



PRESIDENTIAL TITLE

Commercial & Residential Settlements

There are many title troubles that can arise to cause the loss of your home—or your business property—or your mortgage investment.

Title troubles not disclosed by the most careful search of the public records—called hidden hazards—are the most dangerous. Because of them, your abstract may be perfect, but your title worth-less. Your attorney’s examination may be the finest that skill, experience and legal knowledge can produce, but your title may be fatally defective.

Owner’s title insurance protects you as well as your heirs from financial loss caused by title troubles. And the title insurer, without expense to you, will defend you against any attack on the title to your property as insured. The one-time premium is small. The protection is great.

Before buying real estate, give one of our offices a call. Ask how simple it is to fully protect yourself against title loss.

Here are thirty-five title troubles that frequently occur. You may not discover them when you buy real estate—but months or years later, they can result in the loss of your property or an expensive lawsuit.

35 TITLE TROUBLES



1. False impersonation of the true owner of the land.
2. Forged deeds, releases, etc.
3. Instruments executed under fabricated or expired power of attorney.
4. Deeds delivered after death of grantor or grantee, or without consent of grantor.
5. Deeds to or from defunct corporations.
6. Undisclosed or missing heirs.
7. Misinterpretation of wills.
8. Deeds by persons of unsound mind.
9. Deeds by minors.
10. Deeds by aliens.
11. Deeds by persons supposedly single but secretly married.
12. Birth or adoption of children after date of will.
13. Surviving children omitted from a will.
14. Mistakes in recording legal documents.
15. Want of jurisdiction of persons in judicial proceedings.
16. Discovery of will of apparent intestate.
17. Errors in indexing.
18. Falsification of records.
19. Capacity of foreign fiduciaries.
20. Claims of creditors against property sold by heirs or devisees.
21. Deeds in lieu of foreclosure given under duress.
22. Ultra vires deed given under false corporate resolution.
23. Easements by prescription not discovered by a survey.
24. Deed of community property recited to be separate property.
25. Errors in tax records. (For example, listing payment against wrong property.)
26. Deed from a bigamous couple.
27. Defective acknowledgments.
28. Federal condemnation without filing of notice.
29. Descriptions apparently, but not actually, adequate.
30. Corporation franchise taxes, a lien on all corporate assets.
31. Erroneous reports furnished by tax officials.
32. Administration of estates of persons absent but not deceased.
33. Undisclosed divorce of spouse who conveys as consort’s heir.
34. Marital rights of spouse purportedly, but not legally, divorced.
35. Duress in execution of instruments.

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