, **Cosmos**; and the NASA Medal for Exceptional Scientific Achievement for his leading role in the Mariner, Viking and Voyager expeditions to other planets. Sagan's scientific research has enhanced world views on the understanding of the greenhouse effect on Venus, dust storms on Mars, the organic haze on Titan, the origin of life, and the search for life elsewhere. In most recent years, Sagan has been engaged in research on the long-term consequences of nuclear war, uncovering previously unsuspected dangers for our civi-



lization and our species. Join him Friday morning as we look at the cosmos, peering ahead into the future.

Also on Friday, a panel of industry leaders will present "Dealing with the RTC (Resolution Trust Corporation)." The history and operations of the RTC will be discussed, as well as how the RTC affects title concerns and the best way to work with the RTC.

Tours Aboard

A wide variety of tour activities are in store for ALTA members and guests. On Tuesday evening, and Friday afternoon, members can cross the border for an evening or an afternoon of pure fun and excitement as you venture to "Tijuana Ole!" Discover Mexico's native handicrafts or shop for duty-free imports such as leather goods, fragrances, wool blankets and crystal. Dinner will be served at an authentic Mexican restaurant. **(Please note:** U.S. Citizens can enter Mexico for 72 hours or less without passport or visa. Foreign visitors need current ID and an I-94 [Multiple-Entry Visa]. Customs procedures will be explained beforehand. Visitors are allowed to bring back \$400 worth of goods duty free and one litre of liquor per person).

Wednesday and Thursday afternoons will feature a variety of popular activities. **San Diego by Land and Sea** awaits you. See Mission Valley, once home to local Indians situated along the San Diego Riverbed; 4,600 acre Mission Bay Park (in which Sea World is located), view San Diego's beautiful coastline; Old Town, the first commercial, political and social center of the city for more than half a century, Balboa Park, considered one of the most beautiful, diversified and culturally enriching parks in North America, and end your view by land with a highlight of San Diego's Downtown Area. Next, discover the sparkling side of the city as you cruise one of the world's greatest natural harbors. A harbor cruise will provide members with a totally different perspective on the San Diego skyline. Highlights include the San Diego skyline, the Coronado Bridge, Ballast Point, where Cabrillo made landfall in 1542, and the US Naval Fleet.

A tour of the internationally acclaimed San Diego Zoo is also on the schedule. Join us for **Behind the Scenes at the San Diego Zoo**. Located within the beautiful Balboa Park, the San Diego Zoo is renown for its impressive animal collection, and for the wide variety of rare and exotic species exhibited. The grounds are home to an equally impressive collection of exotic rare flora and fauna. Attendees will delight in a private VIP tour of the zoo, highlighting the logistics of operating one of the world's largest zoos. Those attending will receive a unique opportunity to learn how a zoo houses, feeds, and provides proper medical attention to almost 4,000 animals on a daily basis.

"Larking in La Jolla," a unique area of coastline parks, elegant shipping, and Mediterranean style homes, provides another exciting Wednesday tour. Members will see the La Jolla Bay (jewel of the sea), and Cove area, where the bluffs meet the water. Points of interest include the magnificent cliffs of Torrey Pines, overlooking Blacks Beach, and the Glideport area, where one may view or partake in dare-devil gliding. Shopping is always a treat in La Jolla. Among the many boutiques, import shops, art galleries, and specialty food shops, members are sure to find unique and exclusive gifts. The La Jolla tour is simply a charming way for members to spend an afternoon.

Other tours being offered include **A Day With Shamu** at Sea World, San Diego's beautifully landscaped marine park in the Mission Bay area. Attendees may attend any of the six aquatic shows, partake in over 30 educational exhibits, and view the 1000+ denizens of the sea including: lovable dolphins, wacky sea lions, walruses, and of course, Shamu the world's favorite killer whale.

A tour of one of the most beautiful and oldest historical areas in San Diego is in store for Thursday afternoon. San Diego's past will come alive as you visit one of the area's oldest missions and Old Town San Diego. The tour begins with a visit to the lovely Presidio Park, site of the first mission in California. Members will discover San Diego's birthplace and link to the past in **Historic Old Town**. Steeped in history and romance in the tradition of colonial Mexico, members will experience the charming, original Spanish buildings from the early Mexican period of San Diego. The history of Spanish California will be relived in a setting once enjoyed by prominent early San Diegans. After a guided tour, members can enjoy exploring or shopping on their own.

March 12 Deadline for Reservations

Registration requirements for the Convention (including hotel reservation card and registration form), are included in the member mailing. The San Diego Marriott Hotel & Marina is offering sleeping room rates of \$128 single, \$148 double for a city view and \$138 single, \$158 double for a bay view. Reservation cards must be sent to the hotel no later than March 12 to ensure your desired accommodations.

American Airlines has been appointed as the official airline for the Convention, American is offering 45% off regular coach fares and 5% off promotional fares for all attendees or travel agents calling 1-800-433-1790 and using the Star File S-0541GW.

For any convention or exhibit information, call the ALTA office at (202)296-3671.

The Perfect Getaway

San Diego is a perfect vacation getaway, whether you've planned just a weekend escape or a leisurely stay. There's so much to see and do in San Diego that it will take you more than just one weekend to explore it all.

Here's just a sampling to get you started:

San Diego Zoo

The world-famous San Diego Zoo is the area's most famous visitor attraction. And, in March of this year, the gorillas will be getting a new home. The old cement enclosures will be replaced with a lush, new African rain forest habitat. The exhibit will feature an abundance of vegetation, mostly gathered from the animals' native Africa. Waterfalls, fallen logs, caves, streams and other natural elements will provide hours of naturalistic exercise and foraging opportunities for the primates. 1991 marks the 75th birthday of the San Diego Zoo. This 100-acre tropical garden zoo has 3,400 animals of 800 species and is noted for its many rare and exotic species exhibited—most notably furry koalas from Australia and majestic Sumatran tigers—as well as its lush botanical collection. The zoo's popular new Sun Bear Forest replicates a tropical rain forest and is home to Malayan sun bears, lion-tailed macaques and dozens of exotic birds. Tiger River is a three-acre rain forest with lush vegetation, waterfalls, and a unique fogging system that blankets the area with a tropical mist. It is comprised of 10 animal exhibits and more than 5,000 exotic plants.

San Diego Wild Animal Park

Located 30 miles north of downtown, the San Diego Wild Animal Park is an 1,800-acre preserve where wild animals roam free over vast expanses as they would in their native habitats of Africa and Asia. Visitors can best see the park's 2,500 animals by taking the guide-narrated monorail tour after seeing the sights at Nairobi Village.

Sea World

Located on Mission Bay, this 135-acre park features eight major shows and dozens of fascinating exhibits containing marine life from around the globe, including a shark exhibit with some of the largest live sharks on display in the world, the popular Penguin Encounter, and a killer whale show, featuring Baby Shamu. Forbidden Reef, Sea World's newest exhibit, incorporates two displays, Bat Ray Feeding Shallows and Moray Eel Caverns. Visitors to Bat Ray Feeding Shallows may touch and feed the bat rays. In other areas of the park, visitors can also pet the dolphins, pick up starfish for closer inspection, view the largest waterfowl collection in the U.S., or take in a panorama of San Diego from the Southwest Skytower or Skyride. Places of Learning, a multi-faceted educational complex, features a one-acre map of the U.S.

Balboa Park

In the heart of San Diego is beautiful Balboa Park. Within its 1,074 lush acres are museums, art galleries, performers, the Reuben H. Fleet Space Theater, the Simon Edison Centre for the Performing Arts (Old Globe Theatre, Cassius Carter Centre Stage, and the Lowell Davies Festival Theatre), Starlight Bowl, sports facilities, one of the world's largest zoos, the historic Spreckels Organ Pavilion, and plenty of green grass and trees.

Everyday, the 100-bell carillon chimes each quarter hour from the California Tower, a city landmark.



Rosemary Henry Day



Rosemay Henry-May

Mission Bay

This 4,600-acre aquatic playground is the largest facility of its kind in the world devoted to boating, fishing, skiing, swimming, board sailing, and public recreation. For swimmers and sunbathers, there are 27 miles of sun-bleached beaches with six designated swimming areas. There is an abundance of grassy recreation and picnic areas, ideal for family sports, kite flying or just plain relaxing. Bicycling and jogging are very popular on the paths winding around this aquatic park. "Gondolas on the Bay" offers romantic rides on beautiful Mission Bay. Eight daily cruise times are available. Call (619) 457-1751 for information.

San Diego Bay

This is one of the most beautiful harbors in the world, bustling with activity. It serves as the home port for navy ships, a large sportfishing fleet, thousands of pleasure craft and an increasing number of commercial and cruise ships. One of the best ways to see the harbor activity is from the water. Close-up views are provided daily by San Diego Harbor Excursions and Invader Cruises. Next to the Broadway pier is the Maritime Museum, which includes a stately century-old windjammer, the **Star of India** and the steam ferry, **Berkeley**, and the 1904 steam yacht, **Medea**. The San Diego Ferry carries pedestrians and bicycles hourly on a 15-minute trip across the bay to Coronado. A water taxi service shuttles passengers around the bay with scheduled stops at major hotels and on-call service to restaurants and shopping areas.

Cabrillo National Monument

Commemorating the discovery of the coast of California by Juan Rodriguez Cabrillo in 1542, Cabrillo National Monument and the Old Point Loma Lighthouse provide a spectacular panoramic view of San Diego's harbor and coastline as well as an excellent vantage point for observing the California gray whale during migration season.

Seaport Village

This waterfront dining and shopping complex depicts the harborside as it was a century ago. Located on 14 acres along the Embarcadero, Seaport Village is composed of more than 60 shops, boutiques and galleries where visitors can browse to their hearts' delight and choose from a whole world of culinary wonders in 13 theme restaurants and four major restaurants. Expansion plans include the addition of \$40 million in landscaping, water features and retail space.

Gaslamp Quarter

Gaslamp Quarter, a 16½-block historic downtown district, recreates the spirit of Victorian times through the restoration of old buildings that now feature antiques, crafts, arts, restaurants, shops, offices, and business establishments, all in the authentic tradition of that era. Walking tours offer historical perspective and an updated look at the dynamic new developments in the Gaslamp Quarter.

Old Town

The first European settlement in California, Old Town is where San Diego began. Old adobes and other historic structures blend with fine restaurants, shopping complexes, and fascinating shops to capture Old Town's rich heritage, while creating a popular attraction for visitors. Just up the hill from Old Town is beautiful Presidio Park and the Serra Museum.

San Diego Missions

San Diego's Spanish heritage is preserved in its beautiful missions. Padre Junipero Serra's first mission in California, Mission San Diego de Alcalá, still holds services daily in the original mission chapel. Mission San Luis Rey de Francia in Oceanside, the largest and richest of all 21 California missions, is often called "King of the Missions." Two other missions—Mission San Antonia de Pala, near Mt. Palomar, and Mission Santa Ysabel near Julian—still serve as places of worship for nearby Indians.

San Diego County

San Diego County is so huge, you'll never see it all. From its 70 miles of shimmering coastline to the verdant Cleveland National Forest to the vast Anza-Borrego Desert, even those who live here don't see everything. But if

time permits, here are some of the highlights you won't want to miss.

The sophisticated side of San Diego is readily apparent in the wide variety of cultural activities offered. San Diego boasts nationally known performers and exhibits, as well as experimental art and community theater.

For half-price day of performance and full price advance sale tickets to theater, music and dance events, call TIMES ARTS TIX at (619) 238-3810 or visit their new ticket booth at Horton Plaza. A satellite location in San Diego's new convention center is scheduled to open soon.

