

Title Due Diligence

February 21 and 22, 2018

Starting at 9:00 am and ending 4:30 pm each day

California Council of Land Trusts
1029 J Street, Suite 120
Sacramento, CA 95814
916-497-0272

Instructor: Shelton Douthit

What to Bring

This workshop will involve lectures and in-class exercises. Feel free to bring along electronic copies of title reports and documents you would like to discuss. Bring a bag lunch. A 45-minute lunch break will be provided. Coffee and water will be available onsite. Parking is available in the area for a fee.

Cost: Members: \$85 Nonmembers: \$100

Please make payable to **California Council of Land Trusts.**

Agenda

FEBRUARY 21, 2018

INTRODUCTION

Welcome: review workshop agenda, goals and logistics
The goal of title due diligence
Quality Control and title companies
Agency due diligence requirements
The Devil is in the details
De-mystify the title report

VERIFYING BASIC INFORMATION

How to read a legal description
Verifying if the property has left the Public Domain (Master Title Plats)
Patents and Reservations by the U.S.A.
Verifying acreage
Assessor Parcel Numbers (APN) and maps

REVIEWING A TITLE REPORT

Basic elements of the title report
Confirming Vesting & Legal
Schedule B: Reviewing Exceptions
Verifying the items that affects title: Reviewing the *underlying document*
Plotting easements
Mineral exceptions

FEBRUARY 22, 2018

EXAMPLES OF "TYPICAL" TITLE PROBLEMS

Vesting Issues
Uninsurable Legal
Unpatented Land
Incorrectly labeled Exceptions
Deeds of Trusts (lost document bonds, etc.)
Subdivision Map Notes and Constraint Sheets
Leases (oil & gas, grazing, etc.)
Wild Deeds
Mineral and other Government Reservations

ADDITIONAL SOURCES OF TITLE RELATED DOCUMENTS

Survey Maps
Company Records
Hand-Shake Agreements
Landowner Interviews

WALKING THE LINE: LOOKING FOR ISSUES IN THE FIELD

What to look for in the field
How to document observations
Verifying corners
Interacting with users
Safety considerations

BRINGING IT ALL TOGETHER

Confirming title report corrections
Addressing unrecorded uses
Communicating your findings (landowners, LT staff and others).