

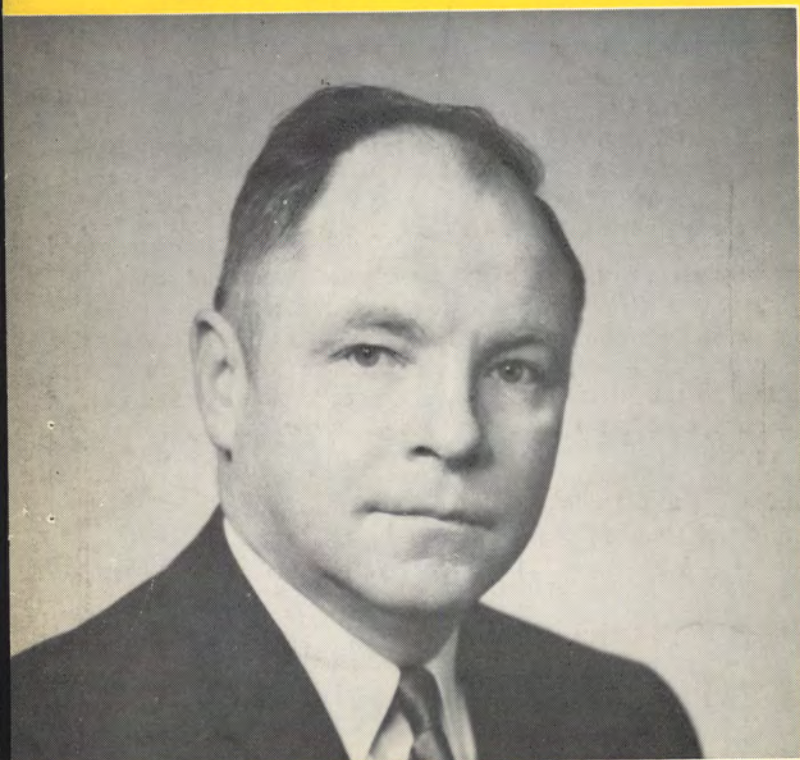
# TITLE NEWS

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***OFFICIAL PUBLICATION***

**American Land Title Association**



VOLUME XLIII

AUGUST, 1964

NUMBER 8



# A MESSAGE

*from*

## THE PRESIDENT

Fellow Members:

Most of the details have now been completed and we are looking forward to one of our greatest conventions — our 58th Annual Convention — in history-laden Philadelphia September 20 to 23.

Many outstanding speakers have been engaged, and all attending can be assured of an interesting, educational, and thought-provoking program with something for everyone. The ladies will find much to fill their time in the activities planned by Mrs. Lawrence Davis (husband Larry is President of Pennsylvania Land Title Association) and Mrs. Andrew Sheard (husband Andy is General Chairman of the convention). And plan to arrive in time for the ice-breaker and reception Sunday evening, September 20th, sponsored by the Pennsylvania Land Title Association.

In my many visits to state conventions I have learned and am happy to report that with very few exceptions business is good the country over. Some title people are reporting this one of their best years. If you are one of those enjoying your best year, you can well afford to attend the convention; if your business is not as good as some years in the past, you need to attend. Make your reservations now.

We are looking forward to seeing YOU in Philadelphia.

**Sincerely,**

President





# TITLE NEWS

Official publication of American Land Title Association

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# Some New Developments And Trends In Real Property Law



By **ROBERT KRATOVIL**, General Counsel  
Chicago Title Insurance Company

*(This article is based on an address which Mr. Kratovil delivered in the "Legal Education Series" recently sponsored by the Decalogue Society of Lawyers.)*

In the broad area of real estate transactions, the interests of many lawyers are more and more turning away from the old familiar learning concerning delivery of deeds and adverse possession and toward the new, unfamiliar, and often perplexing problems the real property lawyer faces in today's urbanized society.

Many of these problems confronting the real property lawyer today are occasioned by the population explosion. This population explosion burst with unexpected force upon urban and suburban communities wholly unequipped to handle this phenomenon. All over the country, but perhaps more especially in the old established communities on the Eastern seaboard, the advent of the land developer was greeted with something less than enthusiasm. Let us take a look at the way in which some communities and courts have come to grips with this problem.

As new subdivisions have added to

the community's fire, police, and school problems, efforts have been made by some communities to stop further housing construction by refusing to approve subdivision plats. This is illegal when the planning board's refusal to approve is based simply on the added burdens new housing will impose on public facilities.<sup>1</sup>

Faced with the inevitability of land development in the area, some communities responded by attempting to thrust upon the land developer some of the increased costs of providing schools and other governmental services. For example, in New Jersey an effort was made to pass some of these costs along to the builder by increasing the cost of building permits to a point where they exceeded by more than 700% the cost of inspecting the building and regulating the construction. This was held to be unconstitutional and void.<sup>2</sup>

In Michigan a like result was reach-



ed. The City of Detroit passed an ordinance with a detailed list of fees; for example, first water closets \$2.50, each additional water closet \$1.00, and so on. The result was a sharply increased cost for each building permit. The ordinance was held invalid.<sup>3</sup> The court pointed out that a city enjoys both the power of taxation and the police power. Under the police power, a charge can be made for building permits. But the charge must not be so great that it becomes the secret exercise of the taxing power. The taxing power is subject to rules, requiring appropriation, levy, and so forth, and these cannot be evaded by colorable resort to the police power.

In California the problem was approached by indirection. The City of Los Angeles passed an ordinance providing that, in addition to the usual charges, a charge of \$400.00 per acre would be made for connecting to the city sewer system. In a 4 to 3 decision this ordinance was held invalid.<sup>4</sup>

Along a somewhat different line are the decisions involving "forced dedication." A city, of course, has the right, under proper legislation, to require a subdivider to dedicate ample streets to the city. However, in recent times the cities have gone much further. They have refused to approve subdivision plats unless the subdivider would include in the plat a grant or dedication of specified areas of land for school or park purposes without payment of compensation. Usually such action will be halted by the courts.<sup>5</sup>

As a variation of this practice a city may require that the subdivider contribute a sum of money for a school or park as a condition of obtaining approval of his plat. This is also illegal.<sup>6</sup>

This area is likely to develop into a battleground in the next few years. The land planners are bitterly opposed to the notion that a subdivider cannot be required to dedicate land for school or park purposes. It does, indeed, seem somewhat incongruous when one stops to consider that universally subdividers can be compelled to dedicate land for streets, and to install utilities, gutters, storm sewers,

etc.<sup>7</sup> I find it difficult to reconcile the two ideas. Why is it legal to compel a subdivider to dedicate streets and illegal to compel him to dedicate parks or schools? Particularly in this area I would think that Supreme Court decisions are subject to reversal overnight. The fact that the Illinois Supreme Court has ruled twice on this point offers no ironclad assurance whatsoever that it will not reverse itself if the decisions outside of Illinois mark out a contrary trend.

In an effort to cope with the situation created by our court decisions, the Illinois legislature has passed a law under which, when a plat is presented for approval, the municipality may require certain areas on the plat to be reserved for school or park purposes. The municipality then has one year from the recording of the plat to decide whether it will acquire these sites by purchase or condemnation. If no action is taken within the year, the reservation lapses. On this point a word of caution seems needed. One still encounters plats with an area marked "school site" or "park grounds." Plats like these are bound to create trouble. In the first place, there is nothing in the present law to prevent subdividers from making voluntary dedications, as they have in the past. It is therefore arguable that areas marked in this fashion have simply been dedicated, in the old tried and true manner, for school or park purposes. If the subdivider wishes to avoid results such as this, obviously, he should mark such areas "reserved for school purposes" or "reserved for park purposes." Then in the body of the plat a statement should be made that the area "reserved for school purposes" is reserved pursuant to the statute but is not in any way dedicated, and that in the event no action is taken within the statutory one year period to acquire the site by purchase or condemnation, the reservation shall become void.

Once a plat is presented for approval, the authorities must act on it promptly. They cannot delay while they mull over the adoption of a master plan for the area or the de-



sirability of condemning the land for a public project.<sup>8</sup>

If a subdivider records his plat without the required approval, he runs the risk that the planning board or the city may procure a court order stopping all sales.<sup>9</sup> And in many states selling land in an unapproved subdivision plat is subject to a fine. In some states (Michigan, New Jersey, and California, for example) the buyer of a lot in an unapproved subdivision may change his mind, abrogate the sale, and get his money back.<sup>10</sup> In other states (Idaho, Iowa, Massachusetts, Michigan, Nebraska, Rhode Island, and Wyoming, for example) the buyer of a lot in an unapproved subdivision may sue the seller for damages. Building permits are refused where the lots front on an unapproved street. Sometimes the subdivider divides up his area into building sites, but instead of recording a plat showing these building sites as lots on the plat, he sells off the sites by metes and bounds descriptions. No plat is recorded. Any such attempted evasion of the law is ineffective. Such conduct can be fined, and a court order can be issued forbidding such metes and bounds sales. In many states the recorder of deeds will refuse to accept for recording a deed in a metes and bounds subdivision."

### **Future Streets—Maps of Future Streets**

There is something that we do not as yet have in Illinois but are almost certain to have sometime within the next ten years. And that is the law providing for the mapping of future streets.

In a number of states, the law permits cities and villages to prepare and record in some public office a map or plat showing the manner in which the authorities hope the village will grow in the future. This map will very likely show the course of future streets and the location of future parks. Where future streets are mapped, subdividers must conform to the mapped street layout unless they can prevail upon the proper officials to amend the map. Public sewer and water will be in-

## **ON THE COVER**

We are pleased to announce that A. M. Prothro, General Counsel, Federal Housing Administration, has accepted an invitation to speak to the members attending the 58th Annual Convention of the American Land Title Association in Philadelphia, September 20-23. We welcome this distinguished public servant to the cover of TITLE NEWS.

