



Not all risks can be eliminated by a title search, since certain "hidden defects" like forgeries, identity of person, and failure to comply with the law, cannot be disclosed by an examination of the public records. Where the preliminary title commitment is an offer to insure under the certain circumstances, the title policy is contract, providing coverage against such "hidden defects."

THESE HIDDEN DEFECTS MAY INCLUDE:

A forged signature on a deed

Impersonation of the real owner

Mistakes in interpretation of wills or other legal documents

Deeds delivered without the consent of the grantor

Undisclosed or missing heirs

Deeds and mortgages signed by persons of unsound mind, by minors or by persons supposedly single but are actually married

Recording mistakes and missed recorded documents

Falsification of records

Errors in copying or indexing

In addition to indemnifying the insured against losses which result from a covered claim, the policy also provides for legal fees and defense against future claims against the property.

Extended Owner's and Lender's policies provide broader coverage and are available through the American Land Title Association (ALTA). Coverage is extended to certain matters that are off-record but which are generally discoverable by an inspection of the property or by questioning the parties in possession, such as:

Unrecorded Liens and encumbrances

Unrecorded easements

Unrecorded right of parties in possession

Encroachments, discrepancies, or conflicts in boundary lines

ALTA Policies are available for lenders or owners, and a "plain Language" ALTA Residential policy is also available for residential property of one to four units.



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