



THE KANSAS ABTRACTER

The Official Publication of The Kansas Land Title Association

Summer 2004

STEVE KIMBALL, Editor

Note from the President



Now that summer is here, we all face that crazy time of trying to get work completed as we fit in vacations for the staff, vacations for the owners (ha, ha), and resist the temptation to be out of the office on pretty days. It's a VERY good thing that I'm not a golfer!! (I'll bet I know where Gary Schmitz is most afternoons!) Hope your work continues as a "steady stream"!

Having attended the ALTA Legislative Conference and the Oklahoma Annual Convention during April, I've picked up more new ideas for our association. These occasions for sharing with other states are very valuable; and we've been of help to them as well, as I have filled requests for copies of Kansas statutes on a number of issues. New Mexico is trying to pass a law similar to our mobile home title surrender law, and they seemed thrilled to get copies of our bill and forms to complete the process.

In Washington, D. C. I was a presenter at one of the sessions as I was asked to discuss the 4-State Seminar that we hosted last fall. Hopefully Nebraska will be hosting a follow-up meeting next fall at which we expect to have all 4 states bring their executive boards. There was a lot of interest from other states in the idea of sharing our challenges so we don't continue to re-invent the wheel in our states, and ALTA's Exec. Dir., James Maher, seemed impressed with

what we accomplished.

Thanks to ideas we got from Oklahoma, we plan to have new membership packets available by convention time. We hope each member will attempt to recruit new members from their area, as there is strength in numbers.

May I once again encourage you to attend the 97th Annual Convention coming up in August. I don't recall any other time in our industry (although I speak from only 16 years of experience) when we faced such a drastic change in the "make-up" of our industry as we

face at this time. You need to hear our speakers tell you how to be profitable in the next phase of our business. We have great speakers planned and fun events scheduled; and the committee members – Doug Simmons, Chrm, Marsha Laner, Todd Lynch, Steve Kimball, and Linda Lea – have worked hard to make this a special event. You don't want to miss this "rumble in the jungle". So, we'll plan to see you in K.C. !

Your President,
Polly Epting



President Epting meets ALTA President

Left to Right: Mark Bilbrey, ALTA President Elect, Gary Epting, Polly Epting, Chuck Kovalski, ALTA President, Barry Schmulbach, Oklahoma Land Title Association Past President and Cara Detring, ALTA Past President

2004 LEGISLATIVE REPORT

NOTE: COPIES/STATUS OF BILLS MAY BE OBTAINED AT FOLLOWING WEB SITE: WWW.KSLEGISLATURE.ORG

Senate Bills:

29 - would amend the Kansas General Corporation Code to bring it into substantial compliance with the Corporation Code of Delaware, the law upon the Kansas Corporation Code has been based since 1939. Would permit "any authorized officer" of the corporation to convey any lands or interests therein by deed or other appropriate instrument of conveyance (replaces requirement for execution by "president, vice president or presiding member or trustee") - Signed by Governor on May 17, 2004. Effective January 1, 2005.

66 - discuss substantial changes in Kansas controlled business law. Signed by Governor on April 14, 2004. Effective January 1, 2005.

House Substitute for Senate Bill 272 - bill will permit state to file and enforce a lien against the real property of a recipient of medical assistance - Signed by Governor on May 17, 2004. Effective July 1, 2004.

328 - will allow a real estate licensee to file a lien for a commission against commercial real estate under certain circumstances - Signed by Governor on April 16, 2004. Effective July 1, 2004.

424 - transfer by warranty deed of real property into an inter vivos (living) trust shall not affect the coverage of any title insurance if, the settlor of such trust is and remains a beneficiary of such trust during the settlor's lifetime, upon the transfer taking effect, the trustee shall be deemed to be the insured, and the insurance coverage for such trust shall be subject to the defenses which the insurance company has under the policy against the original named insured. If the settlor is a beneficiary of such trust at the time of the transfer, the transfer of such property into such trust shall not affect any homestead exemption or redemption rights or cause a due on

sale clause or similar clause to be effective under a mortgage or security interest. Passed Senate. House Judiciary Committee has recommended passage. Rejected by House on May 3, 2004.

House Bills:

2554 - Amends the Kansas Power of Attorney Act which was passed in 2003. Makes some changes in use of power of attorney to alienate a homestead. Signed by Governor on April 12, 2004. Effective July 1, 2004.

2556 - Amends Kansas Uniform Trust Code clarifies that a trust may be created by a transfer to, and that any property may be acquired in the name of, the trust or in the name of the trustee. Signed by Governor on May 17, 2004. Effective July 1, 2004.

