

TESC
February 18, 2023
Stroud

Called to Order at 9:31

Motion made, seconded, and approved to accept January minutes

Hot Topics:

- Courses, distances, monuments, and rule of when monument prevails; does the monument still prevail if it moves; does it matter if it's a river and its metes & bounds instead of river lots; is any monument actually "permanent"
- How to grant an interest to an unmarried partner and protecting the owner
- Liens and encumbrances: does one include the other, when you include them on your opinion, what are you telling the reader about enforceability
- Amending covenants under statutory authority; how do you determine who the owners are; what do you place of record to show you've met the requirement for approval of a percentage of owners; is it required to state single or have spouse sign
- Tax deed and the statute of limitations on strips adversely possessed within the tax deed description
- Is tax sale valid where treasurer did not notify heirs of property owner where probate was done in a different county than where the property lies

Legislative update – pay particular attention to statutes with co-authors, bills with potential movement include default judgments, foreign ownership of real property, abstracting, documentary stamp tax.

Indian Title Standards – We have one standard published this year, and we have one that passed last year that will be included in this year's standards. We are ready to move forward with looking at more new standards.

TODDs – are there deficiencies in statutory form, is a blanket TODD valid, is substantial compliance sufficient, do you pass if the death certificate isn't attached, do you pass if marital status of decedent isn't attached, and can an agent execute a TODD with themselves as beneficiary. Further discussion in April.

Adjourned at 12:02 pm.