

Title Abstracting and the Title Search

John P. Micciche, CLTP

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Title Abstracting and the Title Search

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Disclaimer- Please note: this course is intended for INFORMATIONAL purposes only. It is NOT meant to be a definitive instructional manual on performing title searches. It is meant to explain the core concepts, basic mechanisms, and basic legal principles associated with the title search.

I. The Act of Abstracting Titles

Abstracting, also commonly known as title searching, has historically developed from being identified as a service rendered in land transfer into a professional occupation. It is one of the few occupations that one cannot “study” for to a great degree. Many accredited real estate programs spend little or no time on this critical aspect done in conjunction with a real estate transaction.

While there are some fine volumes of work that address the topic, the time-tested method of learning to abstract or “search titles” is to be employed by an experienced abstractor or abstract company and to be trained “on the job.” It is one of the few fields

that essentially require a period of apprenticeship- working among the land records, day after day, learning by the side of someone experienced.

In order to be successful at the occupation, one should possess the qualities of patience, a keen eye for detail, a “questioning” nature - that is to say, one who does not necessarily take things at “face value,” without considering other potential possibilities, and a meticulous approach to documenting researched information. A background in history, law, or the liberal arts lends itself to this discipline.

An abstractor is trained to develop proficiency at fully and faithfully gathering all available information regarding a particular parcel of land as set forth in the public records- the land record office, the various courts and the local and state tax assessment offices. Further, he or she must be able to read and comprehend the contents found in the various documents and records that will be encountered, in order to determine how “far” and comprehensive a search that this particular parcel will entail. In many cases, the content found in one document will lead to another document, and so forth. This “trail” must be followed to its respective conclusion(s).

The abstractor begins the task with the most current owner(s) “of record” as evidenced by a deed in which title was conveyed to the part(ies), and no subsequent transfers by which the part(ies) ‘sold’ or ‘transferred’ title to that particular parcel of land can be found, again, ‘of record’. The ‘title deed’ is reviewed, and in it is a clause (the ‘Being Clause’) that discloses where the seller obtained their ownership interest. Further, in that clause is the ‘deed reference,’ or the book and page in the land record office where that deed is located (the deed reference is generally described as a liber (book) and folio (page)); further, the initials of the Clerk of Court during that time period is part of the deed reference. For example, the deed reference E.H.K. Jr. 5678/325 indicates that this particular document (referred to as an instrument) was taken into and made a part of the public record (‘recorded’) in Baltimore County during the tenure of Elmer H. Kahline, Jr. Clerk of Court, Baltimore County in book (liber) volume 5678, on page (folio) 325. This form of indexing the information is almost uniform in the state of Maryland. However, in other jurisdictions, such as the District of Columbia, the instrument presented for recordation in the land record office will simply receive a single document number.

The key to determining the status of a certain title to a certain parcel of land begins with the acts or actions taken by, or granted/imposed upon the current or former owners. Hence, the primary need to focus on those events. In order to complete this portion of the task, the abstractor must first assemble a list of all the current and former owners during the time period that is being searched.

The abstractor will assemble a ‘chain of title,’ or a diagram of all part(ies) who owned (‘had an interest’) in that particular parcel of land, including the dates when they “took title” (acquired their ownership interest) until the time that their ‘interest’ was

conveyed out and the deed recorded. In Maryland, the customary title search spans sixty (60) years, but there is no statute that would preempt making a claim against a title for matters prior to that time period. Most residential transactions conform to this norm; however, on large commercial transactions, it is not unusual to 'run' the title back one hundred (100) years or more, depending upon circumstances surrounding that particular parcel or parcels.

The various indices are researched by the abstractor, and any findings regarding the owner(s) are documented in his or her research notes. Each of the instruments documented needs to be reviewed completely, and its basic contents comprehended, so that the abstractor can determine, what, if any other research is required. This is the time when the abstractor brings their knowledge and experience to bear on the task at hand. As stated earlier, a simple sentence or statement in an older deed may launch much more research, and the abstractor must stand ready to follow that "chain" back as far is necessary to make a determination of its impact on that particular parcel of land.

Once all the research is completed, and the abstractor is satisfied that he or she has assembled a comprehensive history of all matters effecting that particular parcel, they must synthesize it into a summary report that discloses all of their findings, as well as copies of any documents that may require disclosure to interested parties. Further, they must raise any questions that they have encountered, but may not have been able to resolve. This includes all pertinent information from the land record office, the search of the court records and the state tax and assessment offices. He or she will work with the attorney/title company to satisfy any further inquiries or satisfy the need for more research and documentation.