2597 - Rescinds the requirement for title insurance agents to carry errors and omissions insurance under KSA 40-241 from and after July 1, 2004. Signed by Governor on May 17, 2004.

Notes from The Education Committee

The Education Committee passed a resolution thanking Suzan Kimball for her years of service as chair of the Education Committee. Suzan stepped down effective March 31, 2004. The committee selected Doug Simmons as its new chair. Thank you Suzan for your many years of dedicated service. Congratulations and Good Luck Doug.

The Education Committee also passed new fees for title school.

Members	\$150.00
Non-Members:	\$195.00

Late Fee:	\$175.00
	\$220.00

Multi Registration Discount when three or more registrants from one office are attending will be \$135.00

per person or late for \$150.00 per person. No multi registration discount however for non KLTA registrants.

There will not be a change in fees for Continuing Education. KLTA has a policy of no refunds of fees for Continuing Education or Title School. If a member feels special circumstances exist they may request a determination by the Chair of the Education Committee. This is a clarification of the KLTA policy.

Helpful Website: www.hud.gov

Go to the right side of your screen and click on "Lenders" then click on RESPA.

Site is designed to answer Industry questions on complying with RESPA as well as Information on Recent Enforcement Actions.

Report of Nominating Committee

President - Lee Taylor

President Elect - Deborah Lewis

Vice President - Suzan Kimball

At Large Executive Committee Member 3 Year Term - Doug Simmons

At Large Executive Committee Member 3 Year Term - Glen McQueen

Fifth District Executive Committee Member - Jerilyn Stull

(to replace Suzan Kimball)

We're about to venture into the **JUNGLE**, a new experience for most of us!

Change has attacked our industry.

We don't know what is OUT there!

ARE YOU READY?



Here's what you need for the trip:

- **A RESERVATION!** At the comfortable new Sheraton Overland Park Hotel
- **MAGIC** from Billy Riggs, with a focus on Customer Service and Change
- **HELP** from great speakers like Anne Anastasi, an expert with AfBA's
- **NEWS** from Chuck Kovalski, ALTA President
- **ENTERTAINMENT** from some outstanding Kansas youth
- **COMPETITION** with a Title Triumph Tournament and prizes!
- **LUNCH** with KU's new women's basketball coach, Bonnie Hendrickson
- **SURPRISES** at Steamboat Arabia Museum, bring your kids!
- **GOLF** competition with MORE prizes
- **FOOD** at the banquet with a photographer on hand
- **EDUCATION** for those needing Credit Hours

Other surprises await you! Don't Miss this convention. You need the information, you need a few days away and you **DESERVE** the good food, great fellowship, and elegant facility that this convention will provide.

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HAPPY
BIRTHDAY

Norma Hannaford,

of Marion, who turned
100 years old on April 10, 2004.
Norma still holds her
Abstracter's license.
Congratulations
Norma!

Directory Updates

New email addresses:

Chautauqua County:
King Abstract and Title Inc.
kinglk@sbcglobal.net

Clay County:
Central Plains Title, LLC
cptitle@sbcglobal.net

Crawford County:
Strecker Title Agency, Inc.
streckertitle@sbcglobal.net

Stafford County:
Stafford County Abstract
abstract_title@earthlink.net

New address:

Lyon County:
Lyon County Title LLC
423 Commercial
Emporia, Kansas 66801

In Memoriam

Essie Marie Harsh Skeen
Council Grove
April 2, 2004

KLTA Kalendar

KLTA Annual Convention

August 19-21, 2004
Sheraton Hotel and
Convention Center
Overland Park, Kansas

KLTA Continuing Education

(4 hours)
August 20, 2004
Sheraton Hotel and
Convention Center
Overland, Park, Kansas

ALTA Annual Convention

October 6-9, 2004
The Westin Copley Place
Boston, MA

KLTA Title School

Marriott Hotel
Wichita, Kansas
February 9-11, 2005

KLTA Continuing Education

(4 hours)
Marriott Hotel
Wichita, Kansas
February 10, 2005

ALTA Annual Convention

October 6-9, 2005
New York Marriott Marquis
New York, New York

KLTA Title Schools

Marriott Hotel
Wichita, Kansas
February 8-10, 2006
February 7-9, 2007

KLTA Continuing Education

(4 hours)
Marriott Hotel
Wichita, Kansas
February 9, 2006
February 8, 2007

www.klta.org

Be sure to visit our website on a regular basis as current information is posted in a timely manner. If you ever have questions about KLTA check the website first.