

IOWA LAND TITLE ASSOCIATION
TITLE PLANT (TRACT INDEX) INSPECTION GUIDELINES FOR FIRST INSPECTIONS

The inspection shall be done knowing that every county recorder's records and every title company's indices are unique and that strict guidelines will not fit all situations.

It shall be the intent of this inspection to determine whether the tract indices being inspected are sufficient to run a search for any specific tract of real estate in said county and to have said search reveal all instruments of record in the County Recorder's Offices of said county which affect that tract. Said search shall be from government entry or for the last forty (40) years as requested by the applicant. Said tract indices shall be current to within thirty (30) days of the date of inspection.

TITLE PLANT INSPECTION COMMITTEE

The Title Plant Inspection Committee will consist of at least one member from each Iowa Land Title Association region. It shall be this Committee's duties to set policy for the title plant inspections and to modify these requirements as needed for ILTA Board approval

INSPECTION PROCEDURES

Upon application for inspection, the ILTA Executive Director or Title Plant Inspection Committee Chair will appoint two (2) inspectors to complete the title plant inspection. The company to be inspected shall have the option to request an alternate inspector(s) if they should find the appointee(s) unacceptable. In addition to the inspection fee paid to the Iowa Land Title Association, copies of documents obtained for the inspection will be charged to the inspected company's account with the County Recorder. The inspection team will arrange with the applicant a convenient time to do the inspection and complete the inspection in accordance with the guidelines adopted by the Iowa Land Title Association Board of Directors. The team will then compile their findings and mail or email the completed Inspector's Worksheet, supporting documents and notes to the Iowa Land Title Association's Executive Director.

INSPECTION

The inspection team will randomly select and document recorded instruments from the following categories:

Deeds: Two (2) deeds per decade for the most recent forty (40) years. The inspectors shall select a mix of deeds conveying subdivided and un-subdivided tracts. For complete inspection from government entry, three (3) additional deeds shall be selected from the years prior to the most recent forty (40).

Easements: Two (2) easements per decade for the most recent forty (40) years. The inspectors shall select a mix of easements conveying subdivided and un-subdivided tracts. For the complete inspection from government entry, three (3) additional easements shall be selected from the years prior to the most recent forty (40). (Note: Depending on the county, easements may be recorded in the Deed Records or the Miscellaneous Records or both. Check with the County Recorder.)

Plats: One (1) plat per decade for the most recent forty (40) years. The inspectors shall select a mix of plats including proprietor's subdivision plats, plats of survey, and auditor's plats. In the case of subdivision plats and auditor's plats, a check will need to be made to be certain that the said plat is referenced in the tract index for the parcel from which that plat originated. For the complete inspection from government entry, three (3) additional plats shall be selected from the years prior to the most recent forty (40).

Mortgages: Eight (8) unreleased mortgages for the most recent twenty (20) years. (Newly built plants would have no released mortgages). The inspectors shall select a mix of mortgages encumbering subdivided and un-subdivided tracts. It is acceptable to have a mix of eight (8) unreleased and released mortgages if inspecting a long-established title plant.

Miscellaneous Documents: Seven (7) instruments. The instruments will include affidavits, contracts, forfeiture of contracts, powers of attorney describing real estate and, if possible, leases. The inspectors shall select a mix of these instruments to include at least one (1) from each category, distributed proportionately across the review period. For the complete inspection from government entry, three (3) additional instruments shall be selected from the years prior to the most recent forty (40).

NOTE: 40% of the total documents pulled for the inspection must describe land in either multiple sections or lots in multiple blocks or multiple subdivisions. The 40% requirement does not need to come equally from each separate category of documents pulled, i.e. Deeds, Easements, Plats, Mortgages and Miscellaneous, but the total of all documents pulled would need to comply with the 40% requirement.

After selection of the above instruments, the inspection team shall have the staff of the company demonstrate how their tract system works, inspect the indices for obvious gaps in posting and check for recent postings to determine if they are current to within thirty (30) days. The inspection team shall then present the documents that they secured as outlined above as follows: For each document, the team shall give the company staff the Lot, Block, Subdivision or Section, Township, Range, ¼ ¼ legal description contained therein and the company will query their book, card, slip system or computer system title plant database for that legal description. The team will then give the company the recording date of the instrument to narrow the search period and also the type of the document and the company will then need to give to the team the recording or filing information for the document as found in their title plant database. If there are multiple lots or ¼ ¼'s in the document, the company shall then demonstrate that those additional parcels are indexed in their system.

STANDARDS FOR PASS AND FAIL

| <u>No. of misses</u> | <u>Status of the Plant</u> |
|----------------------|--|
| 0 | The plant would pass inspection. |
| 1 | The plant inspectors would pull records both chronologically and geographically proximate to the missed document. If no further misses are found, the miss would be determined to be a random error and the plant would pass inspection. If further misses are found, the misses would be determined to be a pattern error and the plant would fail and need to be re-inspected after correction of the pattern errors. |
| 2 | The plant inspectors would pull records both chronologically and geographically proximate to the missed documents. If no further misses are found, the misses would be determined to be random errors and the plant would pass inspection. If further misses are found on either miss, the miss(es) would be determined to be a pattern error and the plant would fail and need to be re-inspected after correction of the pattern errors. |
| 3 or more | The plant would fail the inspection and must be re-inspected no sooner than sixty (60) days after the initial inspection. The application for re-inspection must include a statement of what steps were taken to assess the integrity of the plant and what steps were taken to remedy the plant errors. |

(NOTE: Any missed document that contains multiple parcels in different Sections would require that the additional sample pulled to check the missed document contain documents that also have multiple parcels in different Sections.)

PRESENTATION OF CERTIFICATE

The Executive Director shall have the appropriate certificate prepared for a successful title plant inspection, and make arrangements for presentation of said certificate to the member applicant at next regional meeting or the annual meeting of the Iowa Land Title Association. The Executive Director shall also prepare a press release (with photograph if possible) to be delivered to the applicant if requested. Non-ILTA members will have their certificate mailed.

APPEAL AND REVIEW

Should the Inspection Team not recommend an inspected company for approval, that company has the right to appeal that decision to the Title Plant Inspection Committee. Upon receipt of an appeal the Title Plant Inspection Committee shall arrange for an inspection of said title plant by three (3) of its members. Based upon their inspection, including the deficiencies listed in original inspection, they shall decide if said company's tract indices meet the Iowa Land Title Association's requirements. Should the Title Plant Inspection Committee also decide that the inspected company does not meet the requirements, they shall recommend to the inspected company what action would need to be taken for approval.

NOTICE OF DISCLAIMER

The Title Plant Inspection Committee of the Iowa Land Title Association (ILTA) has made every effort in its inspection and certification of title plants to ensure that said title plants meet the minimum standards of the ILTA in accuracy and completeness. However, no liability is assumed by ILTA, its officers, directors, committee members or employees in the inspection and certification of any title plant, either verbally, in writing or on the ILTA website. No warranty, either expressed or implied, is granted from ILTA to anyone utilizing any title plant inspected and certified by ILTA, whether directly in preparation of title search products or indirectly in the interpretation and/or examination of title search products.