



WHEATLAND

Title Guaranty Company

Insuring Right of Way Acquisitions

Presenters:

John D. Ammons

Todd J. Hiles



Overview of Title Company's Role in Acquisition & Condemnation Process

- History
- Right of Way Title Services Vs. Retail Title Services
- Background
- It's an Art not a Science



Review of the Initial Title Commitment

- Engineering / Surveying
- Appraisal
- Negotiation
- Condemnation Attorney



Common Title Issues Faced During the Acquisition Process

- Vesting
- Legal Description
- Real Estate Taxes
- Unreleased Liens
- Judgment of similar name



Title Clearance

- MORTGAGES
- JUDGMENTS / LIENS
- REAL ESTATE TAXES
- PUBLIC UTILITY EASEMENTS
- PRIVATE EASEMENTS
- RESTRICTIONS / COVENANTS
- MINERAL RIGHTS
- LEASES



Title Company's Role in Condemnation Process

- Communication with Attorney before filing lawsuit
- Update of Title Commitment
- Proper Recording of Lis Pendens
- Review of Court Case by Title Company
- Importance of Recording Final Judgment Order or Order Vesting Title



Insuring the Acquisition & Issuing the Title Policy

- Proper Acquisition
- Mortgage/Liens Released or Subordinated
- Easements – Subordinated or taking subject to
- All necessary documents recorded and/or filed





WHEATLAND

Title Guaranty Company

Conclusion:
It's an Art not a Science



Q & A

