

50 COMMON TITLE PROBLEMS

THIS IS WHY YOU NEED TITLE INSURANCE



- 1) Forged deeds, mortgages, satisfactions, or releases of mortgages and other instruments.
 - 2) False impersonation of the true owner of the land or of his consort.
 - 3) Instruments executed under fabricated or expired power of attorney.
 - 4) Deeds apparently valid but actually delivered after death of grantor or grantee, or without the consent of the grantor.
 - 5) Deeds by persons of unsound mind.
 - 6) Deeds by minors. Minors may not enter into legal contracts, and thus a deed granted by a minor is not valid.
 - 7) Deeds not properly delivered or accepted by buyer are not valid.
 - 8) Deeds which appear to convey title but are really mortgages.
 - 9) Outstanding prescriptive rights not of record and not disclosed by survey.
 - 10) Descriptions apparently but not actually adequate.
 - 11) Duress in execution of instruments.
 - 12) Defective acknowledgment due to lack of authority of notary.
 - 13) Deed of property recited to be separate property of grantor but which is in fact community or joint property.
 - 14) Deeds by persons apparently single but actually married.
 - 15) Deed from bigamous couple -- prior existing marriage in another jurisdiction.
 - 16) Undisclosed divorce of spouse who conveys as sole heir of deceased consort.
 - 17) Undisclosed heirs, either legitimate or illegitimate, may have rights to the property.
 - 18) Misinterpretation of wills, deeds, and other instruments.
 - 19) Birth or adoption of children after date of will.
 - 20) Children living at date of will but not mentioned therein.
 - 21) Discovery of will of apparent intestate.
 - 22) Discovery of later will after probate of first will.
 - 23) Administration of estates and probate of wills of persons absent but not deceased.
 - 24) Conveyance by heir, devisee, or survivor of a joint estate who murdered the decedent.
 - 25) Deed from trustees of purported business trust that is in fact a partnership or joint stock association.
 - 26) Deed of executor under nonintervention will when order of solvency has been fraudulently procured or entered.
 - 27) Deeds to or from corporations before incorporation or after surrender or forfeiture of charter.
 - 28) Claims of creditors against property conveyed by heirs or devisees within prescribed period after owner's death.
 - 29) Mistakes in recording legal documents.
 - 30) Recorded easement, but erroneous actual location of pipe or sewer line, which does not follow route of granted easement.
 - 31) Special assessments that become a lien upon passage of resolution, before recordation or commencement of improvements for which assessed.
 - 32) Want of jurisdiction of persons in judicial proceedings.
 - 33) Failure to include necessary parties in judicial proceedings.
 - 34) Federal estate and gift tax liens.
 - 35) State inheritance and gift tax lien take precedence over other creditors excepting the federal government.
 - 36) Errors in tax records.
 - 37) Ineffective waiver of tax liens by tax or other governing authorities repudiated later by successors.
 - 38) Corporation franchise taxes as lien on all corporate assets, notice of which does not have to be recorded in the local recording office.
 - 39) Erroneous reports furnished by tax officials but not binding on municipality.
 - 40) Tax homestead exemptions set aside as fraudulently claimed.
 - 41) Lack of capacity of foreign personal representatives and trustees to act.
 - 42) Deeds from nonexistent entities.
 - 43) Interests arising by deeds to fictitious characters to conceal illegal activities on the premises.
 - 44) Deeds in lieu of foreclosure set aside as being given under duress.
 - 45) Ultra vires deed given under falsified corporate resolution.
 - 46) Conveyances and proceedings affecting rights of servicemen protected by Soldiers and Sailors Civil Relief Act.
 - 47) Federal condemnation without filing of notice.
 - 48) Break in chain of title beyond period of examination of public records where running of adverse possession statute has been suspended.
 - 49) Deed from record owner of land where he has sold property to another purchaser on unrecorded land contract and purchaser has taken possession of premises.
 - 50) Void conveyances in violation of public policy.
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**Let Chicago Title protect you and your clients
from future claims, or future losses of title,
due to the defects created by past events.**