II. The "Modern" History of Abstracting (Title Searching)

Keeping in mind that the repository of the land record offices has been located in each county seat courthouse for many years, and that all of the documents secured therein are legal documents, for the most part drafted by attorneys, whose services were usually engaged in conjunction with the transactions for which they were prepared, it is only natural that, generally the service of searching titles fell to attorneys. In many cases, their title search resulted in their rendering a legal opinion of the status of title to a particular parcel of land as to its *marketability*. In most cases, the attorney's legal services were retained by one of the parties who were part of the transaction.

This practice remained the norm for a long time. Eventually, legal assistants or employees who worked for the attorney/law firm were asked to do this task, while the review of the work was still done by the attorney. It was not uncommon for the attorney/firm to create a master file/back file, also called a *plat* file of a tract of land for which a title search was done, in order to save research time on future outconveyances. (It was referred to as a plat file, as it is most common for tracts or parcels of land to

have their boundary surveys recorded in the land record office as a plat.) If an outsale of land from a previously searched parcel was needed, the title was “brought to date” from that plat file. The new information further enhanced the content of the back file.

As this practice of “sharing the knowledge” of title searching took place, it became possible for non-attorneys to perform the service.

With the development of the policy of title insurance came the eventual rise of the title insurance companies. These companies usually employed both attorneys who specialized in real estate and skilled paralegals/legal assistants of like kind. At the same time, attorneys were the primary conduit for the title insurance policy. They acted as “agents” for the title insurers. However, it became apparent that these companies made it possible to increase both the speed and volume of transacting real estate, while providing high quality legal services associated therewith. This eventually provided a second conduit for conducting real estate transactions. In order to accommodate the increased volume, these insurance companies used its employees to provide title searches. As such, any errors or omissions in the work of the employee/abstractor were covered by the insurance company, compared to the attorney/law firm and its malpractice insurance.

As individuals left the employ of the insurance companies, as well as those trained in abstracting under the attorneys, they began to offer their services as independent subcontractors to provide abstracting services. This development was most cost effective- their title search product could be purchased, avoiding the costs associated with maintaining an employee. There was no loss in quality, and generally independent abstractors could provide the product in a more efficacious manner. Eventually, both title insurance companies and attorneys who chose to obtain the title search in this manner required those who provided it to carry their own errors and omissions policy.

As a side note, but nonetheless bears mentioning was the tension that existed between the attorney “agents” and the title insurance companies. In states like Virginia and Delaware, the respective state Bars took an active role in attempting to block the insurance companies from conducting business directly, that is to say without the intervention of an independent attorney “agent.” The basis for their position was that their actions were the unauthorized practice of law. Abstracting is still a relatively unregulated industry- no licenses or certifications are required in order to perform and provide the service. However, the ‘norms’ and standards of the industry have evolved, based on legal principles and court decisions, not to mention the various requirements placed upon them by their ‘customers,’ who must conform to the rules and guidelines of their title insurance underwriters.

III. How an Abstract Impacts an Attorney Opinion Letter versus the Title Insurance Policy

The title abstract is used by the attorney in order to issue his or her Attorney Opinion Letter. After a careful review of all matters reported by the abstractor, the attorney, empowered to practice law, can provide a legal opinion as the status of a parcel of real estate. It divulges the current owners, how title is held, the tenancy of the part(ies) in title; any open liens, exceptions and tax information/status as well as a statement of its condition of marketability. If the opinion is found to be potentially erroneous in some way, an action against the attorney who issued the Letter could be initiated in a court of competent jurisdiction, as well as a complaint made to the Attorney Grievance Commission. If the attorney or an employee of the attorney provided the abstract, any loss incurred would be absorbed by the attorney/firm with relief could be sought by a claim under their errors and omissions policy. Unless the potential claim is large enough to warrant a claim, in many cases the losses would be paid by the attorney or firm in order to keep their errors and omissions premium from increasing, due to the losses incurred under the claim.

If a title insurance company 'procures' the information provided by an independent (subcontractor) abstractor, they rely on the accuracy of the information. In the event that a policy of title insurance is issued, and a claim is later made under that policy that directly resulted from an error or omission by the abstractor, the title insurer first pays on the claim, if warranted. They next "go after" the abstractor, seeking recoupment under that abstractor's errors and omissions policy.