For a panoramic view of San Diego glide across the sky high above the surf on a parasail ride, one of the city's newest activities.

Just across the bay from downtown San Diego, via the majestic San Diego-Coronado Bay Bridge, San Diego Bay Ferry or water taxi, is Coronado, the "Crown City," site of the famous Hotel del Coronado.

Fifteen minutes north of downtown is La Jolla, the jewel of San Diego, renowned for its resort shops, beautiful beaches, and spectacular hillside homes, as well as the acclaimed La Jolla Playhouse. Just north of La Jolla are Torrey Pines State Park and Del Mar, noted as a horse racing fan's paradise, since Bing Crosby founded the seaside track in 1937.

Farther up the coast, acres and acres of flower fields in season radiate with color. North County's rolling hills also offer ballooning adventures, wineries to explore, botanical gardens, and, for the sports-minded, plenty of golf courses, freshwater lakes, and camping areas.

To the northeast, one of America's largest telescopes, in the Mt. Palomar Observatory, can be found high atop Mt. Palomar via the "Highway to the Stars."

Just 60 miles east of metro San Diego is the charming mining town of Julian, where Southern California's gold strike was made in 1870.

About 20 miles farther east lies the United States' largest state park—the 60,000-acre Anza-Borrego Desert State Park—with geological formations, plants and animals that are found nowhere else on earth.

Baja, Mexico

Any extended visit to San Diego should include a trip to Tijuana, the most visited border city in the world. Mexico's bazaar-like atmosphere makes bargaining for leather goods, glassware, jewelry or pottery, a unique shopping experience, while the greyhound and horse races, and jai alai games provide a special excitement all their own.

Baja is also a fisherman's delight, offering excellent gulf and ocean fishing.

Cultural Arts Find the Perfect Climate in San Diego

Visitors will discover dynamic and diverse cultural opportunities when they visit San Diego. First-rate theatres, the San Diego Symphony, the San Diego Opera, and a multitude of fine museums create an exciting and entertaining itinerary for vacationers who enjoy the arts.

Broadway hits such as **Big River** and **Into the Woods** found their beginnings in San Diego theatre. As the **San Francisco Chronicle** put it, "San Diego is now arguably the most important point of origin in the country for regional theater productions aimed at Broadway and off-Broadway and a commercial future beyond."

The Simon Edison Centre for the Performing Arts received the 1984 Special Tony Award for regional theatre at the Old Globe Theatre. The adjacent sister theatres in Balboa Park are the 245-seat Cassius Carter Centre Stage, offering theatre in the round, and the nearby outdoor Lowell Davies Festival Theatre. Year-round, the Old Globe Theatre features a diverse range of performances, from Shakespeare and world classics to contemporary dramas and today's boldest and brightest theatrical achievements, drawing acclaimed actors from the theatre world.

The La Jolla Playhouse has rapidly become one of the most respected and prestigious theatres in America. Artistic Director Des McAnuff has served as a major catalyst in the La Jolla Playhouse's success, attracting leading theatre artists to perform in nationally recognized productions.

continued on page 36

1991 ALTA MID-YEAR CONVENTION CALENDAR

Tuesday, April 9

9:00 a.m.-5:00 p.m.	Title Insurance Forms Committee Meeting
11:00 a.m.-4:00 p.m.	Convention Registration
12:00 noon-5:00 p.m.	Affiliated Association Officer-Executive Luncheon and Seminar
12:00 noon-5:00 p.m.	Education Committee Meeting
2:00 p.m.-4:30 p.m.	Government Affairs Committee Meeting

Wednesday, April 10

7:00 a.m.-9:00 a.m.	Membership and Organization Committee Meeting
8:00 a.m.-2:00 p.m.	Convention Registration
4:00 p.m.-7:00 p.m.	Convention Registration
9:00 a.m.-11:00 a.m.	Directory Rules Committee Meeting
9:00 a.m.-10:30 a.m.	Abstracter/Agent Section Executive Committee Meeting
9:00 a.m.-10:30 a.m.	Underwriter Section Executive Committee Meeting
9:00 a.m.-5:00 p.m.	Title Insurance Forms Committee Meeting
9:00 a.m.-5:00 p.m.	Lender Counsel Meeting
9:00 a.m.-5:00 p.m.	Life Counsel Meeting
11:30 a.m.-1:30 p.m.	Past Presidents Brunch
12:00 noon-2:00 p.m.	Lender/Life Counsel Luncheon
1:30 p.m.-5:00 p.m.	Various Tours (optional)
1:30 p.m.-5:00 p.m.	Board of Governors Meeting
1:30 p.m.-5:00 p.m.	Land Title Systems Committee Meeting
3:00 p.m.-8:00 p.m.	Automation Exhibits Open
6:30 p.m.-8:00 p.m.	Ice Breaker Reception

Thursday, April 11

8:00 a.m.-2:00 p.m.	Convention Registration
8:00 a.m.-2:00 p.m.	Automation Exhibits Open
8:15 a.m.-4:15 p.m.	Educational Sessions
9:00 a.m.	Spouse/Guest Brunch
12:00 noon	Public Relations Committee Media Luncheon
1:30 p.m.-5:00 p.m.	Various Tours (optional)

Friday, April 12

7:00 a.m.-8:30 a.m.	Research Subcommittee Meeting (Abstract/Agent)
8:00 a.m.-10:00 a.m.	Convention Registration
8:00 a.m.-12:00 noon	Automation Exhibits Open
8:30 a.m.-12:00 noon	General Session
12:00 noon	Adjournment
12:00 noon	Various Tours (optional)

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The Title Industry and Environmental Protection: Caught Up in Clean-Up

by Phyllis K. Slesinger
ALTA general counsel

After a brief hiatus, environmental protection has returned as an issue stalking the title insurance industry. Litigation in California is squarely challenging whether title insurance policies cover environmental clean-up costs. In October, title insurance companies were accused of "redlining" a large portion of the South Tucson area and withdrawing allegedly previously available coverage for environmental contamination and clean-up costs when they reported out an EPA environmental enforcement action. This article will address developments in these areas.

1. *Lick Mill Creek Apartments, v. Chicago Title Insurance Company and First American Title Insurance Company*

Last October, Chicago Title Insurance and First American Title Insurance Company jointly asked ALTA to file an amicus brief in this state court litigation, which is currently at the intermediate appellate level. Plaintiff is trying to establish that the 1970 ALTA Owner's Policy and the 1970 Policy, as amended in 1984, both with extended coverage, provide indemnity for toxic or hazardous waste clean-up costs under the particular facts of the case. Plaintiff is arguing that a decision in its favor would have limited impact. However, recognizing the importance of this case for the title industry, the ALTA Board of Governors approved the funding of an amicus brief to argue that a decision in favor of plaintiff would have a devastating adverse impact upon the title industry nationwide. On January 3, 1991, the Court of Appeal of the State of California for the Sixth Appellate District accepted ALTA's application to file a friend of the court brief, and the Association promptly filed its brief thereafter. The California Land Title Association also filed its own amicus brief.

FACTS: The plaintiff, a limited partnership, acquired the property in question (three parcels) between October and December 1986 from Kimball Small Investments (KSI). The property was owned, or was apparently owned by, among others by KSI, American Solvents and Chemical Corporation of California, Commercial Solvents Corporation, and International Minerals and Chemical Corporation. At some point during 1979 through 1981 the California Department of Health Services ordered KSI to clean up the property. Notice of this order and/or contamination was filed in the records maintained by the Department of Health Services, the Regional Water Quality Control Board and the County of Santa Clara Environmental Health Department. KSI had learned prior to the time the order was issued that the property was contaminated with toxic and hazardous materials. KSI undertook clean-up activities but did not fully remove the contaminants. Plaintiff has sued KSI for fraudulent misrepresentation.

Plaintiff bought three policies of owner's title insurance when it acquired each parcel. Parcel 1 was insured by Chicago Title which issued a 1970 policy for \$6,675,000 covering only that parcel. Later, Parcels 2 and 3 were purchased. In March of 1987, First American and Chicago Title entered into a coinsurance arrangement with First American issuing a policy in the amount of \$20 million and Chicago Title issuing a policy of \$53 million.

Both policies insured all three parcels. The First American policy is a 1970 Policy as amended in 1984 to include a specific exclusion for environmental protection, and the second Chicago Title policy is another unamended 1970 Policy.

In each case, plaintiff obtained extended coverage. Chicago Title required an initial survey and inspection and at least one updated and amended version was subsequently ordered in connection with the insurance of Parcels 2 and 3. The surveys and inspections disclosed various above ground and subsurface improvements, including a storage tank, a gas pump, a propane tank, etc. Policy 1 did not except the various pumps and storage tanks; Policies 2 and 3 excepted coverage for "Any facts, rights, interests or claims which may arise as a result of those pipes, tanks, pumps and other improvements which were disclosed by the inspection and survey which are expressly set forth in this Policy."

Contamination was subsequently found on Parcels 2 and 3, and plaintiff was required to abate the problem at considerable expense. A tender of defense was made in April 1989. The companies denied plaintiff's claims. Plaintiff then filed this suit.

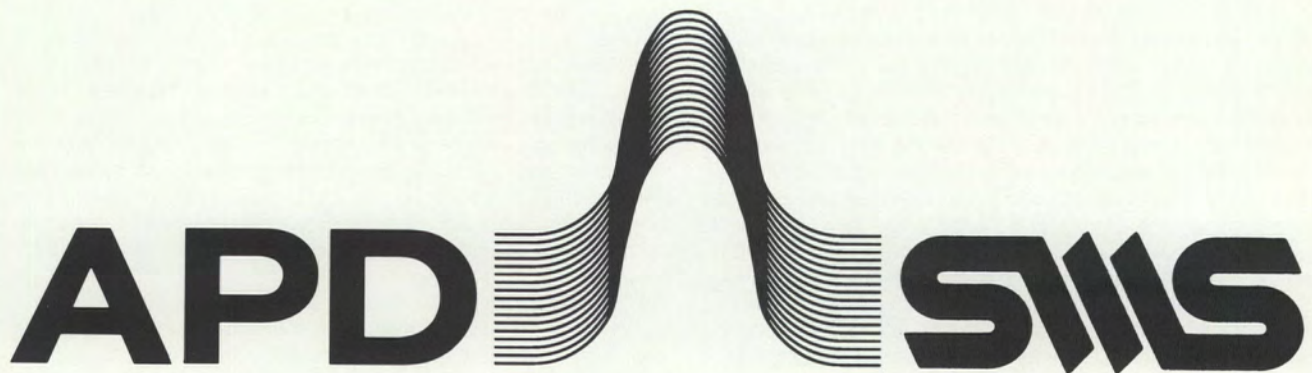
RULING BELOW: The trial court dismissed plaintiff's claim with leave to amend its complaint to show that there was notice of contamination in the public land records. Plaintiff could not meet that burden and appealed the dismissal.

ISSUES ON APPEAL:

1. Do the facts of the case coupled with the language of the three policies (including the extended coverage endorsement) create a reasonable expectation of coverage and in fact confer coverage for environmental clean-up costs?
2. Does toxic contamination impair the marketability of title to the property and thereby establish an obligation to make the *property* marketable through payment of clean-up costs?
3. Given that there was notice in the records of various state health and environmental agencies of the toxic contamination, was there notice of the contamination in the "public records" for purposes of policy coverage?
4. Does toxic contamination, in conjunction with the provisions of the relevant environmental clean-up laws, constitute an encumbrance upon plaintiff's title to the subject property?
5. Are the exclusions of the 1970 Policy insufficient to exclude coverage for losses related to toxic contamination?

