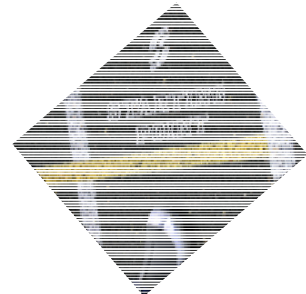


Base Title

Where to Begin the Search

What is Base Title?

- A point in time in the past to begin search and examination of title for insuring purposes
- Not ordering a Fund product find that starting point from:
 - Prior Title Policy
 - Title Assumption Certificate
 - Title Search Report, etc.
- Fund Product will complete this task for you




6 Possible Sources of Base Title

- I. Prior policy - **same** lot or unit
- II. Prior policy - **same** lot + **additional** land
- III. Title Assumption Certificate issued by The Fund – same lot
- IV. Prior Fund or ORNTIC policies - nearby lots same subdivision
- V. Plat or Declaration - at least 7 years of record
- VI. Title Search Report issued by The Fund

All Searched Should Include

- Run a 20-year name search
 - All parties having had an ownership beginning with base title
- Exceptions in prior policies carried forward to Schedule B of new commitment, unless cleared of record

I. Prior Policy – Same Lot or Unit

- Best source of base title: easiest & fastest
 -  - Helps when ordering new commitment
- Prior policy covering exact same lot to be insured may be current owner or prior owner, including
 - Legal description
 - Recording information
 - Type of policy
 - Amount of policy &
 - Policy serial number, if known
- Begin search
 - Owner's Policy – search from prior effective date or
 - Loan Policy – search from recordation of mortgagor's deed

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II. Prior Policy – Same Lot + Additional Land

- Prior covering exactly the same lot to be insured, & **additional land**
 - Legal description
 - Recording information
 - Type of policy
 - Amount of policy &
 - Policy serial number, if known
- Some prior policy exceptions may be inapplicable to proposed insured land
- Begin search
 - Owner's Policy – search from prior effective date or
 - Loan Policy – search from recordation of mortgagor's deed

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III. Title Assumption Certificate – Issued by The Fund

- Title Assumption Certificate (TAC) is a title information product provided by a Fund Branch
- Available on **some** Plats & Declarations of Condominium in various Florida locations
- To determine availability
 - Contact Branch or
 - Use ATIDS
- Begin search from **recording date of the Plat/Declaration** as stated on TAC



IV. Prior Fund or ORNTIC Policies – Nearby Lots/Units

- Policies on nearby lots/units in same platted subdivision or condominium
- Prior Fund or ORNTIC policies only
 - Minimum two prior policies, three better
 - Issued by separate agents
- Locate lot to be insured on Plat
 - Not every lot in same platted subdivision has same restrictions & easements
- Assume developer's title was good
- Begin search from **conveyance out of developer**



V. Plat or Declaration – At Least 7 Years of Record

- Once Plat/Declaration recorded of record for at least 7 years
- Assume developer's title is good
- Verify release of developer's mortgage(s) as to lot to be insured
- Member must examine Plat for specific lot for particulars
- Exceptions & restrictions on subdivision must be carried forward to Schedule B of new commitment & policies to be insured, unless cleared of record
- Begin search from **deed into developer**

VI. Title Search Report

- Title Search Report (TSR) is a Fund unexamined branch product
- Delivery of all organized title related documents from base title to present for your examination
- All instruments must be examined by Fund member or paraprofessional to determine ownership & applicable restrictions & exceptions for preparation of commitment and policies
- Begin search **was determined by The Fund**

Ordering Most Common Fund Products

- Unexamined products
 - 07 – Title Search Report
- Examined products
 - 20 – Commitment only
 - 24 – Commitment and Final Policy
 - No review of policy only typing of final policy



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Resources

- In this chapter of Course Manual
- Examples
 - Prior Policy
 - Title Assumption Certificate
 - Title Search Report
- Concept articles
 - “Base Title –Using Prior Policies Covering Other Parcels Within the Same Development,” 34 *Fund Concept* 135 (Sept. 2002)
 - “Fund and ORNTIC Policies as Base Title,” 44 *Fund Concept* 23 (Mar. 2012)



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Special Consideration

- Proposed Policies Over \$1 Million
 - Member **must** have approval from Underwriting unless they are working with a branch prepared commitment in excess of \$1 Million
 - Assess risk of claims and to establish exceptions and exclusions