A. M. Prothro was born in Ferndale, Arkansas, and educated at Baylor University (A.B. 1934) and the George Washington University (LL.B. 1937). Member of District of Columbia and Virginia Bar Associations. Appointed director of the FHA Legal Division in 1954 and FHA General Counsel in 1961. Serves as instructor in real estate law in the American University Business School. Active in U.S. Army reserve with rank of Lt. Col. Mr. Prothro's message to ALTA members will be "Title Insurance on Sales of FHA Acquired Properties."

stalled only in the bed of the mapped streets. Even more important, a landowner who builds in the bed of the mapped street may be refused compensation for his building when the street is ultimately opened and the mapped land taken. To guard against this drastic consequence, official map laws now customarily require the landowner to obtain a building permit before proceeding with construction of buildings that lie in the path of future streets shown on official maps.

The official map of future streets has obvious advantages in terms of the public coffers. It assures that land needed for future streets will be available at bare land prices. Mapping of future streets also gives direction and pattern to future growth of the community, though some feel that the map casts the mold too inflexibly, especially if minor as well as major streets are mapped.

Where existing streets have been officially mapped, the map will often set widening lines (set-backs) warning that new structures must be lo-



cated in conformance with their lines, and these also have obvious advantages in cutting costs of street widening. Again, a building permit is usually used to assure compliance.

Actually there are two types of laws, the "master plan" type and the "official map" type. Where the law in question is of the type known as the "master plan" law, the landowner may, if he wishes, proceed to build buildings in the path of future streets and on the locations of future parks, since he still owns the land and the public has taken no steps toward acquiring it for public purposes. However, the landowner knows, from the filing of the map or plan, that the city or village will ultimately acquire the mapped areas for street or park purposes and in the condemnation suit the landowner may be unable to persuade the jury to give him full compensation for the buildings he has erected. The "official map" type of law actually prohibits the issuance of a building permit for buildings in the path of future streets or parks.<sup>11</sup> As a practical matter, however, there is not too much difference between the master plan type of law and the official map type of law. Even though the master plan law does not forbid the issuance of a building permit for buildings in the path of future streets and parks, it may blight the market for mapped real estate quite as effectively as an official map. If a would-be buyer learns that the land has been marked with a "green spot" on the master plan for a park or has been "master planned" as the bed of a proposed street or thoroughway, he will be as reluctant to buy as if the land had been officially mapped. He does not want to buy and develop land for his private use when he knows that it is earmarked for public taking.<sup>12</sup>

Attention should be drawn to an important legal distinction between two types of ordinances providing for an "official map." In both of these types, the ordinance prohibits the erection of buildings in areas meant for future streets or parks. However, in the first type, the ordinance has a "safety valve" or "shock absorber"



**KRATOVIL**

which provides that the landowner will be given a permit to build in the areas mapped for a future street or park if he can show that his property will not yield him a fair return unless he builds in the prohibited areas. Such an ordinance is valid.<sup>13</sup> In the other type of ordinance, the ordinance simply prohibits the erection of buildings in areas mapped for future streets or parks without regard to the effect of such a prohibition on the landowner's income from his property. Such an ordinance is unconstitutional and void.<sup>14</sup> Even if the prohibition of building is for a limited time only, the prohibition is void.<sup>15</sup>

There remains for consideration the question of the effect of the filing of plans of future streets and parks on the marketability of the title to the land falling within such future streets or parks. If the state law is such that the filing of such plans prohibits construction of buildings by the landowner on the site of these future streets or parks, the title is thereby rendered unmarketable.<sup>16</sup> Where, however, the state law is of the "master plan" type, that is, it allows a plan to be filed showing the location of future parks or streets but does not prohibit the erection of buildings on the site of such future streets or parks, the filing of such maps does not render title unmarketable.<sup>17</sup>



## Growth of Public Land Use Control

This brings us to another matter of land use control. All of us are aware that year by year and almost day by day the controls imposed upon use of land are growing more numerous and more rigorous.

To be sure, conditions have been inserted in deeds from time immemorial, where observance of the condition would suit some whim or caprice of the grantor, for example, a condition in a deed to a church requiring the minister to wear a black gown in the pulpit, a condition forbidding use of liquor or tobacco or card playing on the premises and the like. But the deed restriction used as an instrument for the control of the use of land is a relatively modern device. It became significant only after the courts were willing to allow not only the grantor but any lot owner in a subdivision to enforce a building restriction. And this, in turn, came after equity courts learned to shrug off the technicalities invented by the common law courts in connection with covenants with the land. In short, the modern notion that any lot owner in a subdivision may enforce by injunction against any other lot owner any and all provisions of a scheme of recorded general plan building restrictions, was a truly revolutionary notion, quite foreign to prior legal thinking on the subject. It sprang into being in 1848 in the leading English case of **Tulk vs. Moxhay**. Some time passed before this idea crossed the Atlantic Ocean, so that one can safely say that private control of the use of land in America is roughly 100 years old.

For many years this device was the only legal device available to keep the tanneries and slaughterhouse from moving next door to a private residence.

Public control of the use of land came later.

When zoning ordinances first appeared on the scene, they were considered unconstitutional by many able lawyers. However, when the question first came before the Supreme Court of the United States in 1926 in the leading case of **Village of Euclid vs.**

**Ambler Realty Co.**,<sup>18</sup> to everyone's surprise the court held, in a 6 to 3 decision, that zoning ordinances are constitutional. From that time on people began to pay more attention to zoning, until today you might say that the town meeting on zoning questions is one of America's popular indoor sports.

Thus, in our lifetime we have seen a system of public controls of the use of land superimposed upon an older system of private controls of land use. The question that springs to one's mind immediately is, can these two systems achieve peaceful co-existence? The answer, of course, is that they must co-exist, but the co-existence is not likely to be peaceful.

For example, here in Illinois, we have a case where a building restriction was imposed by a deed in 1907. This restriction restricted the land to residence purposes. In 1924 the city passed a zoning ordinance zoning the area for commercial purposes. A landowner attempted to build a gasoline station on the premises. He was enjoined at the suit of another property owner.<sup>19</sup> The court held that the city was powerless, by a zoning ordinance, to set aside prior valid building restrictions. Moreover, in **Oklahoma City vs. Harris**,<sup>20</sup> the court held that the Board of Adjustment in determining from the facts whether a variance or a variation should be granted to a municipal zoning ordinance on account of unnecessary hardship, cannot even consider plat restrictions.

There are numerous decisions all along the same line.

These decisions providing for "unpeaceful co-existence" as between private building restrictions and zoning ordinances leave me, I must confess, somewhat mystified. Sooner or later we are bound to have a case where the building restrictions provide exclusively for single family dwellings and the subsequent zoning ordinance provides exclusively for industrial uses. How the courts will resolve this I shall make no attempt to predict. At any rate it should be interesting.

In the zoning area there are many new court decisions and of these I will mention only a few.



Zoning ordinances nowadays are attempting to do more than keep residences out of commercial and industrial zones. Blanket prohibitions keeping residences and stores out of factory districts have been held illegal in New Jersey.<sup>21</sup> However, these blanket ordinances do represent a recent trend. Ordinances zoning certain areas exclusively for industrial purposes are fairly widespread. In many states such ordinances are valid.<sup>22</sup> One would hazard the guess that in the future more courts will follow the later view, and the New Jersey view will very likely disappear, for obviously it is just as injurious to the welfare of the community to permit residential development of land needed for industrial expansion as it is to permit industrial expansion in residential neighborhoods. We must remember that in our growing country the supply of usable land is limited, and zoning is the chief tool communities utilize to insure wise use of our limited land areas.

A city may validly adopt a zoning ordinance that excludes all industrial uses from the city.<sup>23</sup> In other words, if the city area is well adapted for residence purposes, and in adjoining areas there are areas available for industry, the city may totally exclude industry from its borders. A city may legally exclude all apartment houses from its borders.<sup>24</sup> The entire village may be zoned exclusively for residential purposes.<sup>25</sup>

In many localities ordinances have been passed specifying the minimum lot size that may be built upon. The theoretical legal basis for these ordinances is the fact that by spacing buildings farther apart they prevent the spread of fire and provide for ample light, air, and privacy. When septic tanks are used, such regulations are also a needed protection of health. Since these sound reasons do in fact exist, courts have held such ordinances valid.<sup>26</sup> Obviously, however, no court will allow such regulations to run hog-wild. For example, a regulation specifying a five-acre minimum lot size in New York City would be so completely out of touch

with reality that the courts would strike it down. However, the farther out in the country you go, the larger the minimum lot size the courts will sustain. In a rural area a minimum lot size of five acres has been sustained.<sup>27</sup> In a similar setting a minimum lot size of three acres has been held valid.<sup>28</sup> A minimum of four acres has been sustained.<sup>29</sup> And even in a large city like Los Angeles, where land values are high, a minimum frontage of fifty feet has been sustained.<sup>30</sup>

A recent development is a law that gives the purchaser of a lot containing less than the minimum area the right to declare the deed void on discovering such violation. Such laws are valid.<sup>31</sup> A purchaser who exercises this right is entitled to a refund of the purchase price he has paid, which provides a very effective method of enforcing the ordinance requirements.

Often such ordinances have been attacked on the ground that they are a form of economic segregation or "snob zoning." And, looking behind the scenes and reading between the lines, one can often discern that the old guard that runs a town has caused such an ordinance to be passed in order to keep out subdividers and new settlers. Courts are not permitted to probe into such hidden motives. As long as substantial reasons do in fact exist for the passage of such ordinances, and as long as the lot sizes specified are not clearly unreasonable, the ordinances will be held valid.

If I buy a lot in a platted subdivision, and this lot is of lawful size when so purchased, and a zoning ordinance is enacted thereafter that requires a greater minimum size, I may nevertheless build on this site if I own no adjoining land to which this lot can be attached. The village cannot legally prevent such use.<sup>32</sup>

Example: When a subdivision was laid out and the plat recorded, lots having a frontage of 23 feet were legal. A number of such lots were sold. Thereafter, the city passed an ordinance making it illegal to build on a lot having less than 60 feet



frontage. As to the lot in question the ordinance was invalid.<sup>33</sup>

The village is under an absolute duty to provide for these substandard lots. It cannot render them useless.<sup>34</sup> Probably the best solution is to grant the lot owner a variance.