EFFECT OF ADVERSE RULING ON TITLE INDUSTRY: Chicago Title's and First American's counsel, Edward Regalia of Miller & Regalia; ALTA's counsel, John Hosack and Eugene Chiarelli of Tobin & Tobin; and CLTA's counsel, Robert Knox of Atwood, Knox & Anderson, have presented very strong arguments to answer all of the above questions in the negative. However, although the case is pending before an intermediate state appellate court, an adverse ruling could be a disaster for the entire industry. To

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date, we are unaware of a case that has established title insurer liability absent notice of an enforcement action or violation in the public land records. A decision in favor of the plaintiff would be likely to set off a major wave of litigation and expose the industry to enormous liability. Even if the adverse decision should be overruled on further appeal, numerous other cases would have to be litigated at great cost and at the risk that they might not be won.

ALTA is following this case closely and will keep the membership apprised of developments.

II. EPA Groundwater Contamination Actions

On September 27, 1990, EPA filed suit against the Tucson Airport Authority, the City of Tucson, Hughes Aircraft Company and McDonnell Douglas Corporation. The suit alleges those entities were responsible for three distinct areas of groundwater contamination by certain industrial solvents within the boundaries of the Tucson International Airport Area Site. We understand that, simultaneously with the filing of its complaint, EPA filed a consent decree executed by the named defendants to the suit.

The filing of the suit set off a furor among property holders; prospective purchasers of real property; the real estate community, including lenders, title insurers, and other real estate professionals; and bank and insurance regulators. The property description in the complaint, as we understand it, is very broad and covers homes and other real property in an approximately 30 square mile area. Because the description covers property which is unlikely to ever be identified as having owned or contaminated by "responsible parties," within the meaning of CERCLA, the issue quickly became whether title insurers were required to report the litigation as a special exception to coverage in commitments and title policies on the hundreds of individual parcels lying within the described area. Many believed that they were so obligated under the terms of their policies. Lenders and property owners erroneously concluded that these exceptions were reducing previously available coverage for environmental risks. The confusion contributed to a complete shut-down of real estate transfer activity within the 30 mile area. Order was restored in the market in November as a result of a concerted effort by title insurers, lenders, government regulators, and secondary mortgage market facilities.

The disruption in Arizona resulted in part from the local law and practice, but the issue is of more than local significance. EPA can decide at any time to file another enforcement action covering a broad sweep of territory. However, the interplay of certain variables operating in Arizona at the time in question need to be assessed for a complete understanding of what occurred there. First, Arizona courts have broadly construed the "reasonable expectations" of policy holders as to coverage. In "reasonable expectation" states, courts often appear to re-write policy exclusions. Therefore, in those states, the risk of courts finding coverage is greater as is the risk of punitive damages for bad faith in tort cases over denials of coverage. Consequently, underwriting decisions and decisions to deny coverage may tend to be made more conservatively.

Second, the Uniform Federal Lien Registration Act (UFLRA) became effective in Arizona shortly after EPA filed its suit. That act, when taken together with the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended, is easily read to require EPA to file its clean-up liens in the public land records (e.g., county recorder's office) instead of the federal district court records. Section 107(k) of CERCLA provides that an EPA lien is to be filed in the "appropriate office within the State (or county or other governmental subdivision), as designated by State law, in which the real property . . . is located (emphasis added)." By adoption of UFLRA, a state designates the public land records office in each county as the "appropriate office."

In light of the foregoing, when the Tucson suit was filed, sound underwriting in Arizona dictated that the district court records be searched for environmental liens because UFLRA was not yet effective. Accordingly, individual insurers arguably obtained constructive knowledge of the suit, assessed the controlling legal climate and individually decided to report the suit.

However, in other states, the whole matter may have played out quite differently. In jurisdictions where UFLRA has been enacted, it would appear that the ALTA 1990 policies and the 1970 policies with the 1984 amendment could insulate title insurers from the need to report out the

kind of litigation that EPA filed in Tucson. The critical factor would be that EPA is not required to, and does not file *complaints* commencing enforcement actions in the public land records. Neither does it appear to file a *lis pendens* in connection with an enforcement action.

Under the ALTA 1990 Loan and Owner's Policies, coverage of matters related to environmental protection are specifically excluded *except* to the extent that a notice of enforcement of any environmental protection law or regulation, or notice of a defect, lien or encumbrance resulting from a violation or an alleged violation of an environmental protection law or regulation affecting the land has been recorded in the *public records* at Date of Policy. "Public Records" is a defined term that is limited to the public land records and the records of the federal district court *but* only with respect to federal environmental protection *liens* that may be filed there. A similar specific exclusion with a similar affirmative obligation exists in 1970 policies containing the 1984 amendment. No specific exclusion for environmental protections exists in the original 1970 Policy, which contains an absolute exclusion for police power matters (the later exclusions were intended merely to clarify the basic police power exclusion). However, an affirmative obligation does exist to report notices of the exercise of police power and notices of liens, defects and encumbrances in the public records, a term which is undefined in the 1970 policies.

Applying the foregoing, the industry can argue as follows. First, where the UFLRA has been adopted, we can state that the 1990 and amended 1970 policies require a search of only public land records as to the filing of federal environmental liens and notices of enforcement or violation or alleged violation of environmental protection laws. Second, where the Act has not been adopted, a duty exists to search the federal district court records *but* only as to federal environmental liens. Third, although the unamended 1970 policies do not define public records, it seems quite clear that only the traditional public land records need to be searched for federal environmental liens where UFLRA is in place. Where it is not, a title insurer may choose to search the federal district court records for EPA liens.

Accordingly, a substantial basis arguably exists for asserting that title insurers need not routinely report out as an exception to coverage the mere filing of EPA enforcement actions. Under the terms of the policies further inquiry is needed. In particular, given the terms of all ALTA policies, those companies in Tucson that decided against reporting out the filing of EPA enforcement actions should not be regarded as providing any affirmative coverage.

However, notwithstanding the foregoing technical policy arguments, as this magazine goes to press, members of ALTA staff are scheduled to meet in late January with officials in EPA's Office of Enforcement. The EPA action and the reactions of the community and state regulators raise a number of questions for the title industry. As mentioned above, there were suggestions that title insurance provides blanket protection against environmental clean-up costs. We emphatically disagree, but coverage or not is not an EPA issue. Instead, assuming that the enforcement approach followed in Tucson is likely to be followed elsewhere, we are seeking to focus EPA's attention on narrower issues: (i) the need for the agency to cover a broad area in its complaints given the availability of technology (monitoring wells) to determine whether migration of groundwater contaminants is occurring; or (ii) if broad property descriptions are deemed necessary, the feasibility of publishing a clear policy in favor of giving *de minimis* settlements to individual residential owners in affected areas who clearly have not and will not contribute to contamination.

Although EPA may be on record as never intending to enforce any claims against non-polluting residential real property owners, the fact is that, under a reasonable reading of CERCLA, those owners may not be "innocent owners." They may be precluded from asserting that defense because of their contractual relationship with one of the defendants of their "reason to know" from one source or another of EPA action affecting their property.

ALTA and its members support EPA's efforts to clean up toxic waste sites. However, in these days of real estate recession, we are urging the agency to use its vast powers in a way that will minimize harm to residential property owners that have not been involved in contamination.

More about these and other environmental issues will be the focus of an educational workshop at the Mid-Year Convention. See you there!



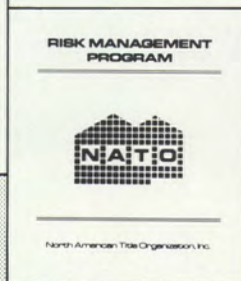
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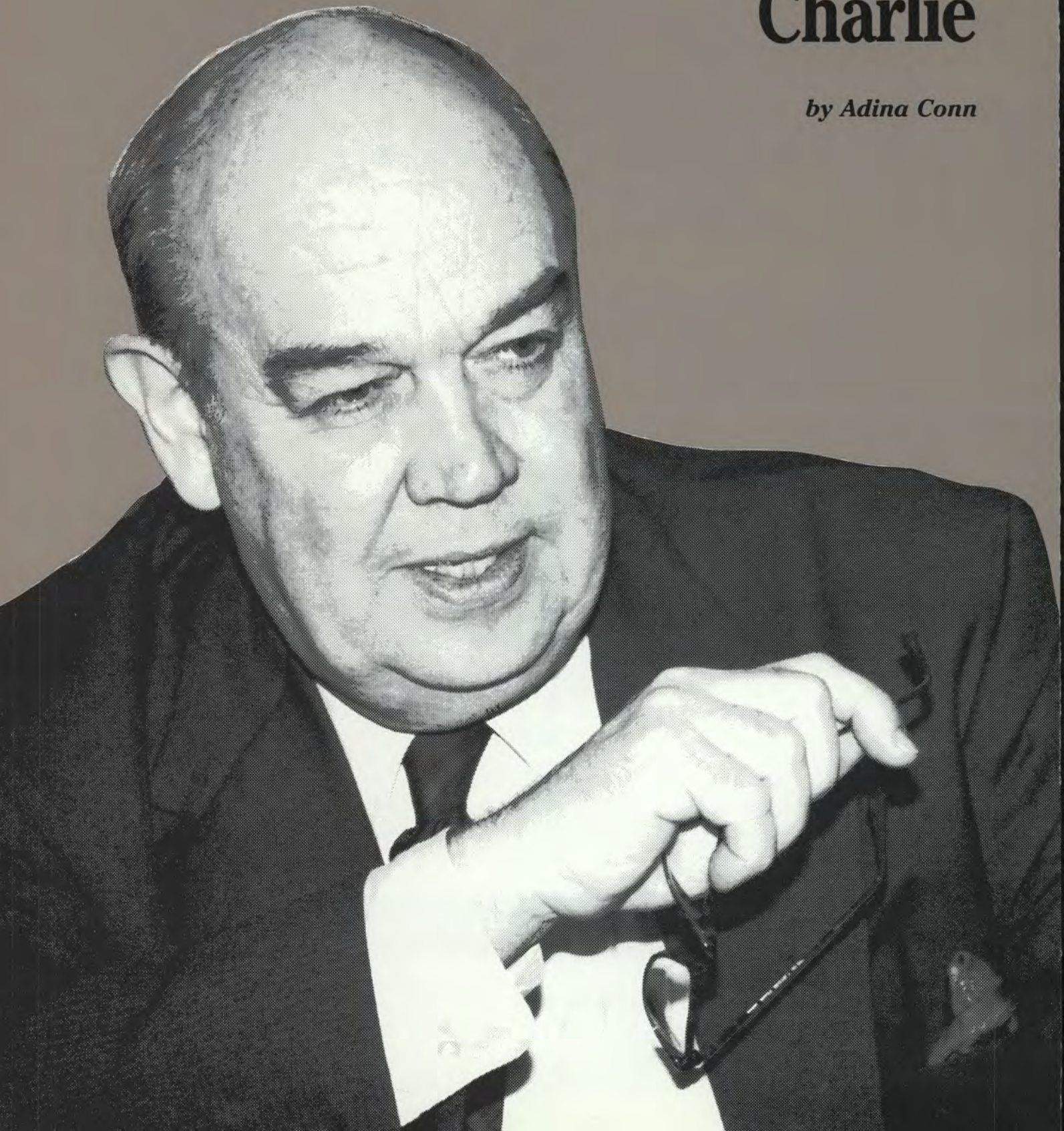


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Travels with Charlie

by Adina Conn



When you put Charles Kuralt in a room filled with people, something very interesting happens. He doesn't run away from the crowd, nor does he don the usual airs that go along with being a celebrity or a media personality. What you witness, is just about one of the most affable and down-to-earth people, standing around and talking one-on-one with his audience. "Hi, Mr. Kuralt, I'm from Independence, Kansas." "Oh yes," says Kuralt, excitedly, "I was there during one of my segments. Is that great diner on the corner of Main and First still there? Gee, I really loved that place..."