If an agent of a title insurance company issues a policy of title insurance, and its issuance was based upon an abstract procured from an independent (subcontracted) abstractor, and a claim is made that resulted from an error or omission by the abstractor, recoupment is handled in a different way.

First, the claim is paid by the title insurance company, to fulfill its duty to the insured(s). Next, a claim is made against the title agent/title agent's errors and omissions policy. Because the title agent procured the information, *they* must be the party to now make a claim against the abstractor's errors and omissions policy due to a legal principle referred to as 'privity.' In short, there is a 'private' relationship that exists between the provider of the product and the requestor thereof. Further, there is a mechanism in the title insurance policy referred to as subrogation, or the ability of the insurer to 'step into the shoes' of the insured. This allows the title insurance company to perfect its attempts to obtain recoupment for their losses incurred.

There are two critical lessons to be learned: the title search should be done with the greatest degree of care, in order to avoid errors resulting in claims, and secondly, that an independent abstractor should carry their own errors and omissions insurance.

IV. A Primer in the History of the Land Records in Maryland

On June 20, 1632, King Charles I of England issued the Charter of Maryland for the possession and settlement of lands in the 'New World' to Cecil Calvert (which is now comprised of Maryland, the District of Columbia, Delaware, Pennsylvania, Virginia, and West Virginia). In the Charter, under Article XVIII, he gave Lord Baltimore the authority to "assign...and grante..." parcels of land to persons willing to pay for and settle on them.

In 1680, Charles Calvert, 3rd Lord of Baltimore created the Land Office and appointed a Register to oversee and administer the functions of the newly created agency. This office now took responsibility for this onerous duty from the Governor or the Secretary of the State.

Keep in mind that comprehensive record keeping was essential in order to document for posterity land ownership. But, it begs the question: how did this conveyancing actually take place? The answer provides an insight into understanding and conceptualizing what is contained in and how did the 'modern' deed evolve from these beginnings.

As in many parts of the world, a king or queen was assumed to hold authority and title to any lands discovered or taken by conquest by a subject of the Crown. In order to further extend their realm and to exact profit/create monetary value from their holdings; land settlement, development, and commerce were essential components.

In early Maryland, land conveyancing commenced with an agreement of sale. Lord Baltimore would notify the Land Office of the intent with a written order or "warrant" to the Land Record office to initiate the parceling out of land (usually in 50 acre quantities), the legal description of which would be done by a surveyor, who would then prepare a Certificate of Survey containing the legal description. Using a surveyor's transit, a compass and a scale, the legal description was created, and described in a nomenclature referred to as metes and bounds, or later called courses and distances. They are lines which establish boundary lines, based on true North as the constant, and described as 'North 30 degrees East, 300 roods, 98 perches and 40 links to the corner stone of the Jefferson tract, and running thence...' This Certificate was then made part of the patent, or granting of the land. The warrants were then kept in the patent records and the patent for the land was prepared and issued. The patent was the document that actually granted rights of ownership to the parcel of land described therein. The patent was then retained as well.

As colonial Maryland continued to prosper, it became evident that record keeping could better be accomplished by maintaining the land records, as well as other legal records in

their respective provincial courthouses. The provinces later became the various county seat courthouses.

The records were kept in alphabetical order, last name first. In order to better create controls whereby these records could better be accessed, *libers* (books) were used to document the names of those whose records were contained therein, and where in the record office they were retained. Later, the date of their intake was added to the *liber*. As the number of documents taken into courthouse 'custody' rose, documents were hand copied and bound, creating volumes of land record transactions. The further need to create additional *libers* that tracked these volumes of books containing the land records transaction gave rise to the *Indices*, which took the previously discussed content, and added to them which volume and page (*liber* and *folio*) in and on which the transaction of interest could be found.

V. Understanding the Land Record Office

Every county in Maryland and the Baltimore City municipality has its own Land Record Office. It is the official repository of all official records relating to land or land related transactions within its jurisdiction. It is the acceptance of these documents into the Office's record and their subsequent posting notice "to all the world" (information in Land Record Office is considered public information), which essentially secures credibility and provides basic legal notice of the transaction as being legal and binding upon all interested parties noted therein.