Minimum lot size ordinances are apt to bear with excessive harshness on irregular shaped lots. As a rule, the owner of an irregular lot that was platted prior to the enactment of the zoning ordinance is entitled to put it to some use, and the city cannot prevent this by blind insistence on the minimum standards.<sup>35</sup>

Where a zoning ordinance specifies a minimum lot size, a street or alley that technically comprises part of the lot cannot be counted in computing the lot area.<sup>36</sup>

A valid and buildable lot may become an illegal building site by conveyance of a portion thereof.

Example: "A" owned a lot improved with a building. He sold off a portion of the tract. As a result the portion remaining became smaller than the minimum size allowed by law. Occupancy of the building is now unlawful.<sup>37</sup>

Example: "A" owned a lot that complied with the zoning ordinance. The county filed a suit to condemn a portion of the lot for a highway. In consequence of the compulsion thus created, "A" conveyed to the county the portion it sought to condemn. The lot is now less than minimum size. "A" cannot build on it.<sup>38</sup>

Example: "A" owned a number of contiguous platted lots. An ordinance was passed under which these lots were less than the minimum size. "A" could have divided the entire tract into legal size building sites. Instead he conveyed out alternate lots to his wife, so that neither he nor his wife held any legal size lot. These lots cannot be built upon. "A" himself created the situation of which he complains.<sup>39</sup> I believe Illinois would be in accord here.<sup>40</sup>

Ordinances frequently forbid construction of buildings having less than a minimum floor area. If the requirements are reasonable, the ordinance is valid.

Example: A township zoning ordinance prohibited the erection of any building having a floor area of less than 768 square feet. It was held valid. But in Michigan such ordinances are not valid.<sup>42</sup>

Sometimes the city divides the residential area into zones and prescribes varying minimum building area requirements in the different zones. These ordinances also have been sustained.<sup>43</sup>

An ordinance may permit a particular use, for example, a filling station, if a specified number of persons residing in the vicinity consent to such use. This attempt to let the people in the neighborhood vote on the question is unlawful.<sup>44</sup>

A number of court decisions now sustain zoning provisions that are based solely on aesthetic considerations.<sup>45</sup>

Example: An ordinance required new buildings to conform to the architecture of existing structures. It was held valid.<sup>46</sup>

Example: An ordinance requiring new buildings to be set back in line with existing buildings is valid.<sup>47</sup>

Some of the decisions on the subject of zoning variances are deserving of comment. Suppose that the village in question has an ordinance specifying a minimum lot area. "A" owns a building on a legal size lot. He then sells the building and enough of the land so that the building still occupies a legal building site. However, the portion of the lot left to "A" is now under the legal size. He will not be given a variance.<sup>48</sup> This is self-created hardship.

In granting a variance the zoning board may impose conditions.<sup>49</sup>

Example: The board may put in a condition that the architecture of the permitted building conforms to the architecture of neighboring structures, or that certain areas be left open and landscaped.

The early court decisions took a liberal attitude toward nonconforming uses. Just the opposite is true today. Courts tend to hold down nonconforming uses rather strictly, especially in the matter of extending nonconforming uses.



Example: At the time the ordinance was adopted, "A" owned four vacant lots in an area zoned for residence purposes. He had used one of these lots for storing heavy equipment. The court held that this was a valid, non-conforming use, but that the other three lots could not be used for such storage.<sup>50</sup>

Example: Installation in a nonconforming use factory of machinery larger and noisier than that existing at the time the ordinance was passed is illegal.<sup>51</sup>

Recently ordinances have been passed which attempt to place a time limit on the right to continue a nonconforming use. To the extent that these amortization ordinances prohibit continuance of the nonconforming use after the useful, economic life of the building has virtually come to an end, they are valid.<sup>52</sup> A few states hold such provisions are illegal.

In every zoning ordinance some provision is made for the issuance of special exceptions, special permits, special use permits, or conditional use permits. All these are different names for the same thing. A variance grants relief to a particular property owner where strict enforcement of the zoning ordinance against him would cause him undue hardship or practical difficulties. By its very nature it makes provision for something the ordinance did not have in contemplation. A special exception, on the other hand, occurs where the ordinance specifically lists particular uses and allows them in particular districts under the circumstances set forth in the ordinance itself. In the recent cases I seem to find a tightening up with respect to variances. The courts are not as liberal as they were in the past. On the other hand, in the case of special exceptions where the ordinance lists uses that by their very nature tend to be of benefit to the community, the attitude seems to be growing more liberal. For example, when sheer necessity dictates the placing of a telephone exchange in a residential neighborhood, the community is benefited even though the people right next door might not think so.

On November 6, 1962 the Supreme Court of Connecticut, in **Summ vs. Zoning Commission of the Town of Ridgefield**,<sup>53</sup> upheld the grant of a special permit or special exception to a research and development laboratory. The ordinance provided for the issuance of a special permit to a research and development laboratory but specified rather vigorous conditions, respecting the height of structures, sidelines, front and rear lines, parking space, screening shrubbery, etc. The grant of this particular special permit to a research and development laboratory was contested by a number of the inhabitants of this particular community. The court sustained the issuance of the special exception.

Exactly the same result was reached on July 6, 1962, in **Thomas vs. Town of Bedford**, a New York case.<sup>54</sup> There the court went into somewhat greater detail on the desirability of introducing these research laboratories into suburban and ex-urban communities. The court said:

"With the enormous and continuing population growth and the expansion of business into suburban communities in the metropolitan area, the town planners necessarily realized that increasing urbanization of the town was inevitable. Observing the trend in the suburbs toward the development of campus-type laboratory and research projects, they very properly decided that this type of zoning might preserve a fair measure of peace and serenity in their locality in the face of growing demands for business and commercial use of vacant land."

I venture to predict that these research laboratories will continue to receive relatively favorable treatment as regards zoning law.

Another one of the uses which is encountering favorable treatment is the garden apartment. When zoning ordinances were first enacted, apartments were often several-story structures, built to the edges of small standard size city lots. High-density coverage, with little or no open space, led to their segregation from single-family residential areas. Garden



apartments, by way of contrast, are built at lower densities and may incorporate substantial park areas and other open spaces. These characteristics, combined with the use of a low-rise structures and adequate landscaping, make the garden apartment more compatible with single-family residential development.

One technique that permits these garden apartments to be located in the community as needed is the "floating exception." An ordinance of this kind was considered in **Rogers vs. Village of Tarrytown**.<sup>55</sup> If you have not already read this landmark decision I strongly urge you to do so. Under the ordinance in that case, multiple dwellings for 15 or fewer families were permitted **anywhere** in the village, following an application by the developer and its approval in the form of an amendment to the zoning map. The Village Plan Commission was the approving authority, with the Village Governing Board having the power to overrule the plan commission should it withhold its consent. In the particular case in question only 15% of the ground area was to be covered by buildings, so that this was truly a garden apartment development. Notice that under the provisions of this ordinance a garden apartment can be located anywhere in the city. For this reason, this particular amendment was attacked as "spot zoning." The court, however, rejected the argument that this was spot zoning by pointing out that the ordinance itself provided for this type of development and planned for it very carefully by providing rigorous standards which the garden apartment project must meet. This rigorous planning, the court said, is the very opposite of spot zoning.

In **Hartung vs. Village of Skokie**<sup>56</sup> the court considered the zoning ordinance of the Village of Skokie. The property owner wanted to construct a motel and restaurant. Such a use was not permitted under any of the existing residential classifications. However, under the "special use" provisions of the ordinance a permit could issue if approved by the plan commission and the board of trus-

tees. These bodies refused the permit and the Supreme Court overruled their action. While not on all fours with the floating exception cases, this case would seem to sanction the philosophy of these cases. Perhaps it goes even farther, since, in result, it appears to sanction issuance of a special permit by the court! Almost exactly the same result was reached in **Ward vs. Village of Skokie**.<sup>57</sup> In the concurring opinion in this last case it is pointed out that we have special exceptions in Illinois without any legislation sanctioning such a procedure, which is truly an unusual result, first reached in **Kotrich vs. County of DuPage**.<sup>58</sup> Will the floating exception float or sink in Illinois? I think it will float.

You will note my interest in cases decided outside of Illinois. Illinois courts are following carefully all that takes place outside of Illinois, as a rule, and for this reason an older decision in Illinois, not particularly well reasoned, is far less valuable than a well reasoned decision from a court outside of Illinois. Take, for example, **Welton vs. Hamilton**,<sup>59</sup> holding that the power to grant zoning variances cannot lawfully be delegated to a zoning board. This decision is dead as a doornail simply because the decisions elsewhere have demonstrated how impractical this one really was.

1. **Beach vs. Planning Commission**, 141 Conn. 79, 103 A. 2d 814.
2. **Daniels vs. Point Pleasant**, 23 N.J. 357, 129 Atl. 2d 265.
3. **Merrell vs. City of St. Clair Shores**, 355 Mich. 575, 96 N.W. 2d 144.
4. **City of Los Angeles vs. Offner**, 55 Cal. 2d 103, 358 Pac. 2d 926 (1961).
5. **Ridgemon Development Co. vs. City of E. Detroit**, 358 Mich. 387, 100 N.W. 2d 301; **Rosen vs. Downers Grove**, 19 Ill. 2d 488, 167 N.E. 2d 230; **Millev vs. Beaver Falls**, 368 Pa. 189, 82 A. 2d 34; **Pioneer Bank vs. Mt. Pleasant**, 22 Ill. 2d 375, 176 N.E. 2d 799.
6. **Kelber vs. City of Upland**, 155 Cal. App. 2d 631, 318 P. 2d 561.
7. **Petterson vs. Naperville**, 9 Ill. 2d 233, N.E. 2d 371; **Brous vs. Smith**, 304 N.Y. 164, 106 N.E. 2d 503; **Ayres vs. Los Angeles**, 34 Cal. 2d 31, 207 Pac. 2d.
8. **Magnolia Homes vs. Miller**, 143 N.Y.S. 2d 231; **Preper vs. Planning Board**, 340 Mass. 157, 163 N.E. 2d 14.
9. 29 Ind. L. J. 408.
10. 36 N.Y.U.L. Rev. 1214.
11. **Headley vs. Rochester**, 272 N.Y. 197, 5 N.E. 2d 198.
12. 1957 Wisconsin Law Review 176.