Stand around and observe long enough, and you're bound to get a good geography lesson. Cities and towns you never knew existed are brought to life by testimonials of their inhabitants, gathering around Kuralt—the "champion of the working man." And if time isn't a constraint, he will stand there and speak to every person around him. For Charles Kuralt is a man who truly enjoys speaking with the people that comprise the heartland of America.

Kuralt is a man who gives new meaning to the words "humble" and "modest"—so much so that his words almost become self-deprecating during casual conversation. He is a man who is as unassuming off-camera, as he is on. In his own words, "I'd rather be on the other side of the camera, or recorder when interviews come along, but I'll do my best."

Charles Kuralt, the boy from the mountains of North Carolina, grew up enchanted by the folklore and "yarns" told to him by his grandfather. He has kept the art of storytelling alive, bringing stories of real people into the homes of millions of Americans on his weekly and widely acclaimed feature program, **Sunday Morning** and **On The Road** (CBS Evening News' award-winning series). The "kid" from North Carolina has become the modern-day John Steinbeck, chronicling the story of the common man.

You are to TV broadcasting what Studs Terkel is to the print medium. You are both the champions of the working man. How do you view yourself?

Studs usually has gone out with the intention of demonstrating something about the country. He talks to working people in order to make a point. I've never had any points to make. My whole idea is to stay out of the office and try to meet interesting people with interesting stories, and get to know the beauty of the country. That is to say, I've gone out with no axe to grind and no expectations. And, I finally taught myself to not be in a hurry—to go slow and always have a story in mind.

Is it a written law with regard to the staff of *Sunday Morning*, that nobody raises their voices?

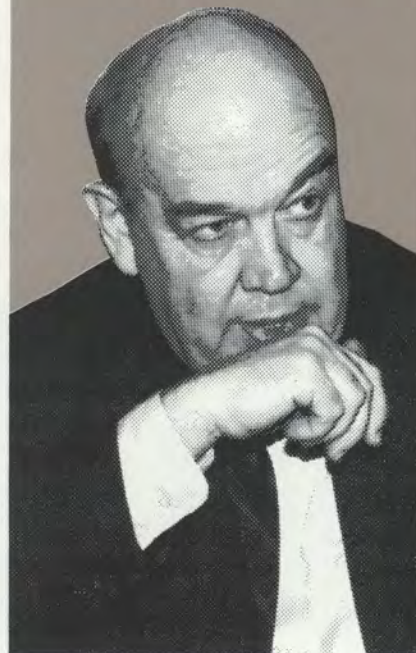
I've never really thought about it in those terms! But I guess it is a conscious decision. You shouldn't shout at people at that hour of the morning. I think that in general, television news goes a little too

fast, and is a little too loud. After watching the evening news programs, I ask myself, "Now wait—what did they tell me?" Maybe I'm just a slow thinker. We're fortunate to have an hour-and-a-half, so we're one of the few programs on television that actually can give a story the time it deserves. We do speak softly, and we don't race along.

With respect to **On The Road**, our stories are about people who have never before been on television. They tend not to speak like politicians or college professors. They're just themselves. That's a big advantage, by the way, when you're trying to do stories of this sort. A politician, or a college professor, thinks, "How is this going to look on television?" If you interview an Iowa farmer or a Chesapeake Bay fisherman, they're not concerned with their "image." In this respect, I've had an advantage over my colleagues who are forever interviewing well known people.

You have exalted the written word, in a medium that deals primarily with images and photos.

"Interviewing is caring about the subject. It's really being interested, being curious. If you don't have curiosity, you might as well be in some kind of other work, because that's all journalism is—a kind of friendly nosiness that carries you along through life."



"I wish I was very good at something . . . I think journalism kind of breeds people like me. It would be wonderful to know just one thing supremely well. But I'm not giving up hope of ever doing that."



How do the two work together?

Words count even in a picture medium—there's no doubt about that. E.B. White once said, "good writing elevates people, and bad writing depresses people." I really do believe that. One of the best writers ever at CBS News was Eric Sevareid, and he never did get comfortable with television. He felt as though he were being nibbled to death by ducks; with the lights, cameras, technicians, etc.

With all the glitz, paparazzi, and theatrical-like elements employed by so many "news shows" today, your show with its most understated nature simply outshines them all . . .

Well it doesn't for everybody. I'm sure that people who like rock music, for example, find in our show, nothing to admire. The same pertains to people who are in a hurry and want to get a quick dose of the news . . . They'd be better off turning to CNN. But, there is, it turns out, a sizable audience who do in fact, appreciate a little bit of art, a little bit about music, a little something about nature, some of the things that lift the spirit. Because so much of the news is depressing, we gently remind people that the whole country isn't in flames—that there are some perfectly admirable things that are going on out there. We have the advantage, you know, of having a little more time to prepare. We don't have to just rush on the air. We have time to think a little bit. Boy—that's a valuable commodity—and a scarce one in television—time to think.

What has been the most memorable show you've done?

Oh dear. That's very hard to choose. I'm certainly glad that when Vladimir Horowitz decided to return to the Soviet Union for the first time in 60 years, he let us accompany him, and broadcast his concert in Moscow to the United States. That was a thrilling experience for me.

We don't usually do such ambitious things. The Horowitz segment was exciting not just on an artistic level, but on a human level. Here was an old man who decided he wanted to see his native country one more time before he died. We really got to know Horowitz. We became quite close during the month we worked on his segment.

Do you ever feel like a character out of Steinbeck's, *Travels With Charley*?

We were going to call the show **Travels With Charley**, way back in the 60s, but

I think the Steinbeck estate objected. Since Charley was in fact, a poodle, it's probably better that we named the show **On The Road**.

Actually, in traveling around the country, I was just following in the footsteps of hundreds of others who have done the same thing. I have a bookshelf which must be 10-20 feet long, dealing exclusively with travelers around America. Some of the stories are very fine—including John Steinbeck's **Travels With Charley**. William Heat Moon's, **Blue Highway**, is a lovely book about the country. We were all preceded by De Tocqueville, Kipling and Dickens. Dickens had a particularly grumpy trip around America. He found very little to admire. It's almost a lifetime occupation keeping up with travelers around this country.

Is there a poodle that's hidden someplace in your mobile home for *On the Road*?

No (laughs). We've never had a pet—unless you count the mouse that we couldn't get rid of. One winter, he adopted us, and we could never find him. A mouse will completely unwrap and devour a Bit-O-Honey bar in the middle of the night—that's just what our mouse did! We set a trap for him and he ate the cheese, sprung the trap and got away. One cold night in Wisconsin, the furnace failed, and the mouse left. I suppose he found a warmer mobile home that night!

You make your home in New York City . . . Would you prefer living in rural America?

You know, I really do believe that I could be happy nearly anywhere in the country. I think I could close my eyes and stick a pin in a map and find a place to live. I love the mountainous West, the West Coast—I particularly love Maine and New England, and my own home territory—the hill country of North Carolina. But NYC is where I must work now—particularly since we started a new program which keeps me busy until around midnight. I find much about New York to admire. I think it's a city of infinite wonders, and a place that kind of makes your heart beat faster to come back to, after a week on the road.

Nightline began in 1979 in response to the hostage crisis in Iran. All of a sudden, you and Leslie Stahl have a new show started in response to the hostage crisis in Iraq . . .

That parallel has not escaped us. I don't think that escaped the management

DOSSIER: CHARLES KURALT

Born: September 10, 1934
Wilmington, North Carolina

Education: University of North Carolina

Career Highlights: Reporter and columnist, **Charlotte News**, 1955-1957; writer for CBS News, 1957-1959; CBS News correspondent, 1959-; host of CBS' **On the Road**, 1967-; host of CBS News' **Sunday Morning**, 1979-

Recipient of 10 Emmy Awards; Two George Foster Peabody Awards; Ernie Pyle Memorial Award for newspaper writing.

Author: **To the Top of the World**, 1968;
Dateline America, 1979;
On the Road With Charles Kuralt, 1985;
North Carolina Is My Home, 1986;
A Life on the Road, 1990.

either. I think they feel there may be a service we can do for the viewers at that hour of the night, by doing a program that is somewhat different than the admirable one that Ted Koppel has done for so long. And maybe they're right.

There's been rumor that Koppel would like to leave his show...

I think he would like to leave it to become secretary of state—and he'd probably be a pretty good one!

Lately, it seems that news is moving much more to the realm of entertainment. Ratings are measured not by the quality of the news one delivers, but by how someone like Paula Zahn, for example, is wearing her hair...

That is so trivial. I think the people involved probably find it trivial too. Paula Zahn is a serious person, and I can't imagine that she gives as much thought to her hairstyle as others in the network do. It is regrettable that this happens. Unfortunately, it's true that with some of the syndicated big news TV programs—we have developed the TV equivalent of those supermarket TV papers—like the **National Inquirer** and **The Star**.

I do think that on balance, we're pretty well served. And, when you get to Koppel, and McNeil-Lehrer—my goodness, how much better we're now served than when I first started out. There's so much more

news on the air now—I think the country is better off for it.

You were a history major in North Carolina... If someone made you Dean of their School of Journalism, what book would you require as mandatory reading for students?

That's tough. Probably Strunk and White's, **The Elements of Style**. I don't think that anyone should enter into journalism without having read a lot. I think that good writing comes from good reading. I can't imagine a reporter could be successful if he or she hasn't read a little bit about the history of this country. How can one really understand the nature of this country without some familiarity of such facts as: Orel Hershiser's earned run average; what happened at the Little Big Horn; or without even knowing something about chemistry, or being able to tell one tree from another?

The proper journalistic mind is a sort of wastebasket of irrelevant information—sooner or later, you're going to be able to reach into that old pile of jumbled memories, and pull out one that's going to do you a lot of good under the pressure of a deadline. Good writing comes from good reading. If you haven't read **Life on the Mississippi**, or **The Adventures of Huckleberry Finn**, you couldn't possibly be a good American reporter.

If you could have lived as a reporter during any decade doing

"The proper journalistic mind is a sort of wastebasket of irrelevant information, because sooner or later, you're going to be able to reach into that old pile of jumbled memories, and pull out one that's going to do you a lot of good under the pressure of a deadline."



what you're doing now, which era would you have chosen?

I think most any period would have been an interesting one. The era of American history that interests me the most is the American Revolution. One American I would most liked to have spent the day with was Mr. Jefferson, who was the American da Vinci, to a large extent. No more accomplished person in so many fields, has ever walked on American soil. I find Jefferson very nearly, a flawless man. But I would have been afraid to meet him.

Why?

I'm a little diffident about taking up the time of people who are doing important things. There was never a day when he wasn't up to something important—it might have been architecture, learning a new violin piece, or affairs of state. It seems to me, Jefferson never wasted any time.

Would you have liked to have been a journalist during Steinbeck's era?

