Twenty Helpful Title Research Tools Found Outside of the Land Records

Description

Article by Michelle L. Statz & Jerry C. Booth, Jr.

Title research is typically associated with examining public land records to confirm ownership and to uncover any outstanding claims or encumbrances against a property. However, there are instances where additional sources and methods, outside of traditional land records, are very helpful in discovering more information about a particular property. A survey is one example of an â??off-recordâ?• method of uncovering more critical information about a title that is often not shown by the traditional land records, such as parties in possession, encroachments, or roads crossing the property. But, there are also other readily available resources and tools that can be quite helpful to title examiners and underwriters. This article explores some of these additional resources.

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1. **Geographic Information System (GIS).** Most jurisdictions have their own GIS sites where specific tax parcels may be viewed. It is useful to see the boundaries as shown on the ground in comparison with the boundaries recognized by the jurisdiction. While these cannot always be relied on as they are not always up to date, and are at times (especially in rural areas) almost entirely incorrect, they can be helpful in many cases to alert the examiner or underwriter to possible encroachments, where the propertyâ??s physical access may be, what other parcels may use an access road or easement across the subject property, and things of that nature. While this is certainly not a substitute for a survey, this information can prove helpful in many instances.
2. **Bing or Google Maps**. These are useful for many of the same reasons GIS is helpful, and the aerial photos are typically of very good quality. Often, the GIS sites provide a link to these aerials.
3. **Virginia Department of Transportation (VDOT) Road Database**. VDOT maintains a searchable database of roads that it maintains. This can be very useful for ascertaining if a property has access via a public road. https://www.virginiaroads.org/datasets/responsibility-master-route/explore
4. **Deed Plotter & Tract Plotter.** These allow the user to enter metes and bounds calls in order to plot a legal description. These are particularly helpful when a description is difficult to plot by hand, and to determine if the legal description closes. Some websites include https://deedplotter.com and http://tractplotter.com/. Some apps for your iPhone and Android that allow you to plot a legal description on your phone or tablet include Metes and Bounds Basic and Metes and Bounds Pro.
5. **Accurint & TransUnion/TLO**. Searches can be run on these sites for social security numbers and aliases in order to rule out or confirm that a lien is against anyone in your chain of title. These sites are also useful for curative matters, such as tracking down individuals for corrective deeds and deeds of trust. TLO reports link possible relatives so that it is possible to find additional information regarding potential descendants, spouses and other relatives in estate matters. www.tlo.com and www.accurint.com.
6. **Mortgage Electronic Registration System (MERS).** Many institutional deeds of trust and mortgages show MERS as the beneficiary on the instrument. The instrument is then assigned a

MERS Identification Number (MIN), which is a unique 18-digit identifier. This allows transfer between servicers and beneficiaries without the need for a formal assignment. A search in the MERS website will reveal the identity of the servicer, and if the note is currently active or inactive. This can be helpful in determining the noteholder or servicer, and if an unreleased deed of trust is still active. However, like most systems, it is not always accurate. https://www.mers-servicerid.org/sis/

7. **Public Access to Court Electronic Records (PACER)**. In instances where one of the parties to a transaction files bankruptcy, ordinarily an automatic stay is imposed with respect to that debtor and its assets. This normally includes precluding the debtor from conveying or encumbering real estate. Further, a discharge or avoidance of a lien can affect the status of existing liens against the title. While a full discussion of how bankruptcy affects title is beyond the scope of this article, PACER is the best way to check to see if any parties to a transaction are in bankruptcy, if any liens can be eliminated from title, if there has been an Order granting relief from the automatic stay, or whether a sale free and clear of liens has been ordered or sought. PACER is also useful when reviewing any federal cases, including federal seizures and forfeitures. Generally, a PACER subscription is free, but saving or printing copies is $0.10 per page. However, if $30 or less is spent in one quarter, the fees are waived. https://pacer.gov.

