

Title Due Diligence

August 12 and 13, 2015

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

Resources Legacy Fund
555 Capitol Mall, Suite 1090
Sacramento, CA 95814

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: \$75 payable to the California Council of Land Trusts.

Agenda

AUGUST 12, 2013

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 & Legals
- Schedule B: Reviewing Exceptions
- Verifying the items that affects title: Reviewing the *underlying document*
- Plotting easements
- Mineral exceptions

AUGUST 13, 2015

EXAMPLES OF "TYPICAL" TITLE PROBLEMS

- Vesting Issues
- Uninsurable Legals
- 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).