Without a perfunctory knowledge of how the Land Record Office is organized, it is the virtual "needle in a haystack" if attempting to find a particular instrument. Until the dawn of the 'computer age,' transactions were primarily documented in one or two types of volumes: the grantor and grantee indices. The grantor index documents instruments by the name of the part(ies) who are "granting" or "doing" something; i.e. an affirmative action. The grantee index documents the part(ies) who are "being" granted something; i.e., receiving or the recipients thereof; passive or acceptance. An instrument has two parties: the grantors (as in the sale of a house, the seller) and the grantee (as in the sale of a house, the buyer). The buyer conveys their ownership interest to the buyer, who receives the grant of the ownership interest. This almost universal method had one exception: Baltimore City. After 1851, Baltimore City began to use the block index. Instead of tracking real estate activities by the names of the parties involved, the City tracked the actual history by the physical location of the property itself. Every parcel in Baltimore City appeared on a certain block plat, and was assigned a specific identification number. Transactions related to that particular parcel of land with that particular block identification number were located in a particular block index covering a specific period of time. As there were occasional errors, mis-indexing or parcels of land that for one reason or another did not appear in its proper index, there was a "safety net" for such transactions: what is referred to as the unlocated index.

Hence, in an abstract of a parcel of land in Baltimore City, one needed to run the block indices and the unlocated indices as well. By way of information, Baltimore City now employs the use of the grantor/grantee indices system.

Development of modern technologies emphasized the need to bring the various counties' land records offices into the 'modern age.' There was great disparity from one jurisdiction to another in terms of tools for ease of use. In order to create greater uniformity and efficiency, as well as introduce the use of said technologies into the land recording systems, the Land Record Office Improvement Fund was created to specifically provide funds for these purposes. Computerization of access to the land records in lieu of the old libers, electronic recording capabilities and other improvements, such as access to the land records via Maryland LandRec.Net are few of the goals. Some have been realized, while others, to date, have not been achieved.

As an important side note: as remote access to the land records is possible through Maryland LandRec.Net, title agents should consult with their underwriters as to their position regarding this practice as it relates to the issuance of policies of title insurance.

VI. How a Title Search is Performed and Reported

There are few items that an abstractor needs to perform a title search: a pen or pencil, a legal pad (8.5" x 14") tends to provide ample space, as well as physically fits well in a settlement file folder. Also recommended are a draftsman's scale and a protractor, in the event that it becomes necessary to 'plat out' the legal description. Graph paper allows for more easily 'plating out' (drawing) a legal description. It can be taped together easily to create a larger drawing surface if needed.

Time itself is also a variable. Some title searches may literally take a few minutes...some days or weeks. The abstractor needs to approach the task with an open mind (and calendar) as to how long a particular search may take.

The process begins with the order for a title search. The party ordering the title search (usually a title insurance agency, an attorney/law firm or an underwriter) realizes that the more information that can be provided to the abstractor, the more quickly and efficiently he or she can begin their work in the land record office. Keep in mind that the entire settlement process is time sensitive (contract of sale expiration, loan lock expiration, lien sheet expiration, etc.), and by the time the order is usually placed with the abstractor, the actual settlement date is fast approaching.

The name(s) of the current owner(s) is provided, along with the mailing address and county in which the parcel being abstracted is located. If known, the tax identification number and a title deed reference will also be provided. In many cases, it is now common to obtain this information via the Internet through the use of the Maryland

State Department of Assessments and Taxation website. The abstractor will be informed if there are known liens (Deed of Trust, Mortgage, Home Equity or Second Mortgage, *etc.*), so that the abstractor is made aware to specifically account for these items in the search. The abstractor will go to the county courthouse of the appropriate jurisdiction, which is the location of the Land Record Office for that particular county. There, he or she will begin the actual work.

1. Reviewing the Title Deed

- a. Name(s) of the Current Owner(s), noting spelling thereof, as well as any observed OR suspected derivations or the name
- b. Name(s) of the Seller(s), with the same attention to details heretofore
- c. Date of the Deed on face page
- d. Date of Recordation on last page or wherever located. This is the date and time the instrument came "of record." This fact is critical as Maryland is a "race notice" state, meaning the first to record an instrument in the land records establishes priority of record
- e. Confirm the 'grant and convey' clause
- f. Is the title Fee Simple or Leasehold (Deed or Deed of Assignment)?
- g. What is the tenancy of the owner(s): Tenants by the Entireties, Joint Tenants, Tenants in Common or Sole Tenant? This fact is critical as it effects how judgments and liens are evaluated and treated.
- h. The legal description is carefully reviewed. Throughout the entire search, the legal descriptions from deed to deed should be IDENTICAL. There are legitimate reasons why there could be some differences (outconveyances from master parcels, minor subdivisions, *etc.*) but will go beyond the scope of this presentation
- i. The previous deed reference is noted from the Being Clause. This will come into play as the chain of title is assembled.
- j. Are there rights of survivorship cited?
- k. There are many other considerations in reviewing the title deed, but the heretofore information is essential in order to perform the title search. EVERY WORD should be read, with special attention paid for references to restrictive covenants, life estates, easements, or any other matters that are being divulged by the deed.