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16. 21 A.L.R. 2d 806.
17. 21 A.L.R. 2d 792; 64 A.L.R. 546.
18. 272 U.S. 365.
19. *Dolan vs. Brown*, 338 Ill. 412.
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22. *Roney vs. Board of Supervisors*, 138 Cal. App. 2d 740, 292 P.2d 529; *People ex rel vs. Morton Grove*, 16 Ill. 2d 183, 157 N.E. 2d 33; *Lamb vs. City of Monroe* 358 Mich. 136, 99 N.W. 2d 566.
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26. *De Mars vs. Zoning Comm.* 142 Conn. 580, 115 A.2d 653.
27. *Fischer vs. Bedminister Twp.*, 11 N.J. 194, 93A. 2d 378.
28. *Flora Realty & Inv. Co. vs. Ladue*, 362 Mo. 1025, 246 S.W. 2d 771.
29. *Senior vs. Zoning Comm.*, 146 Conn. 531, 153 A. 2d 415.
30. *Clemons vs. Los Angeles*, 36 Cal. 2d 95, 222 P. 2d 439.
31. *Clemons vs. Los Angeles*, 36 Cal. 2d 95, 222 P. 2d 439.
32. 1954 Law Forum 196.
33. *Milano vs. Patterson*, 93 N.Y.S. 2d 419.
34. *Long Island Research Bureau vs. Young*, 159 N.Y.S. 2d 414; *Krsenski vs. Shenkin*, 53 N.J.S. 590, 148 A. 2d 58.
35. *Jenckes vs. Bldg. Commr.*, 341 Mass. 162, 167 N.E. 2d 757.
36. *Clarks vs. Schloss*, 197 Md. 457, 79 A. 2d 538; *Sommers vs. Mayor*, 215 Md. 1. 135 A. 2d 625.
37. *Bronen vs. Marmer*, 206 N.Y.S. 2d 909.
38. *Builders Supply Co. vs. Hillside*, 26 Ill. App. 2d 458, 168 N.E. 2d 801.
39. *Corsino vs. Grover*, 148 Conn. 299, 170 A. 2d 267; *Lengle vs. Pirinie*, 128 N.Y.S. 2d 490.
40. *Galpin vs. Vill. of River Forest*, 26 Ill. 2d 515.
41. *Lionshead Lake, Inc. vs. Wayne Township*, 10 N.J. 165, 89 A. 2d 693; *Dundee Realty Co. vs. City of Omaha*, 144 Neb. 448, 13 N.W. 2d 634; *Thompson vs. City of Carrollton*, 211 S.W. 2d 970 (Tex. Civ. App.).
42. 26 Law & Contemp. Problems 344.
43. *Cosmopolitan Bank vs. Chicago*, 22 Ill. 2d 367, 176 N.E. 2d 795; *Bilbar Construction Co. vs. Board of Adjustment*, 393 Pa. 62, 141 A. 2d 851.
44. *Drovers T. & S. Bank vs. Chicago*, 18 Ill. 2d 476, 165 N.E. 2d 314.
45. *Berman vs. Parker*, 348 U.S. 26.
46. *State vs. Saveland Co.*, 269 Wisc. 262, 69 N.W. 2d 217.
47. *Sierra Construction Co. vs. Board of Appeals*, 12 N.Y. (2) 79, 187 N.E. (2) 123.
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49. *Vlahos vs. Little Boar's Head Dist.*, 101 N.H. 460, 146 A. 2d 257; *Zweifel Mfg. Co. vs. Peoria*, 11 Ill. 2d 489, 144 N.E. 2d 593.
50. *Martin vs. Cestone*, 33 N.J. Super. 267, 110 A. 2d 54.
51. *De Felice vs. Zoning Board*, 130 Conn. 156, 32 A. 2d 635, 147 A.L.R. 161.
52. *State ex rel Dema Realty Co. vs. McDonald*, 168 Ia. 172, 121 So. 613; *Harbison vs. City of Buffalo*, 4 N.Y. 2d 553, 152 N.E. 2d 42; *Grant vs. Mayor*, 212 Md. 301, 129 A. 2d 363; *Spurgeon vs. Board*, 181 Kan. 1008, 317 P. 2d 298; 12 U. of Fla. L. Rev. 322; 57 N.W.U.L. Rev. 222; 42 A.L.R. 2d 1146.
53. 186 Atlantic 2d 160.
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55. 302 N.Y. 115, 96 N.E. 2d 731; *Accord: Huff vs. Board of Appeals*, 214 Md. 48, 133 A. 2d 83. *Contra: Rockhill vs. Chesterfield*, 23 N. J. L. 117, 128 A. 2d 473; *Eves vs. Zoning Board*, 401 Pa. 211, 164 A. 2d 7.
56. 22 Ill. (2d) 485.
57. 26 Ill. 2d 415, 186 N.E. 2d 529.
58. 19 Ill. 2d 181.
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State Association

**CORNER**

# Top Brass Highlights

## Oklahoma Convention

### OLLIE ASKINS ELECTED PRESIDENT

The 59th Annual Convention of the Oklahoma Land Title Association, attended by more than 150 members representing some fifty-eight companies, unanimously elected Ollie M. Askins, President of the Stephens County Abstract Company, as President for 1964-65. A. Tolbert was elected Vice President, and Howard Cotner was re-elected Treasurer. Lou Jackson continues as the perennial Secretary.

Special guests at the Convention were Clem Silvers, President of the American Land Title As-



**OLLIE M. ASKINS**



**MILDRED STARKS**

sociation, and Joseph H. Smith, the National Association's Executive Vice President. Visiting dignitaries included R. O. Browning, President of the Missouri Land Title Association, and Mr. and Mrs. Milt Schnebelen also of Missouri. Dick Greer was there from Arkansas, and Morton McDonald, a Past President of ALTA, was also in attendance.

A golf tournament launched the Convention Friday, May 1. General Sessions continued through





John Warren presents plaque to retiring President, B. G. Bowman.

LEFT MARGIN: TYPICAL CONVENTION SCENES





Friday afternoon and all day Saturday. Yoeman work is being accomplished by the Uniformity Committee, headed by Zella Goodin.

John Spradling of Oklahoma City discussed proposed lien legis-

lation to be presented to the next session of the legislature.

An interesting panel of Oklahoma members discussed "The Forty-year Marketability Act," which will become effective in Oklahoma, September 13, 1965.



JOSEPH SMITH, ALTA'S EX-  
ECUTIVE VICE PRESIDENT

ZELLA GOODIN

CLEM SILVERS

# HARD WORK AND LOTS OF FUN IN OKLAHOMA





# OREGON LAND

The 57th Annual Convention of the Oregon Land Title Association opened Wednesday Evening, June 17 with an "Icebreaker" reception which lasted into the small hours. Business sessions began the following day with Max F. DeSully, retiring President presiding. National President, Clem H. Silvers, was enthusiastically received as he talked to the members about "ALTA and You." ALTA's Executive Vice President, Joseph H. Smith, also represented the National Association.

Panel discussions on "Rating Manuals," "The New Commercial Code," and excellent speeches on Community Development, recent Supreme Court Decisions, and Sale Procedures Through Probate held the interest of all who attended.

On Saturday morning, Kenneth R. Schramm discus-







# TITLE ASSOCIATION

sed "Sales Under the New Guardianship Code," and Stanton W. Allison spoke on "Trust Deed Sale Proceedings."

Gerald B. Gray, Vice President of Title and Trust Company, Portland, was elected President of the Oregon Land Title Association. Also elected to serve with Mr. Gray were: Vice President, Urlin S. Page, President of Union Title Insurance Company, Salem, and Executive Committee Members at Large: V. D. McMullen, James M. De Courcay, and Gordon W. McKay. Stanton W. Allison was re-appointed Executive Secretary-Treasurer of the Association.

Pictured on this page are typical scenes from an outstanding Convention of this fifty-seven year old affiliated state association.





# ARKANSAS LAND



TITLE

An attentive crowd filled the auditorium for the business sessions.

ALDEN BOWEN



Retiring President ceives plaque of the new President

Mrs. O. M. Young, Jr., (hat) was hostess at a hospitality room at the Velda Rose Towers Hotel. ALTA's National President is second from left.



# ASSOCIATION CONVENTION

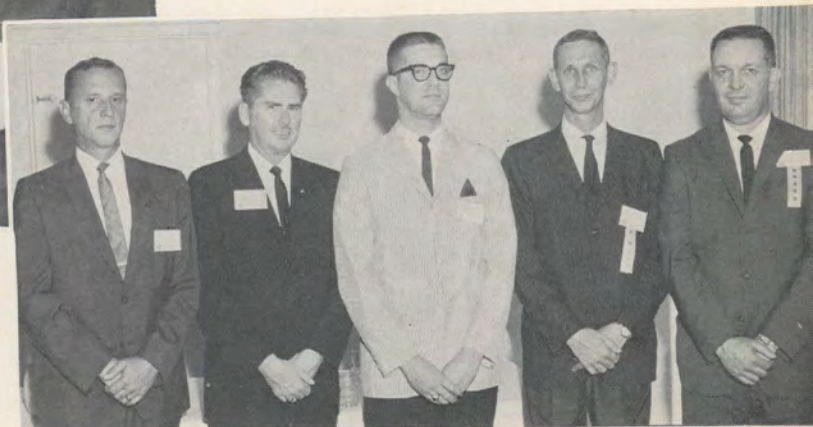


The Annual Banquet was one of the largest ever held by the Arkansas group.

## ELECTED PRESIDENT



A. D. Strother re-appreciation from E. A. Bowen, Jr.



Newly elected officers: William B. Mosley, Vice President; James Gray, Director; Billy Joe Scott, Director; E. A. Bowen, President; O. M. Young, Jr., Secretary-Treasurer; not shown are Directors Ben White and A. B. Strother, Jr.





**LEFT TO RIGHT:**

Senator Q. Byrum Hurst, James Hull, John R. Williams, and George Cracraft, Jr.

It happens every year! Under the leadership of Joy Harris, the effervescent Secretary of the Arkansas Land Title Association, another stimulating and productive Convention is now history.