Yes. That was a fascinating, but painful period of history. Sure I would have. My father was a social worker all his life—he's now retired. He and my mother (the daughter of a North Carolina farmer), know a good deal about the Depression years. They have many vivid memories of it. Since the Civil War, that was truly the most painful part of our history. Things were so bad that they *had* to get better for our generation.

Your language and that of Steinbeck's is very similar . . .

Some of my colleagues used to make fun of me. Roger Mudd used to tell me to get out of the cornfields, saying there were great things going on in this world, and I should be part of them—that I should know the excitement of reporting on the Congress. I just laughed—because the real excitement to me, was the deep joy of really getting to know my own country.

Are you more comfortable in your own backyard, than in another country?

It has been proposed that I take *On The Road* to Europe for a summer, but I've always resisted that. I enjoy the Old World, which is quickly becoming a new one over there, but I've never felt at home in Europe. When I'm in Florence or Berlin, I always feel like a North Carolina boy a long way from home. In Petoskey, Michigan, or in Broken Arrow, Oklahoma, I feel that I'm on native soil, with people I understand.

Where and what would be an ideal vacation for you?

I've never been much for vacations. I have a little primitive cabin, by a river in rural Montana, down a dirt road, miles away from everything. I'm never happier than when I'm there by myself. Just getting up to fish in the morning, and maybe doing a little reading or writing in midday, going back out to the river in the evening, and cooking my supper on a wooden stove, that's ideal to me. I'm with people so much, that I value solitude.

How would you describe yourself using only adjectives?

Fat, bald, dilettantish. I wish I was very good at something. I love fly fishing for trout, but am embarrassed to be around very good fishermen. I love sailing, but good sailors would giggle at my technique. I love history, but I'm no historian.

I think journalism kind of breeds people like me. It would be wonderful to know just one thing supremely well. But I'm not giving up hope of ever doing that.

You are really as modest and humble off the air, as you are on. Your command of the language, and your ability to interview is sheer magic.

Look, interviewing—you're good at it, I'll tell you that. Interviewing is caring about the subject. It's really being interested, being curious. If you don't have curiosity, you might as well be in some kind of other work, because that's all journalism is—a kind of friendly nosiness that carries you along through life. And it helps if you're very informal. People see me and they say, "Well look, if that guy can look like he does and talk like he does, then I can just be myself."

I think the mistake that a lot of young reporters make, lies in their thinking, "How am I going to look doing this interview?", rather than their being concerned about developing the story of the person they're interviewing. My rule is to always try and leave yourself out of the story.

If you were to host a dinner party, and could invite any individual throughout history, who would you ask?

I'd be too diffident to invite the people I really like—because that assumes that Benjamin Disraeli would really enjoy himself! (Laughs). And I have trouble imagining that!

Who were your mentors

"Most people in our country are working people, and most of my stories have been about working folks."



while growing up?

An older student at the University of North Carolina, Ralph Neil, who taught me how to make up a page (he's now publisher of **The Charlotte Observer**). I suppose all of us can remember teachers who took a special interest in us and gave us confidence. I had caring teachers who made me feel I had ability—whether I did or not, and that little bit of success when you're very young, is a wonderful thing for a child to have. It makes you think you can really do all right. A little bit of success leaves you hungry for more. I think that good teachers give that to kids. Probably the best teacher I ever had was in my freshman year in college. I walked into the University of North Carolina—this big dumb kid from the country. I was lucky enough to have a Social Studies teacher named Bill Geer (with whom I's still friendly), who taught us "big dumb kids" about global issues, of which we knew very little.

There were also network role models—like Severeid and Murrow, Bob Trout and Charles Collingwood. These giants were around CBS when I first started there—I would have paid CBS for the opportunity of being in the presence of these people. It seems that while we still have some excellent reporters in this business, we don't have thinkers and writers like that anymore—at least not very many of them.

You mentioned Murrow—what are your thoughts of the McCarthy Era?

That was a rough period. During the McCarthy Era, I was editor of the school newspaper, **The Daily Tar Heel**. We gleefully made fun of Joseph McCarthy and his ilk. I remember an FBI man coming around the office one time saying, "You kids are ruining your lives. This is going to be on your record for the rest of your lives." We thought McCarthy was a terrible shame.

There was a huge blacklist in broadcasting (which also ruined the careers of many entertainers), which touched the lives of some people at CBS News who had flirted with left wing causes when they were young. It was a very rough and repressive period. One hopes that periods such as that one would never happen again. But they have recurred throughout American history—in the Jefferson administration, with the Alien and Sedition Acts; during World War I, with a fierce prejudice toward German Americans, for example; and during World War II, when Japanese Americans were interned unfairly. We sometimes turn on groups of people—in McCarthy's case, it was left wingers. There's always a kind of

fear behind these types of actions. This country wasn't established by fearful people. Obviously, fearful people aren't going to preserve it.

Do you see this hysteria recurring today? Take for instance, the censorship of art—the Mapletorpe case.

There's fear behind that too—in this case, of homosexuals. Ignorance is a large part of it, I think. We're not true to ourselves when we become censors. In this country, that old First Amendment has stood us in good stead. I'm encouraged—even in the worst of these periods. There's always a saving minority—a few people who are willing to stand up and say, "This emperor has no clothes on." These are decent people who speak plainly. There have always been such people, and I suppose that minority will save us again.

Which of our Presidents do you feel will be recorded as the greatest communicator?

I think Lincoln. It's odd that this backwoods boy should have had such a command of the language. He marshalled his spirit and sent it into war. We remember hundreds of things he said—and still live by them.

Do you enjoy being around politicians?

Sure. I get a kick out of them. And, to be fair about it, many of them are selfless public servants. I think there are more of those than there are fearful, greedy ones. We're a little hard on the people who serve us, I think.

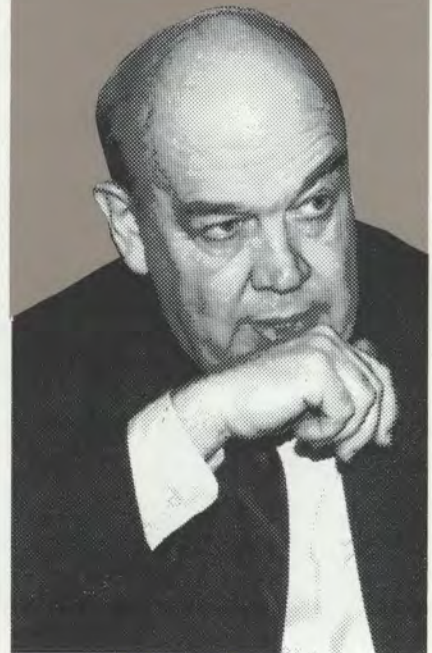
Everybody covers the politicians. Somebody has to cover the greased pig contest! And that's me!

What was your favorite On The Road segment?

Hard to choose. There's a story about the Chandler family of Mississippi, who were so poor that when the oldest son decided he wanted to go to college, all his parents could do for him was hitch the wagon and drive him to the bus depot in town. They borrowed \$2.00 for bus fare so their son could get to the university. That was the beginning. From then on, all the Chandler children went to college—most of them received advanced degrees.

One Thanksgiving, which happened to also be their parents' 50th wedding anniversary, they all came back to this little village of Prairie, Mississippi, to this new house the children had built for their folks. And, it was

"Ignorance is a large part of censorship. We're not true to ourselves when we become censors. That old First Amendment has stood us in good stead. Even in the worst of these periods, there's always been a saving minority—a few people who are willing to stand up and say, 'This emperor has no clothes on.'"



confirmation that clichés can often be true—that you really can make it in a country like this, and that you can begin dirt poor and succeed.

Mr. Chandler, thinking about all that, and the hard times his family endured—his working for a white man for \$.50 a day, just couldn't get through giving the blessing at the table. He started crying. I looked over at Izzy, my cameraman—he was crying. I was crying—as was everybody in the room. It was very moving. That night, we were made honorary members of the Chandler family. Even today, we pretty much keep up with those folks.

Is there something in the drinking water of North Carolina that produces such terrific writers—such as yourself, Tom Wolfe, David Brinkley, Tom Wicker, etc.?!?

North Carolina probably does have more than its share of good writers. But I wouldn't put myself in that category. I don't know what it is. It's always been a poor state. We don't have the aristocratic tradition that both Virginia, to the north, and South Carolina, to the south, have had. North Carolina has basically always been a state of yeoman farmers and poor folks. Virginia kids who were privileged grew up to be judges, and South Carolinians, to be planters, or something like that. We didn't have any of that, and I've thought that may have something to do with it—that you could write your way out of poverty.

The University of North Carolina was a strong influence. It is the oldest state university, and it has always been very important in the life of the state. There is a storytelling tradition that you find in the South. Every North Carolina kid while growing up, heard stories—down at the feed store, or the courthouse square. On Saturdays, there would be people sitting around and telling yarns. And you'd learn to love those stories.

My grandfather (my mother's father), was one of the best story tellers that I'd ever heard. That he'd told the same stories over and over again, got on the nerves of older folk, maybe. But I was a kid who was absolutely enchanted. So, that storytelling tradition probably has something to do with the quality of writers who have come from North Carolina.

If you were shipwrecked on an island, and could have any books with you, which would they be?

Oh my! I don't know. I think one of the

books would probably be one on shipbuilding (laughs). Seriously, one of them might be the Bible. I say that, not out of any religious inclinations, because I don't have any. But for human lore, the Old Testament is pretty hard to beat. If you were on a desert island, I guess you'd want food for thought, and there's enough in Ecclesiastes alone, to last you a lifetime! You've got to have something to think about!

Who were your favorite authors while growing up?

Well, I loved Mark Twain. I remember reading **Roughing It**—the story of his trip across the country, and just laughing my head off. I still go back to that every now and then, because that's real journalism—it was even printed in the newspaper, you know. I feel the same way about **Life on the Mississippi**. I suppose Twain was my favorite of all time—as well as being one of the wiser writers we ever developed in America. I was also a pretty voracious reader of travel stories. Richard Halliburton's book caught my attention when I was nine or ten. I couldn't get enough of those tales of faraway places.

Is that why you majored in history?

Well, I was interested in yarns. This country, for its relatively short history, has had an awful lot of noble people, scoundrels and con artists, schoolmarms, miners, lumbermen—just wonderful people to read about. I can't imagine anybody who lives here not being interested in the history of this country.

The above is a testimonial in Kuralt's own words. Over the course of several hours, we travelled along, "metaphorically," from the Soviet Union, to New York City, to the mountains of North Carolina. It was simply, travels with Charlie. And what a truly magical and enchanting trip it was!

"Good writing comes from good reading. If you haven't read Mark Twain's, Life on the Mississippi, or The Adventure of Huckleberry Finn you couldn't possibly be a good American reporter."



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Agents and Claims Handling

by Ellen T. Wied

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The information in this article focuses on an agent's role in the overall claims handling process, particularly the steps an agent can take to help the underwriter in his determination of the validity or invalidity of a claim. It will also cover the information that an agent should or should not relay to an assured regarding liability for the claim.

Once a claim arises, both the assured and the underwriter of the policy will have certain expectations of the agent, such as a quick response to their questions. Both will rely on the agent as their primary source of information, at least during the initial stages of the claim. In fact, the agent's assistance during the underwriter's investigatory process is absolutely essential if we have any hope of mitigating the dollar amount of the loss occasioned by the claim or of reaching an amicable, expeditious resolution of the matter.

What To Do First

The first and most important step an agent should take upon receiving notice of a potential claim is to *immediately* notify the underwriter of the policy of the problem. Next, forward a copy of *all* information or underlying documentation that may be relevant to the claim. This step is especially crucial when a lawsuit has been instituted against an assured.