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8. **Federal Deposit Insurance Corporation (FDIC) Failed Bank List.** This site lists failed banks for which the FDIC has appointed a receiver, as well as the institution that acquired the failed bank. This site is also useful for tracking down a lender for payoffs and certificates of satisfaction. https://www.fdic.gov/bank-failures/failed-bank-list

9. **Bank Mergers.** Tracking down the noteholder for some deeds of trust, especially older ones, can be challenging. Often, the original lender has been acquired by another bank by merger, and such mergers typically result in a transfer of the assets of the acquired lender, including mortgages and security instruments, to the surviving entity. The following sites can be helpful in finding such mergers and the identity of the acquiring lender.
https://banks.data.fdic.gov/bankfind-suite/bankfind
https://en.wikipedia.org/wiki/List_of_bank_mergers_in_the_United_States
10. **Virginia State Corporation Commission (SCC) Entity Search.** Entity issues arise frequently for examiners, underwriters and attorneys. The SCC website is useful to ascertain incorporation information, mergers, directors, members, as well as showing the status of the entity, whether it be in good standing, inactive or terminated. You can also access many filings made by the entity to the SCC. The filings can be very useful for any entities for which there are no customary entity documents, such as an operating agreement. https://cis.scc.virginia.gov/EntitySearch/Index
11. **Virginia Courts Case Information.** On this website, the user can do a free search for names associated with case filings, and view any online dockets and services. While copies are not available on the free site, this can be helpful to determine if a case has been filed (especially if a *lis pendens* is filed in the land records) and some general case information. For example, one can determine if a church has petitioned the court for authority to sell or encumber real estate, if a divorce decree has been entered, appeals, and any other actions that may have been filed in the Virginia courts. www.courts.state.va.us
12. **Google.** Google is a great tool to search for so many things, including obituaries and proofs of death. An obituary can contain information about spouses and children, and is very helpful as a starting place for estates where there is limited or no information at the courthouse, and as additional confirmation of the veracity of filed lists of heirs.

13. **Find A Grave.** This is a free site that contains uploads of gravesite information, photos, links to possible relatives and spouses, and listings of cemeteries and those interred therein. Some even include the corresponding obituary. It is also useful for dates of death and possible relatives. www.findagrave.com
14. **Ancestry.** Ancestry is a subscription site that is often used for genealogical research. Depending on your subscription and the jurisdictionâ??s public records laws, you can access birth records, marriage and divorce records, death records, obituaries, and old census records. Often, people upload family trees they have created and even old high school photos. www.ancestry.com
15. **Code of Virginia**. https://law.lis.virginia.gov/vacode
16. **Caselaw, Forms, Statutes and Other Legal Research**
    Westlaw: www.westlaw.com (Subscription Required)
    Lexis: www.lexis.com (Subscription Required)
    FastCase through the Virginia State Bar: www.vsb.org
17. **Library of Virginia.** The Library of Virginia houses a comprehensive collection of land patents and grants, which are essential for genealogical and historical research in Virginia. These records document the transfer of land ownership from the colonial government to individuals, providing valuable insights into early settlement patterns and land distribution. lva-virginia.libguides.com

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Scope of the Collection:

- **Land Patents (1623â??1774):** These documents were issued by the colonial government to individuals, granting them ownership of unappropriated land. They often include details such as the granteeâ??s name, the amount of land, and the location.
- **Land Grants (1779â??2000):** Following the colonial period, the Virginia Land Office continued to issue land grants, which are also part of this collection.
- **Northern Neck Proprietary Grants and Survey Plats (1690â??1874):** This subset includes grants and survey plats for the Northern Neck proprietary, a unique land grant system in Virginia.