The Convention began Friday afternoon, May 22, with several thought-provoking speeches by distinguished guests. National President, Clem Silvers, arrived in style. He was greeted at the airport by the outgoing President A. P. Strother, Jr., O. M. Young, Jr., and Joy Harris.

As usual, the Annual Banquet was the highlight of the Association year. Titlemen from other parts of the country traveled great distances to take part in this Convention. Among them were Mr. and Mrs. Herbert P. Becker of the Texas Land Title Association, J. Mack Tarpley, former state President and now associated with Chicago Title & Trust Company, Chicago, Illinois, James W. Hull of Fort Worth, John R. Williams of Louisville, Gerald Lawhum, Dallas, and Rowan H. Taylor, Jackson, Mississippi.



**BELOW:** Joy Harris, Secretary of the Arkansas Land Title Association, is captured in a rare moment of relaxation with Herb Becker, Executive Director of the Texas Association.







# IN THE ASSOCIATION SPOTLIGHT

## Joins Title Company

Kenneth A. Nairne, former Vice President of the Bank of America, has joined the Land Title Insurance Co. here as Vice President, it was announced by Thomas A. Clarkson, President of the Company.

Nairne was with the Bank of America 37 years, the last four as Vice President and head of the statewide business development offices.

He was first President of the San Diego Convention and Tourist Bureau, and is a past President of the San Diego Better Business Bureau; Del Mar Charities; San Diego Athletic Club, and past chairman of the Advertising Board of Review.

Nairne is a past director of the San Diego Chamber of Commerce and the San Diego Lions Club. He is also a member of the San Diego Council Navy League of the United States; the Rest and Aspiration Club, and the Financial Analysts Society of San Diego. He is on the Board of Trustees of San Minguel School.

## New Position for Morton

Robert H. Morton of Western Title Insurance Company, San Francisco, has been elected to the newly-created position of Executive Vice-President, it was announced recently.

Morton, President of the California Land Title Association, joined the Western Title organization in 1946. In 1960 he became Vice-President and Manager of the company's underwriting department. He is a resident of San Mateo.

## Organizational Changes In Missouri

Important organizational changes and a realignment of responsibilities for several members of the Kansas City Title Insurance Company staff have been announced by W. M. McAdams, President.

SAM C. SHERWOOD, JR., Vice President, has become Vice President in charge of the Home Office Division.

His new duties involve supervision of the Home Office title insurance, plant and public relations departments, the loan disbursement section and the metropolitan subsidiaries located in Independence and Platte City, Missouri, and Olathe, Kansas.



Sherwood joined the Kansas City Title staff in 1952, prior to which he was engaged in the private practice of law. He holds a BS Degree in Business Administration from the University of Missouri and an LL. B Degree from the University of Kansas City School of Law.

He is a member of the Missouri, Kansas City, and Clay County Bar Associations, and the Rotary Club of Kansas City, Missouri.

ALEX A. MARZEK, Vice President, has been appointed Vice President in charge of agencies. In this capacity,



he will be responsible for agency supervision and development. Branch offices, non-metropolitan divisions and subsidiaries, co-insurance and re-insurance, and field representatives are under his jurisdiction.

Marzek joined the Kansas City Title staff in 1952.

Marzek holds an LL.B Degree from the University of Arkansas. He is a member of the Kansas City Real Estate Board, Eastern Jackson County Real Estate Board and the Sertoma Club.

JUDSON L. PALMER, Vice President in charge of business promotion, advertising and public relations has



**PALMER**

also assumed responsibility for the title insurance department, Home Office. This includes supervision of the escrow, title examination, policy production, mechanic lien clearance and customer-service sections.

Palmer was a partner of the law firm of Palmer and Davidson prior to joining Kansas City Title as attorney and field representative in the agency department in 1956.

He holds an A.B. Degree from William Jewell College, Liberty, Missouri, and an LL. B Degree from the University of Missouri at Kansas City.

Active in civic and community affairs, Palmer has served as President of the North Kansas City Kiwanis Club and is a past Lieutenant Governor of Kiwanis for the Missouri-Arkansas district.

He is a member of the Kansas City, Clay County and Missouri Bar Associations, the Kansas City Real Estate Board, and is a past president of the Missouri Title Association.

ROBERT G. MACDONALD, Vice



**MARZEK**

President, has assumed added responsibilities for co-insurance and re-insurance. He continues to assist Alex A. Marzek in supervision of branch offices, non-metropolitan divisions and subsidiaries of the company located at Baltimore, Memphis, Nashville, Topeka, Denver and Jackson, Mississippi.

Macdonald joined Kansas City Title in 1962, after more than 16 years with Oregon Title Insurance Company. He attended the University of Illinois and earned an LL. B Degree from Loyola University. He is a past president of the Oregon Land Title Association and was a member of the Board of Governors of the American Land Title Association from 1959 to 1962.



**MACDONALD**

DUARD M. BOONE, Vice President in charge of the plant department, Home Office, has assumed added



**BOONE**

responsibilities for communications, initial billing and order reference, and document recording.

Boone has been employed by Kansas City Title since 1936. He studied personnel management at the University of Kansas. He is a member of the American Management Society, the Kansas City Real Estate Board, and the Eastern Jackson County Real Estate Board.

## Title Firms to Merge

Ohio Title Corp., in which Growth Capital, Inc. owns a major interest — and Cleveland Title & Abstract Co., Inc., announce merger of the two title firms.

Ohio Title will be the surviving



company, with all operations eventually conducted from its headquarters at 118 St. Clair Avenue N. E.

It also is announced that Ohio Title has withdrawn its offer of close to \$9 million for Louisville Title Co. However, there have been developments which may bring reinstatement of this offer.

Announcing merger of the two Cleveland title firms are P. Warren Smith, Ohio Title President, and Ronald G. Rice, Cleveland Title President.

## Secretaries Hear Talk on Title Insurance

Garland County Legal Secretaries Association held its monthly meeting at the Hurst Building recently. The business session was conducted by the President, Mrs. Lee Bunch.

O. M. Young, Sr., attorney of Little Rock and long prominent in the abstracting and title insurance field in the Mid-South, addressed the group on "Title Insurance". This was Young's second appearance as guest speaker, his previous address having dealt primarily with the history of abstracting.

Young was accompanied by Joe Wolfe, Arkansas manager of Kansas City Title Insurance Company, also of Little Rock, who showed an entertaining and informative color film entitled "A Place Under the Sun". This film, produced by the American Land Title Association, was one of three commercial color cartoons nominated for an Oscar in 1961, and in the same year was awarded first prize in its field at the New York Film Festival. The film and accompanying narrative presented the story of land ownership, land transfers, laws and procedures concerning land titles from colonial days to the present time, and portrayed the importance and economy of title insurance to property owners and investors.

Following the film the group participated in a question and answer period conducted by the speakers.

## Named Exec. V. P.

James W. Bray, who has been serving as Assistant to the President of American Title Insurance Co., in Miami, has been named Executive Vice-President of the Company and Manager of its Guaranteed Title Division based in New York City. As manager, he succeeds the late Lorimer Denner.

From the main divisional office in New York, he will direct the broad operations conducted through eight



branch offices—six in Greater New York and one each in Newark, N.J., and Norwalk, Conn.

In announcing the appointment, President Jay R. Schwartz said, "We are very fortunate in obtaining the services of an individual with Mr. Bray's vast title experience and administrative ability."

After graduating from law school in 1941, Mr. Bray served as Lieutenant in the U.S. Navy and thereafter joined American Title. He subsequently became President and owner of Fidelity Title and Abstract Company and its related subsidiaries in Southeast Florida. After divesting himself



of these companies, he returned to American Title, and has spent all of his civilian career in the title insurance business.

## Current Level to Continue

Growth in the general economy and favorable mortgage conditions are expected to sustain the current level of activity of both sales and leasing in the commercial property market through the second half of the year, Jack Justice, Miami Beach, Fla., vice-president first named of NAREB, predicted recently. He based his forecast on the annual survey of the real estate market just completed by the Research Department of NAREB.

At the same time, this phase of the study, participated in by 95 Realtors\* in all parts of the country, indicated that deep competition between center city and suburban locations will continue, as will the emphasis on quality.

"Upgrading has been a major feature of the commercial property market in recent years and, encouraged by a favorable economic climate, will increase in importance," Mr. Justice said.

"Business property reporters who expect a strong second half far outnumber those who look for a slowdown, though there is neither exuberance nor extreme pessimism in their forecasts."

"New construction has added millions of square feet of floor space to the commercial property inventory in recent years, the NAREB official said. The growing supply of modern design office buildings and retail outlets will attract more and more tenants, drawing from less desirable structures," Mr. Justice stated. "Since competitive forces are strong among new buildings as well as between old and new, extensive bargaining is noted in leasing and buying," he said.

"During the past year, prices of prime location center city retail business properties have declined somewhat," Mr. Justice said. "While for 47 per cent of the nation they are about the same as last year, they are lower in 32 per cent, compared to 21 per cent in which they are higher."

"An opposite trend is reported for the suburban market. Prices of these retail business buildings are, on average, above levels of a year ago. They are stable in 53 per cent of the nation, but are higher in 38 per cent, while lower in only 9 per cent."

"Secondary location properties have frequently declined in value," he said. "The likelihood is greater for buildings in the central business district though the tendency is also found among suburban (non-shopping center) business structures," he added.

"Mr. Justice said transfers of prime location suburban properties are a little more numerous than last year while those of central city properties are somewhat fewer. Among retail business properties in secondary locations, the volume of transfers has declined," he said, "particularly for buildings in the central business district."

"Although for a majority of areas (56 per cent) stable values are reported for prime location center city office buildings, where change has occurred, the trend is more often downward," Mr. Justice said. "The decline in value of secondary location urban office buildings which has been characteristic of the market for some time, is even more pronounced than in the past. Values of suburban office buildings have been strong."

The volume of transfers of prime location office buildings in center city is about the same as last year in the majority of areas (54 per cent), the study shows.

"The market for urban office buildings in secondary locations has continued to shrink," Mr. Justice said, "while the volume of transfers of suburban office structures is little changed from last year."

"Despite reports of over-building in some areas, retail business vacancy rates are little different from a year ago. These rates have changed dramatically over the past four years, but appear to have leveled off in the past twelve months."

