



Michigan Search Standards

The following are the minimum Search Standards required for agents of WFG National Title Insurance Company when issuing a WFG title insurance product for land in the State of Michigan. Agents may elect to use a longer search period based upon their own personal experience and knowledge, local custom or upon the request of the proposed insured.

Agents may rely upon a Prior Owner's Policy issued by a Title Insurance Company, participating in the Michigan Mutual Indemnification Agreement ("MIA"), as a starter for its search. In order to use such a Prior Owner's Policy as a starter, the Agent must also confirm that the deed vesting title in the name of the insured on said policy has been recorded. And, search back 15 years for any undischarged future advance mortgages (such undischarged mortgages will require a letter of indemnity from the prior insurer according to the MIA).

As referenced in the following paragraphs, a ***Qualified Transfer*** shall mean a general Warranty Deed for value, transferring title to an arms-length (*bona fide*) purchaser, with a corresponding purchase money mortgage to an Institutional Lender.

I. 1-4 Family Residential Property

- A. For Vesting and Liens: Your search for vesting and liens will be to the last *Qualified Transfer*, UNLESS that last *Qualified Transfer* was recorded less than five (5) years ago, in which case, search back to the next *Qualified Transfer*. If there are no *Qualified Transfers*, search back to a general Warranty Deed for value, which is a minimum of 15 years old. If there are no such recorded Warranty Deeds, search back a minimum of 40 years for a recorded deed to begin your chain of title. Also, search back 15 years for any undischarged future advance mortgages.
- B. For Easements, Covenants, Conditions, Restrictions, etc.: Your search must be sufficient to identify those matters which affect the property.
 - (i) If the property description being searched is a subdivision lot (or lots), or a condominium unit(s), your search will begin with the Subdivision Plat or Condominium Master Deed.
 - (ii) For metes and bounds, or acreage descriptions, search back a minimum of 40 years.*

*For issuance of a 1-4 Family Residential Loan Policy, insuring a refinance or second mortgage ONLY, the following general exceptions may be used in lieu of searching for specific easements & restrictions.

1. Easements or servitudes, if any, appearing in the Public Records.
 2. Covenants, conditions and restrictions, if any, appearing in the Public Records.
 3. Interest of others in oil, gas and mineral rights, if any, whether or not recorded in the Public Records.
- C. Search all plats and available maps to: (1) determine if the property is bordered or affected by water, and (2) confirm that the property abuts or otherwise has access to a public road, and the nature thereof.
- D. Conduct a 20 year General Index Search for all parties in your chain of title.
- E. Contact local taxing authorities to determine the current and past status of taxes and special assessments.

II. Commercial and Multi-Family Residential (5 or more units) Property
(excepting Commercial Refinances and Second Mortgages – Up to \$5 Million)

- A. Search back a minimum 40 year chain of title for vesting, liens, easements, conditions, restrictions, etc.
- B. Search all plats and available maps to: (1) to determine if the property is bordered or affected by water, and (2) confirm that the property abuts or otherwise has access to a public road, and the nature thereof.
- C. Conduct a 20 year General Index Search for all parties in your chain of title.
- D. Contact local taxing authorities to determine the current and past status of taxes and special assessments.

III. Commercial Refinances and Second Mortgages (Up to \$5 Million)

Use standards shown for 1-4 Family Residential Property in item I, above.

IV. Michigan Mortgage Foreclosure Guarantee and Commitment.

- A. For Vesting and Liens: Your search for vesting and liens will be to a deed which is two (2) *Qualified Transfers* back. Also, search back 15 years for any undischarged future advance mortgages.
- B. Conduct a 20 year General Index Search for all parties in your chain of title.
- C. Check the U.S. Bankruptcy Court records for your current owner of record.
- D. Contact local taxing authorities to determine the current and past status of taxes and special assessments.
- E. Easements, covenants, conditions, restrictions, etc. need not to be searched.

V. Special Matters: Quiet Title Actions, Partitions, Tax Titles, Railroads, Native American Lands and Mineral Searches

- A. Title resulting from a Quiet Title Action, Partition or Tax Title requires approval by a WFG underwriter. For requests to insure such title, search in accordance with the Marketable Record Title Act and contact a WFG underwriter for direction.
- B. Searches of current or former Railroad land, Native American lands and Mineral interests constitute extra-hazardous risks and require specialized knowledge of these matters. Contact a WFG underwriter for direction.