Accessing the Records:

The Library of Virginia provides online access to these records through their digital archives. Researchers can browse chronological lists of Virginia Land Office patent and grant volumes, as well as Northern Neck Proprietary grants and survey volumes. lva-virginia.libguides.com

Additional Resources:

- **Research Notes:** The Library offers research notes that provide guidance on using land patents and grants in genealogical research. These notes include information on related resources and methodologies. lva.virginia.gov
- **FamilySearch:** FamilySearch provides access to Virginia land and property records, including land patents. These records can be valuable for genealogical research. familysearch.org

While this site has too many resources to mention, one additional feature is that it allows you to search Virginia newspapers that they have scanned. Another resource is that it has the records of W.W. LaPrade & Sons Surveyors, beginning around 1800. https://www.lva.virginia.gov

18. **Virginia Museum of History and Culture (fka Virginia Historical Society).** This site has old Lawyers Title Insurance Corporation files on subdivision plats, CCRâ??s and easements.

https://virginiahistory.org

19. **University of Virginia Library.** A great resource for historical families and land grants, as well as things such as the Plan of Fredericksburg Development Company. https://www.library.virginia.edu/

20. **ChatGPT.** ChatGPT has so many helpful uses, one of which is that it can be used to transcribe or help decipher old deeds of poor quality or nearly illegible handwriting. If you are working from a desktop, start by opening your browser and heading to www.chatgpt.com. If you donâ??t already have an account, you will need to create one (it is free to start). Once logged in, open another tab where your deed is saved, whether it is a scanned PDF or an image file. Then, in ChatGPT, click on the paperclip icon in the chat box to upload your document. If your deed is a PDF, you can drag and drop it directly into the chat, and ChatGPT will process the text for you. If the deed is handwritten or faded, ChatGPT will do its best to transcribe what it can, and you can also ask for clarification on unclear sections. That being said, as with most technology, it is certainly not fool-proof, and can sometimes be very inaccurate. Often the deed is of such poor quality that it is simply impossible to decipher the document accurately. As such, though Chat GPT can often be very helpful, the careful user will compare the Chat GPT results with his or her own reading, and possibly note that such interpretation may not be 100% accurate, but is the result of the examinerâ??s best efforts to interpret the document. Always be careful not to enter nonpublic personal information (NPI) or other sensitive or confidential information into any artificial intelligence (AI) program. ChatGPT is open source, so everything that you upload becomes public information. Always avoid uploading anything into ChatGPT or any other AI program that you would not want to be made public.

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Michelle L. Statz
Vice President
Virginia & West Virginia Underwriting Counsel
The FNF Family of Companies
Direct: (804) 287-0932 |Michelle.Statz@fnf.com

Michelle Statz is Vice President and Virginia & West Virginia Underwriting Counsel for The Fidelity National Financial Family of Companies, which includes Fidelity National Title Insurance Company, Chicago Title Insurance Company and Commonwealth Land Title Insurance Company. Michelle graduated from The College of William & Mary and then went to law school at the University of Richmond School of Law. She started with the Company in 2008 as Claims Counsel for Lawyers Title Insurance Corporation in Richmond. She was later promoted to a Senior Claims Counsel in our Jacksonville
Claims Center where she focused on complex and high-exposure Virginia claims. Michelle is currently an Underwriting Counsel, assisting Central Virginia residential and commercial agents and attorneys with title
insurance issues and any associated risk analysis. Michelle is a member of the Virginia State Bar and frequently presents seminars and webinars on various
title insurance and real property issues. She lives in Ponte Vedra Beach, Florida, where she enjoys golf and playing on the beach with her dogs, Abby & Duncan.

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Jerry C. Booth, Jr.

Jerry has practiced in real estate and title insurance for over 30 years, and is currently Underwriting Counsel in Virginia and West Virginia for Fidelity National Title Insurance Company. A graduate of Wake Forest University and the University of Richmond School of Law, he was previously a title attorney, agency counsel and claims counsel for Lawyers Title, LandAmerica and Fidelity. Before joining Fidelity in 2016, he was engaged in the private practice of law where his practice focused on commercial real estate transactions and real estate and business related litigation.

Category

1. Record Room
2. Title Examination
3. Uncategorized

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vltaexaminer

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