"Although the tendency over the past four-year period has been for retail business vacancies to rise, they have increased more in central busi-



ness districts than they have in outlying areas. Parking problems and a general public inclination to shop in the suburbs continue to haunt downtown merchants."

"Progress in urban renewal has improved somewhat the competitive position of urban centers, and tax increases are affecting rents in outlying areas of some metropolitan complexes. These increases could gradually influence vacancy rates. Currently, however, retail business property vacancies are lower in suburban locations."

"Vacancies in office buildings have been rising since 1960, Mr. Justice said, and continue this year. Because of the broad interest in quality space, secondary office buildings continue to lose tenants," he said.

"Occupancy levels have changed over the past four years in suburban areas, but have held rather steady during the past 12 months," Mr. Justice said. "Current reports show a rate of 2 per cent or less in 26 per cent of the places, 3-5 per cent in 33 per cent, 6-9 per cent in 22 per cent, and 10 per cent or more in 19 per cent. In 1960 the minimum rate (2 per cent or less) was prevalent in nearly one-half of the areas, and reports of 10 per cent or above were confined to 5 per cent."

"The suburban retail rental market is strong for space in a prime location, but rents have weakened further for retail business units in less desirable neighborhoods," Mr. Justice stated.

He said, "shopping center rents are generally stable, with four out of five areas reporting no change from a year ago."

"The demand for quality office space continues to strengthen rents in prime location central city buildings, while secondary location urban buildings are continuing to have difficulty attracting tenants," Mr. Justice said.

"Rents for offices in the suburbs are stable in 7 out of 10 areas (72 per cent), but lower in 16 per cent, compared to 12 per cent in which they are higher," he reported.

## Named V. P.

G. Herbert Amberman, Jr., of Mattituck, L. I., has been named an Assistant Vice President of the Inter-County Title Guaranty and Mortgage Company. Mr. Amberman, whose headquarters are in the company's Floral Park, L. I., office, is a director of the Suffolk County Real Estate Board.

## Bates Joins Staff

Robert C. Bates has joined the staff of Home Title Division, Chicago Title Insurance Company as Vice-President and Assistant Divisional Manager. Prior to his association with Home Title, Mr. Bates was Vice-President of Kansas City Title Insurance Company and served that Company for the past eleven years. He attended Missouri University and was graduated from the University of Kansas City School of Law in 1950 and was admitted to the Missouri Bar that year.



**BATES**

## New Vice President

The association of Lewis R. Byington in an executive capacity with First American Title Insurance and Trust Co., has been announced by President Donald P. Kennedy, according to Glenn Bellinger, Vice-President and Manager of the Santa Barbara Office of First American Title.

As Assistant Vice-President-Finance, Byington will be Chief Financial Officer and shall deal primarily with tax and investment matters.

Until Joining First American Title, Byington was treasurer of Young Spring and Wire Corporation of Beverly Hills. He was responsible for phases of corporate management and policy concerned with corporate funds and investments, properties, taxes, tax planning, insurance and pension plans.



Byington received his AB and LLB degrees from the University of California. He is a member of the American Society of Insurance Management, the American Institute and the California Society of Certified Public Accountants.

## Jesse B. Smith

Jesse B. Smith has been appointed manager of the Lakewood office of Title Guaranty Co.

Smith, a Vice-President, has been with the firm for 24 years and has been director of the abstract and title plant in the downtown Denver office.

A native of Wyoming, Smith has been active in the Denver Board of Realtors, Home Builders Assn., Colorado Land Title Assn., Denver Chamber of Commerce, Mile High Sertoma Club, Sigma Nu Fraternity, Denver Athletic Club and Pinehurst Country Club.

At the Lakewood office he will work with Bernard L. Beck, assistant manager and supervising title attorney.

## Bright Future for Condominium

Condominium-type apartments will heave a tremendous impact on multiple-dwelling living in the future, George E. Harbert, President of the Rock Island County Abstract and Title Guaranty Co., Rock Island, told Rotarians at the Fort Armstrong Hotel.

"However, condominium apartments will not come into their own until they are priced for the medium income family," he declared.

Among advantages of this type housing are lower taxes, individual financing and ease of upkeep and services.

Illinois laws revised in 1963 permit the condominium, multiple-family buildings. He pointed out that Steepmeadow in Rock Island was built as a condominium structure of the expensive type.

"In actual practice, the condominium laws permit the sale of a unit in a multiple structure much as the sale of a lot in the subdivision," Harbert said.

In the building, however, there are four dimensions — length, breadth, top and bottom. In addition, the owner of this "lot" also has rights of common elements such as halls, stairs, elevators and lobby.

Popularity Will Grow.

"With the increase of population in the 55-year-plus bracket by 1970 — increasing," he said, by seven million over the 1960 census — the popularity of condominium-type housing will become more widespread.

This age bracket will become more interested in multiple-dwelling living because of its convenience and little need for do-it-yourself upkeep.

## Made Assistant Treasurers

Mr. John B. Waltz, President of Commonwealth Land Title Insurance Company, Philadelphia said that George J. Flavin and Joseph M. Tyrrell have been promoted to Assistant

Treasurers. Mr. Flavin will be in charge of the Accounting Department and Mr. Tyrrell will head up the Tabulating Department.



**FLAVIN**

Mr. Flavin, who has been with the Company since September 1960, is a graduate of St. Joseph's College.



**TYRRELL**

Mr. Tyrrell is a graduate of Northeast Catholic High School and attended LaSalle College. In addition, he has had extensive training in electronic data processing at the IBM school. He started with the Company in June 1955.

## Elected to Board

Douglas C. Welton, Senior Vice-President and Trustee of the Dry



Dock Savings Bank, has been elected to the Board of Directors of Home Title Division, Chicago Title Insurance Company.

Mr. Welton is a member of the Real Estate Board of New York and is on the Board of Directors of the East Side Association. He was formerly a Vice-President and Director of Albert B. Ashforth, Inc., and was also associated with the firms of Cross and Brown and Duff and Conger. Mr. Welton attended Union College, Wesleyan University and Columbia University Graduate School of Business.

## Automation A Boon

Automation is a boon that will help small businesses to meet competition and it does not pose a threat to their existence, according to Small Business Administrator Eugene P. Foley.

Foley's views on this and other matters affecting small business were taped for broadcast on the television program "Youth Wants to Know."

In reply to a question about the effect of automation on small business, Foley said:

"I think automation is an opportunity; I don't regard it as a matter of gloom or doom. I'll just give one statistic. If the telephones of this country were still on the old operator system, it would require all of the females in this country over 21 as operators. We couldn't possibly permit that to happen. What automation has done is to stimulate economic activity. And automation is going to make it easier for a small plant to become more competitive."

In response to other panel questions, Foley made these points:

- Small Businesses can compete with the industrial giants, but they must be alert to provide better service, develop better management and select better locations than their competitors. The small businessman also has an inherent advantage because he knows his customers better and is closer to the problems of his business than the management of larger firms.

- Reduced tariffs may hurt some small businesses, but the small busi-

nessman can't expect to be protected entirely from all the factors and forces of change in our dynamic society.

- Under the President's anti-poverty bill, SBA would be authorized to make small business loans up to \$15,000 for as long as 15 years. The aim is to provide credit to help build a strong middle class among minority groups that in the past have had little opportunity to go in business for themselves.

- Women are not as active in business management as they are in the professions, but more and more of them are turning to business careers every day.

A teen-ager wanted to know if Foley thought business really had a conscience. He replied:

"Yes, I think business has a conscience. I think you'll find in the last few years, particularly, more of an awareness of business ethics and the part it plays in a sound democracy and the preservation of the free enterprise system."

The Small Business Administrator said that the tax cut has stimulated "a great deal of economic activity" but there still remains considerable unused productive capacity.

In reply to other questions, Foley said that while private debt has been increasing, there are no signs that installment buying is getting out of hand. He did not see inflation as a problem at this time.

Asked how President Johnson keeps "Wall Street friendly to his Administration," Foley said: "I think the President has kept American business friendly by doing a good job, by having a continually sustained economic growth in this country . . . and by making business aware that he wants the government run on a businesslike basis. This is something businessmen appreciate."

## Elected Treasurer

Richard E. Fox, 708 Cathy Lane, Mount Prospect, has been elected treasurer and comptroller of Chicago Title Insurance Co., a wholly-owned subsidiary of Chicago Title and Trust Co.



Fox joined the staff of Chicago Title and Trust Co. in 1946 in the auditing department. He served in this department until 1951 when he went on military leave of absence, returning to auditing in 1952.

In 1955 he was assigned to the personnel department as salary administrator and in 1959 was appointed an assistant secretary. He became auditor in 1960, and in 1963 he was named personnel officer and manager of the company's personnel department.

Fox was graduated from Northwestern University with a bachelor of science degree and received a master's degree from the same university in 1959. He is a member of NABAC, the association for Bank Audit, Control and Operation and chairman of the association's technical sessions committee. He also is a member of the Northwestern University Graduate Business Alumni Associations.

## Announce Merger

Warren J. Pease, President of Washington Title Insurance Company, recently announced the merger of W.T.I. with its wholly-owned subsidiary companies.

The merger unites 16 companies operating in 18 counties throughout the State of Washington. While all the companies have been issuing policies of Washington Title Insurance Company, they will now use that company's name and will serve as "county offices" of the parent firm.

Pease stated "The principal reason for the merger is to offer state-wide service under the parent company's name. No changes in personnel or operating policies of the company are contemplated."

Washington Title, a wholly-owned subsidiary of Title Insurance and Trust Company, California, also issues policies through underwriting agreements with agency companies in 11 other Washington counties and offers title services through associate companies in the states of Alaska, Hawaii, Montana, Wyoming and The Territory of Guam.

## Dorociak Promoted

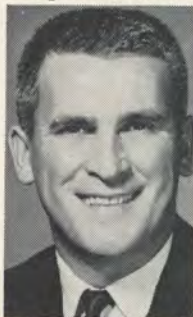
Robert D. Dorociak has been promoted to assistant Vice-President and escrow manager of Union Title Company, President J. H. Sharpe announced.

