



## **Title Search Standards for the State of Missouri**

### **Overview**

The following are the minimum Title Search Standards required for agents of WFG National Title Insurance Company when issuing a WFG title insurance product for land in the State of Missouri. 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 are required to follow Missouri law and regulations governing the procurement of title evidence in connection with the issuance of title insurance policies. To the extent there is any ambiguity or conflict between this set of standards and state laws and regulation, the latter controls.

#### **Title Plant Requirements**

Missouri requires the use of private Title Plants in connection with any title search that will serve as the basis for a title insurance policy. For WFG agents, a courthouse search may only be done in lieu of title evidence obtained from a Title Plant in the following circumstances:

- a. There is no Title Plant with sufficient depth available for the county. 20 CSR 500-7.200(2)(B).
- b. Title evidence cannot be obtained from any existing Title Plant in the county at a reasonable cost or within a reasonable time. 20 CSR 500-7.200(2)(C).

If an exception to the Title Plant requirement applies, a title search must be conducted using the "best title evidence available," in accordance with "sound underwriting practices." See Mo. Ann. Stat. § 381.071. In addition, if an exception above applies, the agent must document why the specific exception applies. See 20 CSR 500-7.200(3).

#### **Title Search Depth**

Whether title evidence is obtained through a Title Plant or by a direct search of the courthouse records, any title search must extend at least the past forty-five (45) years. See 20 CSR 500-7.200(1). In many circumstances, such as commercial property and mineral rights searches, an agent may be required to go back further than the minimum 45 years in order to determine all of the necessary ownership interests and encumbrances affecting title to a given property.

### **Use of Starters and Prior Title Evidence**

The use of prior title insurance policies is permitted to reach the minimum required search period for a given property. It must be clear from the policy that the title search upon which is the policy was based lists all matters affecting title to a given property for the minimum required search period.

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

Title resulting from a Quiet Title Action, Partition or Tax Title requires written approval from WFG underwriting. 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.