2. Preparing the Chain of Title

- a. The deed references from each being clause are noted on a worksheet, citing the name(s) of grantors and grantees, the type of instrument (*i.e.*, deed or deed of assignment), the date of the instrument and the recording date.
- b. This practice is done, deed by deed, until the customary search period of sixty (60) years, or another mutually agreed upon period of time has been accounted for in the chain.

- c. From the chain, the worksheets for the actual title search are prepared, taking into account when a part(ies) came into title until the time that the instrument taking them out of title was recorded.

3. Preparing the Worksheets/Conducting the Grantor/Grantee/Judgment Searches

- a. The current owner(s) will have their name(s) and all derivatives 'run' in the appropriate grantor and grantee indices from the date on the face page of the deed to the most current date that the land records are 'good through.' This is NOT the date on which the abstractor's is working- it is the date through which all instruments presented for recordation have been posted.
- b. All remaining part(ies) will have their names and if applicable, derivatives ran in the grantor indices from the time they 'came into title' (date on the front of the deed) to the time they 'went out of title (the recordation date).
- c. Grantee indices may need to be run if warranted (*i.e.*, a release of lien is believed to be 'of record')
- d. ANY findings are noted on the worksheet, and will be visually reviewed by the abstractor prior to the issuance of the title abstract summary report.
- e. In most jurisdictions, a judgment report can be purchased on any and all names requested. This report discloses, of record, in the courts noted therein and the requested jurisdiction, any actions or cases docketed against the name as it appears on the report. This would include US Court, District Court, and the Circuit Court. Judgments, Bankruptcies, Foreclosures, State, and Federal Tax Liens as well as any matters noted thereon MUST be researched for applicability and status. These reports are customarily ordered on the names of individuals who have been in title in the last twelve (12) years. Also, as a result of historical changes in the enforceability of certain tax liens as they can pre-empt purchase money deeds of trust, US Courts judgments are also ordered on the BUYER(S). The abstractor will consult with his or her customer as to how the title company/attorney wants this area addressed.

4. Review of Findings

- a. EACH AND EVERY FINDING will be reviewed by the abstractor, WORD BY WORD; to be sure that there was nothing reviewed that requires additional searching.
- b. A separate worksheet is prepared, to assemble and make note of any and all items that need to be disclosed on the final report, or require additional attention
- c. Copies of all instruments **known** to be of import or **even suspected** of needing attention should be obtained, noted on the summary report and

provided along with the report. Keep in mind: the abstractor reports any and all findings- he or she is NOT the title examiner/title attorney. It is NOT in the abstractor's purview to edit findings- but to fully and faithfully report any and all matters discovered in the process of searching the title.

- d. Copies of all worksheets and chain of title should be carefully **RE-viewed**, to be sure that nothing was inadvertently omitted or unaddressed.
- e. When the abstractor is sure that he or she has completed the title search, and there are no unaccounted for interests or items that require additional work, the title summary report and package of materials that accompany it can be prepared for submission

5. Preparing the Title Summary Report

- a. Every abstractor develops their own format for conveying the information, but there are several key items that appear on all reports
 - i. Name(s) of current owner(s) AS THEY APPEAR on the title deed
 - ii. Tenancy as held by owner(s)
 - iii. How title is held (Fee Simple or Leasehold)
 - iv. The title deed reference
 - v. Open (unreleased of record) mortgage(s) or deed(s) of trust
 - vi. Restrictive covenants, easements, agreements, etc. (if any found)
 - vii. Open (unreleased, unsatisfied, NOT dismissed) judgments, liens
 - viii. Tax identification number, and amount/status of taxes (paid or open)
 - ix. A "notation" area for any and all matters that the abstractor has found that might require further inquiry
 - x. The 'thru date' that the land record information was current to
 - xi. The date that the work is being submitted to customer
 - xii. Signature of abstractor
 - xiii. Legal Disclaimer
 - xiv. Copies of any and all instruments as needed
 - xv. Copies of all worksheets and chains of title

Title Report Summary
ABC Abstracting Company

Client Case No: _____ Date Ordered _____

Property
Description _____

Fee Simple/Leasehold Title Vested in

By Virtue of Deed/Deed of Assignment dated _____ and recorded
on _____ among the Land Records of _____
City/County in Liber _____, Folio _____.