Formerly senior escrow officer in Union Title's branch at 5133 N. Central Avenue, Dorociak will supervise operation of the company's ten escrow branches. He will be located at the head office at 222 North Central Ave.

Dorociak's new position is another phase of Union Title's overall marketing program under the direction of Vice-President, F. James Rolando. It is designed specifically to expedite escrow services and techniques.

Operations in metropolitan Phoenix

have been divided regionally, with regional managers reporting to Dorociak.



**DOROCIAC**

office and will provide technical supervision to the North Central, Glendale and Midtown branches.

Al Pieri located at 4201 S. Central Ave. will be regional manager for Downtown Phoenix, South Central and West Rural, while Dale C. Hallock will supervise Tempe, Mesa and Southeast Rural. He is located at 525 Mill Avenue, Tempe.

The fourth region includes Scottsdale, Paradise Valley and Cave Creek. Mrs. Virginia Albany heads the Scottsdale office at 7000 East Camelback Road.

Dorociak joined Lane Title & Trust Co. as an escrow officer and became manager of the North Central office. When Lane Title merged into Union Title in April, 1961, he remained as manager of the North Central office.

In 1963 Dorociak won the "Sammy"



Award given to distinguished salesmen by the Sales and Marketing Executive Club of Phoenix. He is a member of the Phoenix Association of Home Builders, North Phoenix Rotary Club, director of the Arizona Cutting Horse Association and has served as President of the Arizona Horse Lovers Club for three years.

He resides at 508 W. Alice with his wife Diane and two children.

## Ceremonies for Ground Breaking

Ground was broken June 26 for construction of the Southwest Building, new home office of Southwest Title Insurance Company, Dallas, Texas.

Participating in the ceremonies and turning the first dirt were Southwest Title President Robert P. Stewart, Jr., County Judge Lew Sterrett, and Dallas City Councilman Bill Roberts.

In his remarks, Judge Sterrett pointed out that the Southwest Building will be the first new office building erected in the west end of Downtown Dallas in the past 30 years. He welcomed Southwest Title Insurance Company as a new neighbor to the planned County Courthouse complex. The Southwest Building, at Elm and Market Streets, will be across Elm Street from the Courthouse Plaza and one block from the new Courthouse building.

Present for the ceremonies were Thomas A. Woodward and George Capes of Woodward, Capes & Associates, architects for the building; Harold Hayden of Hudson & Hudson Realtors, Southwest Building leasing agents; Mrs. Owen George, wife of the late founder of Southwest Title Insurance Company; as well as the officers, directors, and key employees of Southwest Title.

The seven-story Southwest Building will contain a total of 40,000 square feet. Southwest Title will occupy the first floor and basement. The remaining six floors, or 30,000 square feet, will be available for lease.

According to Stewart, the building will be completed by June of 1965.

## Buckmaster Appointed

Richard R. Harris, President of North County Title & Abstract Co., of Lake Park, Florida, announces the appointment of JOHN L. BUCKMASTER as Vice-President as Officer in charge, North County Title & Abstract Co. is a subsidiary of Peninsular Title Insurance Company.

A native of Merchantville, New Jersey, Mr. Buckmaster attended Rutgers University in Camden, New Jersey. His background includes experience in all phases of title insurance business and association with a savings and loan institution.

Mr. Buckmaster is active in civic affairs, being a member of the board of Directors of Riviera Beach Chamber of Commerce and a member of Free and Accepted Mason's Lodge No. 303. He served in the U. S. Navy during World War II. His hobby is raising orchids and he is a member of the American Orchid Society.

He resides with his wife and two children at Riviera Beach, Florida.

## Merger Creates New Company

John R. Beckett, President of Transamerica Corporation has announced that two of the Corporation's title insurance subsidiaries had been merged to form the Transamerica Title Insurance Company.

The two subsidiaries, North American Title Insurance Company and City Title Insurance Company, operate in separate but adjacent areas in Northern California.

Officers of Transamerica Title include: Rhes H. Cornelius, Chairman of the Board; Vice-Chairman, Bradley Bogue and Martin M. Murphy; President, Dana G. Leavitt. Headquarters of the new company will be at 120 Montgomery Street in San Francisco.

## Agreement to Purchase

J. L. Wolgin, President of Atlas Credit Corporation, announced the execution of an agreement to purchase the controlling stock of West Jersey Title and Guaranty Company, Camden, New Jersey, for \$1,125,360



in cash, namely at a price of \$45 a share; also Atlas will offer to purchase all of the shares of the Title Company at the same price.

West Jersey Title and Guaranty Company has been in business since 1888 and since 1901, when it paid its first dividend, has never failed to pay a dividend each year. A \$2.00 per share regular dividend, plus a \$.25 extra, was paid in 1963. West Jersey Title and Guaranty Company is authorized to do business in the states of New Jersey, Pennsylvania and Delaware. It has recently filed applications for licenses to also operate in other states. Its activities, particularly during the early years of its existence, have been centered primarily in South Jersey.

Atlas Credit Corporation is a Philadelphia based company whose stock is listed on the New York Stock Exchange and the Philadelphia-Baltimore-Washington Stock Exchange. It is in the mortgage, real estate and home improvement financing business, operating through some seventeen subsidiaries, in more than thirty states in the United States and in addition it operates in Canada. Since 1962 it has acquired approximately 99% of the stock of the Colonial Mortgage Service Company.

Mr. Wolgin stated he has great faith in the vitality of the Delaware Valley area, that he is delighted at the prospect of association with the excellent staff and employees of West Jersey whose facilities will add to the diversified financial services now offered by Atlas Credit Corporation.

## Housing Bill Termed Controversial

Despite Administration claims, the 1964 "bare-bones" housing bill now being considered by Congress is a controversial measure in every sense of the word, Ed Mendenhall, High Point, N. C., President of the National Association of Real Estate Boards has declared.

He recalled that early this year the President sent an omnibus housing

bill to Congress that included many radical innovations, some of which



would have led to the "federalization of community life." Most of these ambitious new departures have been dropped from the bill now under consideration, the Realtor from North Carolina observed, because "apparently the fight on civil rights legislation dampened some enthusiasm for a major housing bill this year."

"One does not find it difficult to comprehend such a lessening of enthusiasm when one reflects that the two chairmen of the Senate and House Housing Subcommittees are from Alabama, and both fought bitterly against the enactment of the civil rights bill," he added.

Administration pressure, however, dictated that some housing legislation be enacted this year, particularly with respect to certain programs which would otherwise expire, Mr. Mendenhall said. Accordingly, the Senate Housing Subcommittee decided to enact a so-called "bare-bones" or non-controversial housing bill extending certain programs until October, 1965, and adding certain so-called noncontroversial provisions.

The President of the nation's Realtors cited three examples of the highly controversial nature of the bill:

1. The section authorizing the Public Housing Administration to execute contracts for 45,000 public housing units during the next 15 month period.

Pointing out that "it is inherently wrong in a free society for the government to own and operate the housing of its citizens," Mr. Mendenhall said that nevertheless "the public housers for the past 10 years have been authorized approximately 33,000 units per year. The 45,000-unit authorization is in excess of this annual rate and constitutes an attempt to lay a



foundation for future authorizations at the 45,000-unit-per-year rate."

2. Portions involving a new approach to code enforcement.

The speaker said that for many years NAREB has been "highly critical of the failure of many communities to measure up to local responsibilities for enforcing an adequate housing code." He said that this year many groups that previously opposed NAREB on this point have joined the fight.

"Everybody is for code enforcement, but the new proponents of code enforcement want the federal taxpayers to pay the cost of such code enforcement. Consequently, the Senate Housing Subcommittee approved in principal this so-called noncontroversial item: that at least 5 per cent of the capital grant to a local community for urban renewal be used for code enforcement in the urban renewal area.

"This means nothing more than an indirect way of saddling the federal taxpayers with the cost of enforcing a minimum housing code."

3. "Another so-called noncontroversial item" authorizing \$850 million in urban renewal capital grants during the next 15 months.

"We contend that this is a controversial item because the Congress will not have an opportunity to consider the many amendments governing the use of this \$850 million," Mr. Mendenhall said. "We are afraid that a substantial amount of it will be directed toward nonresidential urban renewal instead of being put to work to raise the housing standards of the American people."

The Realtor from North Carolina predicted that "regardless of the housing bill enacted this year, 1965 looms as the year for a major omnibus housing bill." He expressed the belief that many of the provisions which NAREB opposed this year "will be dusted off and revived in next year's bill."

As an example he predicted the Administration's renewal of its proposal to insure a \$50 million mortgage for a developer to set up a new town.

"With this \$50 million bait," Mr. Mendenhall charged, "the Housing and Home Finance Administrator will have the authority to predetermine the social, economic, racial, and age structure of the community . . . He will have the right to impose his own criteria as to proposed recreational facilities, the schools, and probably the churches.

"There is no question but that this \$50 million mortgage insurance provision for 'new towns' is a gigantic step toward the federalization of the land and the federalization of community life. Next year NAREB will continue to oppose this, as it will the extension of public housing and the extension of subsidies for middle-income housing."

## Title Company Elects

The Puget Sound Title Insurance Company of Seattle announces the election of Frank Benecke as President, succeeding Kenneth C. Klepser, who has retired after heading the Puget Sound Title since 1943.

Benecke, although born and reared in Sedro-Woolley, Washington, went to Seattle from San Francisco where he has been Vice President of the City Title Insurance Co. of that city. He was associated with the Phoenix Title



& Trust Co. for many years and is a member of the State Bar of Arizona. He is a veteran of World War II having served as an Army Intelligence Officer in the Pacific area. While in San Francisco he was active in community affairs including United Crusade, Boy Scouts of America, and Community Social Planning. Benecke is married and the father of three boys.

Elected to the Puget Sound board of directors in addition to Benecke were Rhes Cornelius and George Koster, both of San Francisco and officials of the Transamerica Corporation,



with whom Puget Sound Title has recently merged.

Named as Directors Emeritus were S. H. Schreiner of Yakima, veteran Puget Sound agent, and Harry M. Hawkins of Portland, Oregon, of the Oregon Title Insurance Co. and President of Commonwealth, Inc., of that city.