With the possible exception of tax claims to be paid directly by the agent, the underwriter should be notified of every claim asserted under one of his policies, *whether or not* the agent plans to handle the claim inhouse or refer it to the underwriter, and despite any concern over who may ultimately bear responsibility (under the agency contract between the agent and the underwriter) for any loss resulting from the claim. Certainly, agents can and *do* handle claims without the underwriter's involvement, but it is critical that the claim be handled in a timely manner and not mishandled because of inexpertise.

The information required by the underwriter to process the claim will vary depending on the nature of the claim, but some of the documents and other information that are basic to the establishment of almost any claim file include: a clear explanation, preferably in chronological order, of the events leading up to and causing the claim; the run sheet; the commitment; the title policy; any surveys; any correspondence or pleadings relating to the claim; and of course, if the claim is the result of a recorded instrument (such as an abstract of judgment, mechanic lien affidavit, federal tax lien, etc.), a copy of the offending instrument is needed.

In many instances, the underwriter may need the agent to down-date title before it can reach a conclusion as to liability for the claim. The failure to send information promptly or to send sufficient information to the underwriter will only delay the handling of the claim, which in turn is a further irritant to the assured and increases the exposure of the underwriter to a bad faith claim.

No Decision Without Documentation

Another factor for the agent to consider and understand is the underwriter's decision making process regarding liability for a potential claim. It is extremely rare that an underwriter can reach a decision as to liability without the benefit of reviewing the underlying documentation and conducting its own investigation.

In general, underwriters will not commit themselves to handle a matter at the time they receive that first telephone call notifying them of the possible claim. Underwriters can and will process a claim virtually overnight should the situation require such action. But, as a general rule, the underwriter needs and deserves a reasonable opportunity to investigate the facts behind the claim and review any relevant information before ruling on the validity of the claim. Costly errors are often the end result when this general rule is bypassed.

For example, I was recently contacted by telephone with notice and demand for immediate payment of what appeared to be a clear-cut title defect. Despite numerous conversations between the agent, the assured and myself, it was not until the underlying documentation arrived at my office that I realized that the assured was attempting to make a claim under an expired interim construction binder. Enough said on this point!

Neither Confirm Nor Deny

Another area in which the agent can play an invaluable role is in the area of public relations. The agent's communication with the assured is of utmost importance in the claims arena. Maintaining good customer relations with an assured while a claim is pending involves an almost impossible balancing act. Nevertheless, there are a few things an agent can do that will go a long way toward preserving the customer's business, as well as avoiding a misconception by the assured as to the manner or time frame in which they can expect a resolution of the claim.

Most importantly, an agent should never deny liability nor concede liability for a claim without first consulting with the underwriter. Under no condition should an agent ever make statements to the assured such as: "Just send the claim over and we will take care of it," or "No problem, we can have this matter resolved before the week is out."

Once representations of this nature are made to an assured, we have in effect assumed liability, irrespective of whether the claim is actually covered by the policy. In other words, do not let liability slip in through the back door. Also, without going into the intricacies of how underwriters eventually cure or dispose of the myriad of title defects that cross their paths, the agent should recognize that resolution of a claim can be a time-consuming process, particularly when extensive curative work must be performed, and not voice any opinion as to the turnaround time on the claim.

The best advice I can give as to what information to relay to an assured is for the agent to give the assured the underwriter's toll free number and the name of claims counsel, and let the underwriter explain to the assured its decision on liability and the course of action it plans to pursue to cure the problem.

Ellen Wied is vice president and assistant general counsel for Southern Title Guaranty Co., Inc., Austin, Texas

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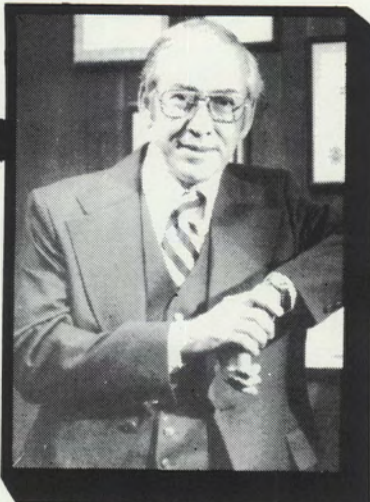
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— John Ruskin (1819-1900)

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NAMES IN THE NEWS



Knebel

Henry A. Knebel, vice president, has been named a senior vice president and general counsel for **Ticor Title Insurance Company of California**, it was announced by Chairman and Chief Executive, **Winston V. Morrow**. **Knebel** has served as vice president and assistant general counsel since joining the company in 1985. **Knebel** is a graduate of Tulane University School of Law of New Orleans. Outside activities include serving as Chief Financial Officer for The Conference of Insurance Counsel, membership in the Liaison Committee of the American Land Title Association for the National Association of Insurance Commissioners and Deputy for the Chairman of **Ticor Title** to the California Business Roundtable.

Lawyers Title Insurance Corporation announces the election of **Scott A. VanBuskirk** as vice-president—general corporate counsel. He is assigned to the company's national headquarters in Richmond, VA.

VanBuskirk began his career with **Lawyers Title** in 1974 in Indianapolis as a title examiner. In 1976 he was promoted to senior title examiner. He was named branch counsel in 1978 and assistant state counsel in 1981. He transferred to Richmond in 1982, when he was appointed assistant counsel. In 1983 **VanBuskirk** became associate counsel at the national headquarters. In 1984 he was named associate corporate counsel, and in 1987 he was promoted to corporate counsel. In 1989 he was promoted to vice-president—corporate counsel. He is a member of the American Bar Association and



Van Buskirk



Cox

the Richmond Bar Association.

Lawyers Title Insurance Corporation is pleased to announce the following appointments: **Randall E. Cox** vice-president—Southwestern states manager, assigned to the company's Southwestern states office, in Dallas, TX. **Cox** has transferred to Dallas as branch operations manager in the Southwestern states office in 1990; **Karen C.**



Depatie

Depatie manager of the company's branch in Pueblo, CO; **Sula S. McAuley** has been named multi-states claims counsel in the company's Mid-south multistates office, in Memphis, TN;



Marsh

Mack J. Marsh has been appointed a Louisiana area manager; assigned to the company's office in New Orleans. He has responsibility for all branch offices and agencies within the state;



Meyers

Carla J. Meyers has been named branch counsel in its office in Manchester, NH. **Meyers** was formerly engaged in the private practice of law in Concord, NH. Previously she had been a legislative attorney for the New Hampshire state legislature, in Concord. **Mark**



Rizzo

A. Rizzo has been appointed manager of its branch in Albuquerque, NM. **Rizzo** has been involved in the title insurance business since 1982. Before joining **Lawyers Title**, he was the Texas state agency representative for **TRW Title Insurance Company**, in Dallas, TX. Previously he was employed by **Title USA**, first in Albuquerque, and later in Dallas.



Hagerty

Dennis Hagerty has been named state counsel for **Metropolitan Title Company**. His responsibilities include providing



Johnston

legal counsel relating to title and escrow matters for **Metropolitan Title Company's** sixteen state-wide offices. Prior to joining **Metropolitan Title Company**, **Hagerty** was an associate title counsel for **Ticor Title Insurance Company** and handled both title insurance claims and underwriting. He is a member of the State Bar of Michigan and serves on various committees of the Real Property Section and **Michigan Land Title Association**. **Dawn Johnston** has been named legal counsel for **Metropolitan Title Company's** local offices. She has experience in many facets of title insurance, but her primary focus has been on large commercial transactions. **Ms. Johnston** is a 1986 graduate of the Marshall-Wythe School of Law of the College of William and Mary and is a member of the State Bar of Michigan. Prior to joining **Metropolitan Title Company**, **Johnston** was the title attorney for the Lansing Branch office of **Lawyers Title Insurance Corporation**.

The following people have received promotions at **Chicago Title Insurance Co.**: **William A. Craig**, appointed area manager for Lake and McHenry County, IL, operations and remains resident vice president, from manager of Chicago Metro Agency Operations, Chicago; **H. Stat Geer**, appointed area manager for Kane/Kendall, DeKalb, DuPage and Will County, IL, Operations, and remains resident vice president, from manager of Kane/Kendall County Operations, Kane County; **Jack Grust**, appointed manager of Metro Support Services, and remains vice



Geer



Grust

president, from manager of Satellite Operations, Chicago; **Kathleen Kazanjian**, appointed to Human Resources department, Chicago; **Stanley Keeton**, appointed assistant regional counsel and remains senior title attorney, Dallas, TX; **Laura Y. Leister**, appointed agency operations officer and agency manager, Cleveland, OH; **Barton Miles London**, appointed title officer, from claims counsel, Cleveland; **Patricia J. McGrath**, appointed resident vice president and regional agency coordinator, Boston, MA; **Linda H. Pease**, appointed area manager for the City of Chicago and remains vice president, from manager of the DuPage County, IL, office, Wheaton; **John B. Shafer**, appointed resident vice president and area manager North/Central Florida, Orlando; **Leanne Walsh-Klein**, appointed Commercial and Industrial Sales representative for DuPage, Lake, Kane and Will Counties, Geneva, IL; **Mary Tipple**, appointed manager, Fort Pierce, FL; **Diane Beglau**, appointed escrow officer, from escrow assistant, Bishop, CA at **Chicago Title Co.**

Berwyn lawyer **Alex A. Marzek** has been named a Fellow of the **American College of Construction Lawyers**. **Marzek**, vice-president and associate general counsel with **Chicago Title Insurance Company**, is among 41 attorneys from 17 states admitted to the College's first roster of Fellows. The **American College of Construction Lawyers** is designed to foster interaction among lawyers recognized for their experience and professional



Pease



Shafer



Shumway

conduct in the specialized practice of construction law. Attorneys must be nominated for Fellowship in the College. To qualify for election, they must have: practiced or taught law for a total of 15 years, devoting the 10 years immediately prior to their nomination to construction law; made significant contributions to the practice of construction law through teaching, publishing or industry leadership; and demonstrated the highest ethical and professional standards of practice.

Elaine L. Shumway, a veteran of the New England lending industry, has been named marketing representative for seacoast New Hampshire and southern Maine by **Landmark Title, Inc.** Prior to joining Landmark, **Shumway** had been employed as administrative assistant at **Banker's Title & Closing Company**. Previously, she had been a mortgage consultant for **Salem Five Mortgage Corporation**.

ARTA Northwest-Dublin is pleased to announce the appointment of **Joyce Balmert** as sales agent for its title insurance services. **Balmert** joined **ARTA Northwest-Dublin** in September 1990 and brings with her 14 years of experience in the title insurance industry. She will be primarily responsible for marketing and sales in the Hilliard, Northwest Columbus and Worthington areas.

World Title Co. has announced the appointments of five new staff members in its Fresno regional office. The title team additions are **Lynn McCullough**, escrow officer; **David Tibbs**, title officer; **Loren Smyth**, title officer; **Jan Farmer**, title

officer; and **Christine Millgram**, sales representative. **McCullough**, a 14-year veteran of the escrow industry, is a certified escrow officer and specializes in resale and commercial transactions at **World Title**. Prior to joining the firm, **McCullough** spent two and half years at **Stewart Title Co.** where she was a branch manager for the Clovis office.

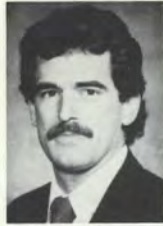
McCullough is also vice president of the Central California Association of Professional Mortgage Women and an active member of the California Escrow Association.