Subject to the following:

1. Mortgage/Deed of Trust securing _____
Dated _____ and Recorded _____ in Liber _____ Folio _____
2. Mortgage/Deed of Trust securing _____
Dated _____ and Recorded _____ in Liber _____ Folio _____
3. Mortgage/Deed of Trust securing _____
Dated _____ and Recorded _____ in Liber _____ Folio _____
4. Judgments, Liens or Actions at
Equity _____

5. Restrictions or
Covenants _____

6. Easements, Rights of Way, Agreements and
Plat(s) _____

State and County Tax Information: I.D. Number _____
Front _____ Special Assessments _____ Total Amount
Foot Due _____ (paid/unpaid) (annual/semi-annual)
_____ through _____

Town or Municipal Taxes _____ Special Assessments _____
Total _____ Paid through _____

Remarks or
Notes: _____

Land Records Office "Good Thru" Date _____

Abstracted by _____

Test Questions

(1) In the "Being Clause" of the title deed, an abstractor can find the following information:

- A. Where the seller obtained their ownership interest
- B. The volume number of the land record book where it can be found
- C. The page number of the land record book where it can be found
- D. The initials of the Clerk of Court during that time period
- E. A, B, and C
- F. B, C, and D
- G. All of the above

(2) Prior to the creation of the Land Office in 1680, matters of land ownership were left to:

- A. The Governor
- B. The Secretary of the State
- C. An appointed Register
- D. A or B
- E. B or C
- F. All of the above
- G. None of the above

(3) The Land Record Office Improvement Fund was created to provide funds for

- A. Removing the disparity of land recording tools from one jurisdiction to another
- B. Computerizing Land Records Offices across Maryland
- C. Improving ease of access to records across jurisdictions
- D. Creating uniformity in record-keeping throughout Maryland
- E. Increasing efficiency in record-keeping
- F. C, D, and E
- G. All of the above

(4) Tools that aid abstractors in their task include

- A. Legal pads
- B. Drafting tools
- C. Pens and pencils
- D. Graph paper

- E. Time
- F. A, C, and E
- G. All of the above

(5) When the title search is requested, an abstractor will typically be provided with

- A. The mailing address of the parcel
- B. A tax identification number, if known
- C. Any known previous title issues, if known
- D. Any known liens
- E. All of the above, except B
- F. All of the above except C
- G. All of the above

(6) and (7) : **Select two**: Two steps to completing the Title Report are:

- A. Reviewing the Title Deed
- B. Preparing the Chain of Title
- C. Preparing the Worksheets/Conducting Searches
- D. Reviewing the Findings
- E. Preparing the Title Summary Report

(8) When preparing the Title Summary Report, these items must be included:

- A. Tenancy as held by owner or owners
- B. Open judgments and liens
- C. A plat (drawing) of the legal description
- D. The date the work is being submitted to the customer
- E. A, B
- F. A, B, and C
- G. A, B, and D
- H. All of the above
- I.

9 Through 22 are either true or false.

(9) One must complete an abstracting course and take a state licensing examination to become a Maryland Certified Abstractor.

(10) Maryland law includes a statutory requirement preventing claims against a title longer than 60 years past.

(11) Searches performed on commercial transactions should go back 60 years or more.

(12) The use of plat files shortens the search time.

(13) In some states, abstractors and agents have been accused of the unauthorized practice of law.

(14) The title abstract is an important precursor to an Attorney Opinion Letter.

(15) If an error in an abstract leads to a claim, the agent's errors and omissions insurance pays before the underwriter is involved.

(16) Charles Calvert, 3rd Lord of Baltimore created the Land Office in 1660.

(17) In early Maryland, legal descriptions were done by surveyors.

(18) Metes and bounds are courses and distances.

(19) Centralized Land Record Offices may serve several counties.

(20) Date of recordation is not essential because Maryland is not a race notice state.

(21) Tenancy effects how judgments and liens are evaluated.

(22) Seasoned abstractors are able to edit their search carefully, providing only essential information.

Answer Sheet
Title Abstracting & the Title Search

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