Tibbs joined from the Fresno office of **First American Title Co.** where he most recently served as a title officer. He also worked for **Safeco Title** in Madera. A 20-year title insurance veteran, **Smyth** most recently served as a marketing representative for **Central Title** in Fresno. He had also held various positions with **Title Insurance and Trust**, and **Founders Title Co.**

Farmer, also a long-time veteran of the title insurance business with 13 years experience, previously served as both a title and foreclosure officer at **Fidelity National Title** in Madera. **Millgram** most recently served as a marketing research manager for Fresno's **Guarantee Savings** and specializes in real estate and banking/lending clients at **World**. The Fresno office is located at 1680 W. Shaw and first opened in August of 1987. **World Title Co.** has also named four new sales representatives in its San Diego regional office. **Christine Dorman, Marc Prestera, Tony San Nicolas** and **Richard**

Wyllie. Dorman, an eight-year sales veteran, worked for **International Paging** in San Diego before joining **World Title. Prestera**, most recently a real estate agent for **Realty Executives** in Carlsbad, brings nearly seven years of real estate industry experience to **World Title**. Prior to his position with **Realty Executives**, he was owner and partner of **Realty World Sun States. San Nicolas**, previously a loan officer at **Sears Mortgage** in San Diego, has more than 11 years experience in the banking industry. **Wyllie**, a 20-year veteran of the construction/real estate industry, is the former owner of **Desert Pacific Door Systems**.

The following individuals received promotions or are acknowledged by **Commonwealth Land Title Insurance Company**: **Michael J. Agen** has joined **Commonwealth Land Title Insurance Company** as vice president. Based in the company's newly established branch office in Springfield, MA, **Agen** is responsible for all title insurance and underwriting activities in the four western counties of Massachusetts; **Edwin G. Ditlow** has been promoted to Philadelphia Main Office Director of Marketing at **Commonwealth**. Based in the company's center city office, he is responsible for the Main Office sales force and for formulating and implementing sales and marketing programs; **Jon R. Effner** has joined **Commonwealth Land Title** as division counsel. Based in the company's Philadelphia office, **Effner** is responsible for claims administration and underwriting in Eastern Pennsylvania and



Ham

Delaware; **Gary M. Ham** has been promoted to vice president at **Commonwealth Land Title. Ham**, who is **Commonwealth's** New Jersey State counsel, is responsible for underwriting and claims administration throughout the state. He is based in the company's New Jersey state office in Parsippany. **Ham** has been with **Commonwealth Land Title** for six years. Previously, he maintained a private law practice in Wayne, N.J., for one year. **Richard E. Handrich** has joined **Commonwealth** as vice president and manager of the company's San Diego, CA, office. **Handrich** is responsible for all company operations in San Diego County. A 21-year veteran of the title insurance and commercial development industries, **Handrich** most recently was senior vice president



Hauser

and San Diego County manager for another title insurer for two years. **Robert J. Hauser Jr.** has been promoted to senior vice president and Northeast regional manager at **Commonwealth** and its affiliated company, **Transamerica Title Insurance Company**. Based in the company's New York City office, **Hauser** is responsible for supervising all company operations in an eight-state Northeast Region that encompasses Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island and Vermont. **Hauser** has been with **Commonwealth Land Title** since 1977, most recently as vice president and Connecticut/Rhode Island state manager. He has 18 years of experience in the title insurance industry. **Joanna G. Jones** has



Jones



Agen



Effner

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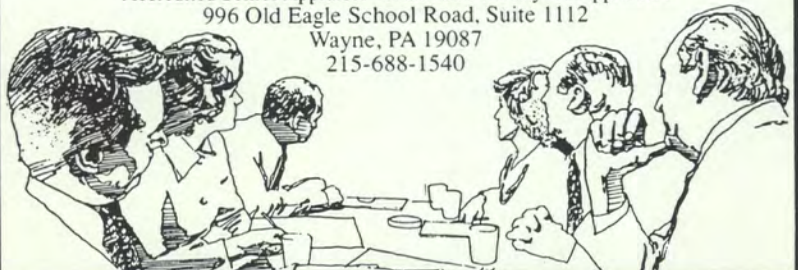
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Moran

joined **Commonwealth** as Georgia agency representative. Based in the company's new Atlanta office, Jones is responsible for marketing the company's services and for servicing company agents in the state. **Jones** has four years of experience in the same capacity with **Transamerica Title of Georgia**. Previously, she was an account executive in Atlanta for another national title insurer. **Virginia B. Moran** has been named vice president and Northeast regional claims counsel at **Commonwealth** and its affiliated company, **Transamerica**. Based in **Transamerica Title's** Parsippany, N.J., office, **Moran** is responsible for claims administration for the two companies in an eight-state region that encompasses Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island and Vermont. **Moran** has 16 years of experience in the title insurance industry. For the last eight years, she was vice president and coun-



Nott



O'Connell

sel to another national title insurer headquartered in New York City. **Richard D. Nott** has joined **Commonwealth** as vice president and Fresno County, CA, manager. **Nott** is responsible for all company activity at **Commonwealth's** three Fresno County offices. Before joining **Commonwealth Land Title**, **Nott** was in regional management with another national title insurer for four years. He is a 28-year veteran of the title insurance industry. **Kathleen A. O'Connell** has been promoted to assistant vice president at **Commonwealth** and its affiliated company, **Transamerica Title Insurance Company**. Based in **Commonwealth's** Philadelphia headquarters, **O'Connell** is responsible for claims and profit/loss analysis for both companies. **O'Connell** has been with **Commonwealth Land Title** since 1976, most recently as assistant corporate secretary. Previously, she worked for a Philadelphia-based life insurance company. **James**



Petropoulos



Pratt

T. Petropoulos has joined **Commonwealth** as vice president and Georgia state manager. Based in the company's new Atlanta branch office, **Petropoulos** is responsible for all company operations in the state. **Petropoulos** has 18 years of experience in the title insurance industry, the past four of them as manager of **Transamerica** of Georgia. **Valerie K. Pratt** has been named manager of **Transamerica Title Insurance Company's** new National Title Service (NTS) office in Seattle. **Pratt** is responsible for overseeing all NTS-related activities in Washington, Oregon, Idaho, Montana and Utah. **Transamerica Title's** NTS division provides specialized title services for large commercial, multisite and interstate real estate projects. **Pratt** joined **Transamerica Title** in 1987. She is vice president of publicity for the Northwest Chapter of the International Association of Corporate Real Estate Executives and is a mem-

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Preveza

ber of the organization of Commercial Real Estate Women and of the International Council of Shopping Centers. **Louis R. Preveza** has been promoted to New England Division manager at **Commonwealth**. He will oversee **Commonwealth's** operations in Maine, New Hampshire, Vermont, Massachusetts, Connecticut and Rhode Island. Based in the Boston office, **Preveza** also will retain his duties as vice president and Boston branch manager.

Preveza joined **Commonwealth** in 1981. Previously, he was a sales manager for a title insurer in Massachusetts. He has 19 years of experience in the title insurance industry. **E. Michael Respass** has joined **Commonwealth** as vice president and Atlanta branch man-



Respass



Simeone



Stokes

ager. Based in the company's new Atlanta office, **Respass** is responsible for all company operations in the metropolitan area. **Respass** has 18 years of experience in the title insurance industry, the past four of them as manager of the Atlanta operation for **Transamerica Title** of Georgia. **Nicholas J. Simeone** has been promoted to vice president and Connecticut state manager at **Commonwealth Land Title Insurance Company**, responsible for claims and underwriting operations in the company's four Connecticut offices. Based in the Hartford office, **Simeone** also will retain his position as Connecticut State counsel. **Ralph E. Stokes** has joined **Commonwealth** as vice president and



Welling

Rhode Island State manager. Based in the company's Providence, RI, office, **Stokes** is responsible for overseeing company operations throughout the state. Before joining **Commonwealth**, **Stokes** was assistant vice president, Rhode Island branch manager and state counsel for another title insurer. He was nine years of related experience, including four years of practice in real estate law. **John F. Welling** has been promoted to New York State manager at **Commonwealth**. Based in the company's state office in New York City, he is responsible for overseeing **Commonwealth's** branch and agency operations throughout New York state. **Welling**, a company vice president, has been with **Commonwealth** for six years.

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1991 AFFILIATED ASSOCIATION CONVENTIONS

April

18-20 Oklahoma, Marriott Hotel, Oklahoma City, OK

25-27 Arkansas, USA Inns, Eureka Springs, AR

May

2-5 Texas, Westin Galleria Hotel, Dallas, TX

3-5 Palmetto (SC), Radisson Hotel/Kingston Plantation, Myrtle Beach, SC

5-7 Oregon, The Coeur d'Alene Resort, Coeur d'Alene, ID

5-7 Iowa, Sioux City Convention Center/Hilton Inn, Sioux City, IA

8-11 California, Hotel Del Coronado, San Diego, CA

16-18 New Mexico, Sagebrush Inn & Quality Inn, Taos, NM

16-18 Virginia, The Patrick Henry Inn, Williamsburg, VA

June

2-4 New Jersey, Harrah's Marina Hotel Casino, Atlantic City, NJ

6-7 South Dakota, Holiday Inn of Mitchell, Mitchell, SD

6-8 Tennessee, Chattanooga Convention Ctr./Marriott, Chattanooga, TN

9-11 Pennsylvania, Hamilton Princess, Bermuda

14 Alaska (has not been determined), Anchorage, AK

20-22 Colorado, Red Lion, Durango, CO

20-22 Illinois, Westin Hotel, Chicago, IL

20-23 New England, The Balsams, Dixville Notch, NH

July

14-16 Michigan, Boyne Highlands Resort, Harbor Springs, MI

17-20 Wyoming, Holiday Inn, Riverton, WY

18-20 Utah, Sun Valley Resort, Sun Valley, ID

25-28 North Carolina, Shell Island Resort, Wrightsville Beach, NC

August

1-4 Idaho, Sun Valley Resort, Sun Valley, ID

15-17 Minnesota, Hotel Sofitel, Bloomington, MN

15-17 Montana, Huntley or Shoshoni Lodge, Big Sky, MT

23-24 Kansas, Overland Park Marriott, Overland Park, KS

25-28 New York, The Equinox, Manchester Village, VT

September

5-8 Missouri, University Plaza Hotel, Springfield, MO

12-14 Dixie, Sandestin Beach Hilton, Destin, FL

12-14 North Dakota, Hospitality Inn, Dickinson, ND

13-15 Maryland, The Sheraton, Ocean City, MD

14-17 Indiana, Omni Severin Hotel, Indianapolis, IN

15-17 Ohio, Sawmill Creek Resort, Huron, OH

15-18 Washington, Campbell's Resort & Convention Center, Chelan, WA

October

9-11 Nebraska, Holiday Inn, North Platte, NE

24-25 Wisconsin, Hyatt Hotel, Milwaukee, WI

November

13-16 Florida, Marriott at Sawgrass Resort, Ponte Vedra Beach, FL

December

5-7 (tentative) Louisiana (has not been determined), New Orleans, LA
Arizona (has not been determined)
Nevada (has not been determined)

LAWYERS TITLE INSURANCE CORPORATION

Richmond, Virginia
has acquired all the capital stock of

TRANSOHIO TITLE

Columbus, Ohio

CORPORATE DEVELOPMENT SERVICES, INC.

Wayne, Pennsylvania
assisted TransOhio in completing
this transaction.

NEW ACQUISITIONS

Lawyers Title Insurance Corporation has acquired a former agency, **TransOhio Title Agency, Inc.**, headquartered in Columbus, Ohio, and will operate it as **TransOhio Title**, a wholly owned subsidiary. The agency has six offices in Columbus and surrounding suburbs and 40 employees; all are part of the new subsidiary. **Barry F. Flavin**, executive vice-president of the former agency, now serves as chief executive officer of the new subsidiary. **Hugh L. Houlton** remains as president and **Marvin C. Miller**, secretary/treasurer of the former agency, has been retained as counsel to the new entity. **David J. Martin**, formerly vice-president of **TransOhio Title Agency**, is executive vice-president of the subsidiary, and **Laural Flanagan** continues to serve as vice-president—sales. **TransOhio Title Agency**, the successor to **Louisville Title Agency**, founded in 1966, began operations as **TransOhio Title Agency** in 1982, when it became an agent of **Lawyers Title**. "Central Ohio is one of the top real estate markets in the United States, and we wanted to intensify our presence there," commented **Marvin C. Bowling, Jr.**, president of **Lawyers Title**. "The acquisition retains the excellent management of the agency, and supports it with the substantial resources of a national company."

ACROSS THE HOMEFRONT

John S. Thornton, Jr., senior vice president and senior title counsel for **Ticor Title Insurance Company**, Redington Beach, Florida, was presented the Raymond O. Denham Memorial Award by the **Florida Land Title Association**.

The Raymond O. Denham Memorial Award is awarded annually to the individual in the **Florida Land Title Association, (FLTA)** who has rendered the most outstanding and unselfish service to the Association, to the Abstract and Title Professions and to the public.

Since the award was not presented in 1989, the award was presented by the 1988 recipient, **Thomas S. McDonald**, past president of both the **Florida Land Title Association** and **The American Land Title Association**.

In presenting the award **McDonald** reviewed **Thornton's** history in the title industry from his first job 39 years ago copying the Public Records in the courthouse to his present position in charge of underwriting practices throughout Florida, Puerto Rico and the Virgin Islands. **Thornton** has participated in the activities of various FLTA Committees, assisted in their education and public information programs, and appeared as a speaker in numerous seminars. During the past year he represented the Association in Public Hearings before the Florida Department of Insurance.

The **Maine Land Title Association** has been formed. Membership is open to all "... whose business or profession is related to the conveyancing of real estate, including but not limited to real estate licensees, title agents, real estate attorneys, title insurers, surveyors, mortgage bankers, commercial bankers, developers, real estate paralegals, registrars of deeds, abstractors." At the first annual meeting, the following officers and board of directors were elected: President **Clayton E. Rollins** (Augusta); Vice President **Sally Wilkinson** (Portland); Secretary **Virginia Hodge** (Bangor); Treasurer **Stephen Sessler** (Portland). Other members of the Board include: **Bruce Leddy** (Portland); **Robert Gingras** (Augusta); **Penny Ebberts** (Portland); **Edward D. Leonard** (Bangor); **Michael Power** (Portland); **Roderick Craib** (Wiscasset); **Valerie Lamont** (Portland); **Bart Kelsea** (Lewiston); **Robert Titcomb** (Portland); and **D. Michael Frink** (Augusta). The **MLTA** is not affiliated with the **American Land Title Association**.

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CALENDAR OF MEETINGS

1991

March 14-17 Group Insurance Trust
Orlando, Florida

April 10-12 ALTA Mid-Year
Convention, San Diego
Marriott Hotel and Marina
San Diego, California

April 28-30 ALTA Eastern Regional Title
Insurance Executives Meeting
Kiawah Island Inn
Charleston, South Carolina

May 19-21 Title Counsel Executives
Meeting
Chicago, Illinois

June 5 ALTA Board of Governors
Meeting
The Broadmoor
Colorado Springs, Colorado

June 6-7 ALTA Southwestern Regional
Title Insurance Executives Meeting
The Broadmoor
Colorado Springs, Colorado

September 25-28 ALTA Annual
Convention, The Westin Copley
Place, Boston, Massachusetts

1992

March 25-27 ALTA Mid-Year
Convention, The Mayflower
Hotel, Washington, DC

October 14-17 ALTA Annual
Convention, Hyatt Regency
and Maui Marriott,
Maui, Hawaii

1993

March 24-26 ALTA Mid-Year
Convention, The Westin
Peachtree Plaza, Atlanta,
Georgia

October 13-16 ALTA Annual Convention
Marriott's Desert Springs Resort and Spa
Palm Desert, California

NEW ALTA MEMBERS

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

ACTIVE

Florida
Global Title Co., Naples, FL

Illinois
Abstracts and Titles, Inc., Edwardsville, IL.
(Eric Alejos, TRW Title Ins. Co., Overland Park, KS)

Kentucky
Land Title Services of Kentucky, Inc., Louisville, KY

Maryland
Suburban Title, Inc., Calverton, MD, (Bill McAuliffe, Chicago Title Ins. Co., Rockville, MD)

Massachusetts
Advantage Title Services, Inc., Franklin, MA

Vermont

T. Hans Russell, Townshend, VT, (Mark Schittina, Lawyers Title Ins. Corp., Burlington, VT)

Wisconsin

Assurance Title & Abstract Services, Inc., Oshkosh, WI, (Erv Correll, CWT, Inc., Wautoma, WI)

ASSOCIATE

Illinois

Ira Fierstein, Chicago, IL
Peter A. Sarasek, Chicago, IL, (Martin Gottlieb, John Hancock Mutual Life Ins. Co., Boston, MA)

Massachusetts

Margaret L. McGerity, Milton, MA, (Mark Carey, Taramark Co., Needham, MA)

New Mexico

Nancy J. Appleby, Albuquerque, NM, (Richard J. Geib, Newport Beach, CA)

Texas

Lynn W. Wilburn, Barker, TX, (Malcolm Morris, Stewart Title Guaranty Co., Houston, TX)

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SAN DIEGO

continued from page 9

Theatre goers can enjoy innovative drama from May through November.

The San Diego Repertory Theatre features modern productions in the Lyceum Theatre, located within downtown's colorful Horton Plaza complex. "The Rep's" Season '90 is the 15th anniversary season and includes productions from June through February. The Lyceum houses both the 560-seat Lyceum Stage and the 250-seat Lyceum Space.

The San Diego Symphony is the only West Coast orchestra that owns its performing hall. The refurbished Fox Theatre became Symphony Hall in 1985 and is now known as Copley Symphony Hall. From October through May each year, the San Diego Symphony offers world-acclaimed classical selections at Copley Symphony Hall.

San Diego's rich interest in the arts is showcased in some 90 museums located throughout the county. Balboa Park, the largest cultural city in the United States, is the site for 16 museums located within a few blocks. The Maritime Museum and Firehouse Museum in downtown San Diego are reminders of the city's past. San Diego's early history is also displayed at the Serra Museum and the Mormon Battalion Visitors Center in Old Town State Park. The Villa Montezuma, the William Heath Davis House, and a number of other restored historical homes provide a window on early life in San Diego, while the Marine Corps Recruit Depot showcases the military's role in San Diego's development. La Jolla's scenic location along the coast is home to the following museums: Scripps Aquarium Museum, the Children's Museum, the San Diego Museum of Contemporary Art (formerly the La Jolla Museum of Contemporary Art), and the Mingei International Museum. Transportation memorabilia can be found at the San Diego Automotive Museum in Balboa Park, the Antique Gas & Steam Engine Museum in Vista and the San Diego Railroad Museum's locations in Campo and La Mesa. The list of museums continues with many other facilities showcasing artistic creativity, special exhibits and information on a variety of topics.

In the South Bay city of Chula Vista, the Chula Vista Nature Interpretive Center is a living wetland museum featuring fish, invertebrates, animals, birds and plants indigenous to San Diego Bay. The center is located in the middle of the 316-acre Sweetwater Marsh National Wildlife Refuge.

In San Diego, visitors looking for new arts attractions will discover a flourishing cultural community earning national recognition. Theatres, the San Diego Symphony, the San Diego Opera, Starlight Musical Theater, and museums are just some of the cultural arts thriving in San Diego's perfect climate.

Sports Town U.S.A.

The great American enthusiasm for fitness is alive and well in San Diego. Visitors can sample a diversity of sporting entertainment. The near perfect climate and accessibility of varied terrain—

beaches, lakes, canyons, mountain forests, deserts, and bays—offer a wide range of activities.

San Diego, also known as "Golfland, U.S.A.," is the frequent location for many of the nation's more prestigious tournaments. On rolling hillsides overlooking the Pacific, in lush valleys and picturesque parks, one can tee-off any day of the year on one of San Diego's 78 golf courses.

On any given weekend at Mission Bay Park, a 4,600 acre aquatic park, countless swimmers, sailboaters, water and jet-skiers, rowers, and brightly decorated sail and pleasure crafts are afloat on the sparkling blue waters.

Ashore, along the 27 miles of bayfront and 17 miles of oceanfront beaches, park-goers are participating in bicycling, roller-skating, fishing, sailing, frisbees, flying kites and batting balls. Beach-goers can find a good game of volleyball year-round almost anywhere along San Diego's 70 miles of beaches. The scene is that of a year-round sports festival.

Feeling the wind in your face and the sea beneath you is a thrill experienced by thousands of San Diegans each year. In sailing crafts, powerboats, or self-propelled paddleboats, people enjoy the protected bays and lagoons of the county.

Parasailing, one of San Diego's newest sporting activities, provides visitors with a scenic aerial view of San Diego, while flying some 250 to 400 feet over the Pacific Ocean.

Scuba diving and snorkeling are popular off the San Diego shores. Nearby La Jolla Cove offers the clearest protected underwater preserves to explore.

San Diego offers year-round sportfishing. Marlin or bass, you'll find it in San Diego's waters.

Everywhere joggers dot the streets and paths of San Diego. At almost any given hour, it is possible to see one of the 170,000 San Diegans estimated to be participating in the national running craze. The climate and the variety of appealing places to run provide the perfect motivation. Neither sex nor age is a barrier to participation in the weekly races held throughout the county. Whether your style is a 26-mile marathon or a fast-paced, hour-long exercise walk, you can "jog" it in San Diego.

San Diego is also a tennis player's paradise. Tennis can be enjoyed on the 1,200 private and public courts throughout the county. The perfect weather conditions and the abundance of courts provide the tennis enthusiast with the essentials for the perfect match.

Another racquet favorite, racquetball, is high in priority among San Diegans. Today the county has an estimated 350 courts and many of the game's top players.

San Diego roads provide scenic miles and varied terrain for bikers. Bicycling enthusiasts share county roads with auto traffic, set apart in specially marked bicycle lanes.

Whether it's sailing, swimming, surfing, scuba diving, snorkeling, water-skiing, wind surfing, paddling a boat, testing your skills at tennis, golf or volleyball, the choice is yours. Whatever your favorite sporting activity, you'll enjoy it in San Diego.

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- LT 002 **Strategies for Coping with Controlled Business** (Moderator: Dale A. Whitman; Discussion Leaders: Roger N. Bell, Allen R. Leppink, Dan R. Wentzel) **1 cassette.....\$10.00**
- LT 003 **Reinsurance - Why Every Agent Should Care** (Moderator: Louis D. Pierce; Discussion Leaders: Barbara G. Blitz, Joseph C. Bonita, James C. Hagy) **1 cassette.....\$10.00**
- LT 004 **Attracting and Keeping Qualified Staff When Money is an Object** (Moderator: LaNette Zimmerman; Discussion Leaders: Ronni M. Haston, Kevin M. Hussey) **1 cassette.....\$10.00**

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