## First American Promotions

Two new directors were elected and three executives were promoted to Vice Presidencies at the 71st annual stockholders' meeting and subsequent board of directors meeting of First American Title Insurance & Trust Co., Santa Ana.

Newly-elected to the board are William G. Was, former Santa Ana who is President of Arizona Title Insurance and Trust Co., Phoenix, and Mark D. Eggertsen, President of Security Title Co., Salt Lake City, and member of the board of the American Land Title Association. The Arizona and Utah title firms are First American affiliates.

### Promotions

Officers promoted include Robert L. Kelchner of Costa Mesa, Vice President - subdivision and chief title officer; Robert F. Hoyt of Tustin, Vice President - public relations; and Lewis R. Byington of Portuguese Bend, Vice President - finance.

George A. Parker of Santa Ana was re-elected chairman of the board and Donald P. Kennedy of Santa Ana, President. Also re-elected to the board were W. F. Croddy, L. R. Kennedy, Frank C. Harrington and J. E. Liebig, all of Santa Ana; Lewis Douglas, Jr., George Potter, Jr., and Ralph Kohlmeier, all of Los Angeles; R. J. Munzer of Long Beach; and Harold Pilskaln, Jr., of Newport Beach.

### Re-Elected

Ted Oliver, former Newport Beach resident who now is Vice President and manager of First American Title Co. of Central California, Bakersfield, was elected Assistant Vice President of the parent company. Other promotions went to Richard S. Lamb, title officer; Diane Simmons and Ma-

vis Garlinghouse, escrow officers, all of whom were named assistant secretaries.

Re-elected officers include R. V. Shafer, Senior Vice President and counsel; L. R. Kennedy, Senior Vice President; R. W. Othmer, Vice President and senior title officer; John Lutz, Jr., Vice President - escrow and secretary; Donald G. Taylor and Charles A. Potter, Jr., Vice Presidents-trust officers; Harold Pilskaln, Jr., Vice President-council; Jack H. Derloshon, treasurer; R. S. Timme, Assistant Vice President-administration; and Darrel C. Truby, Assistant Vice President - engineering.

## Realtors Must Become Active in Politics

Realtors today no longer have the choice of accepting or rejecting politics and government as a part of their business life, Minnesota State Senator Harmon T. Ogdahl, Minneapolis, declares, for only Realtors "have the special knowledge and skill to serve interests of thousands."

Realtors are familiar with the city and state laws that control and regulate property and its uses. They are familiar with the geographic, physical, social, religious, and ethnic elements of their communities.

Sen. Ogdahl, writing in the June bulletin of the National Institute of Real Estate Brokers, an affiliate of the National Association of Real Estate Boards, points out that at the federal, state, and local levels there are hundreds of involved controls and regulations affecting real estate which "can be grasped adequately only by a person with a background in real estate."

Sen. Ogdahl who is also a Realtor, explains that zoning regulations are one example of local control that can have a profound impact upon a community. Recently, he remarks, several cities across the nation have adopted new comprehensive zoning ordinances. It is doubtful that anything outside of an oil or mineral boom could so drastically affect values as zoning changes — or even zoning proposals,



"Any city with zoning regulations that are 40 to 60 years old needs to take a new look at the application of existing laws in relation to present-day needs," the senator states, but there are many hazards in rewriting zoning laws that must be avoided with careful study and thorough analysis.

The regulation of land use is not a subject that can be summarily dealt

with. It is a subject for experts, he says, for if efforts to improve zoning regulations are not made by experts, a city can face real estate suicide.

Other areas such as city charter revision, new building codes, maintenance codes, and master city plans can be deadly traps for business also if sufficient knowledge is not present, he states.

## Fletcher—Daniels Plans New Building



### ARCHITECT'S CONCEPT OF NEW BUILDING

Gilbert W. Daniels, President of Fletcher-Daniels Title Company, announced today that final plans have been approved for the company's new office building to be built on the N. E. corner of 13th and Main Streets in Vancouver, Washington.

Fletcher-Daniels is an agent for Washington Title Insurance Company headquartered in Seattle, Washington.

The above architects rendering of the 8400 sq. foot building includes rental space of 1600 sq. feet. The contemporary designed building will feature a combination of textured precast concrete with composition gravel surface, dark anodized aluminum and bronze tinted glass. The interior will house the general offices and title plant. The space will be partitioned by combining wood paneling as well as general and accent partitioning. The ceiling will be suspended acoustic tile with fluorescent lighting and will be heated by gas fired boilers and will be completely air conditioned. On site parking includes space for 13 cars with the entrance on Main Street. Construction will start in September.

The architects are Nelson, Walla & Dolle — A.I.A. of Vancouver, Washington.





Hale Warn, left, Executive Vice President of Title Insurance and Trust Company, Los Angeles, served as General Chairman of the Sixteenth Annual Brotherhood Dinner sponsored by the National Conference of Christians and Jews, Inc. The national brotherhood award was presented to Carl T. Rowan, center, director of the United States Information Agency by Dr. Louis Webster Jones, right, National President of the Organization. The affair was held at the Ambassador Hotel and was attended by 600 business, civic and government leaders from Southern California.



**PUGET SOUND TITLE  
INSURANCE COMPANY  
SEATTLE, WASHINGTON**

*Mr. James W. Robinson  
Director of Public Relations  
American Land Title Association  
1725 Eye Street, N. W.  
Washington, D. C.*

*Dear Jim:*

*There have been some changes in the Puget Sound Title situation here in Seattle which I think will make interesting reading in the Title News. We have effected a merger with the Transamerica Corporation, whose head office is in San Francisco, California, as you probably know.*

*On June 19, 1964, Kenneth C. Klepser retired as President of the Puget Sound having served as our President since 1943. Mr. Klepser came to the state of*



Washington from the Midwest in 1929 and subsequently built and acted as manager of the Everett Abstract and Title Company in Snohomish County, Washington, until 1939, when he came to Seattle as manager and treasurer of Puget Sound, being elected to the presidency in 1943.

Ken has been succeeded by Franklin H. Benecke, who immediately preceding his election was Vice-President of the City Title Insurance Company of San Francisco, which is a part of the Transamerica family.

In addition, you might mention that Kenneth Klepser over the years has been active in official affairs of the American Land Title Association having served on its executive committee and in other capacities. He also is a past President of the Washington Land Title Association. Also it might be news-worthy to mention that on the day following his resignation he and Mrs. Klepser left for an extended tour through Europe including Norway and Yugoslavia and will remain aboard until sometime this coming September. Kenneth Klepser remains on the Board of Puget Sound Title and will undoubtedly be active in our affairs. Other than the additions which are mentioned in the enclosed article, the official staff of Puget Sound remains the same.

With best wishes, I am,

Sincerely yours,

CARL SCHEUCH, JR.

Vice President

## In Memoriam

### C. O. Hon, Sr.

Charles Oren Hon, Sr., of 12 Riverista Drive, chairman of the boards of Title Guaranty and Trust Co. and

Chattanooga Abstract Co., died recently.

He was born August 1, 1885, in Illinois and graduated from Valparaiso University School of Law, Valparaiso, Indiana, in 1912.

Mr. Hon has been President of both the Title Guaranty and Chattanooga Abstract companies for 15 years before becoming chairman of the board of both concerns.

He was also a partner in the firm of Hon and Hon, attorneys, and a member of the Chattanooga and Tennessee bar associations.

Mr. Hon had been an active member and leader in the First Christian Church of which he was elder emeritus. He had served as church treasurer for 25 years.

In April of 1963 he received an Award of Merit from his church for "outstanding Christian service in grateful recognition of 47 years of faithful service as deacon, elder, secretary to the official board and chairman of the official board; for 25 years of continuous stewardship as treasurer of the church."

The annex to the First Christian Church was also named the "C. O. Hon Annex" in his honor.

The Tennessee Bar Association presented him with the 50-year Award in June, 1962, in recognition of "valuable and meritorious service rendered by C. O. Hon, Sr., to his community and profession as a member of the bar for more than 50 years."

Mr. Hon was a member of the Chattanooga Kiwanis Club, the Audubon Society, City Farmers, the Greater Chattanooga Chamber of Commerce and the Chattanooga Golf and Country Club.

Mr. Hon is survived by his wife, Mrs. Mary Elizabeth Beck Hon; Four children, Mrs. Elizabeth Hon Poynton, Charles O. Hon, Jr., Mrs. Margaret Hon Snodgrass and Daniel B. Hon, all of Chattanooga; 11 grandchildren.





# TO THE LADIES

Welcome to Philadelphia, a real convention City! We have plenty for you to see and do.

The weather should be delightful during the day with cool evenings. For your wardrobe, we suggest light weight suits, with dressy blouses, dark cottons or dark, light weight dresses, cocktail dress, warm wrap (either light weight coat, stole or sweater).

The Ladies Luncheon and Fashion Show will be Tuesday, September 22, at the Old Covered Wagon Inn, in Stratford, on the beautiful Main Line. There will be a tour of the Main Line and historical Valley Forge. This will be a trip you will always remember.

JOYCE DAVIS



The Burgundy Room, in the Bellevue-Stratford Hotel, will be open on Monday and Tuesday mornings, from 9:00 a.m. to 11:00 a.m. for rolls and coffee and the Hospitality Committee will be on hand to greet you and to help you with your needs. We will try to help you with suggestions for your shopping and points of interest in Philadelphia. Maps and brochures will be available to help plan your "free" time. There will also be a gift of Philadelphia for each lady attending the Convention.

We know you will have a wonderful time in Philadelphia and we will do our utmost to make your stay a pleasant one.

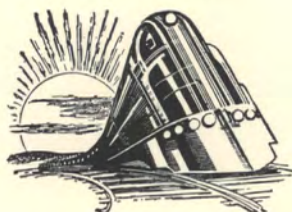
SARA SHEARD  
JOYCE DAVIS

SARA SHEARD





# Meeting Timetable



## **AUGUST 27-28-29**

Minnesota Land Title Association  
Ruttger's Birchmont Lodge  
Bemidji, Minnesota

## **SEPTEMBER 10-11-12**

North Dakota Title Association  
Holiday Inn Motel  
Bismarck, North Dakota

## **SEPTEMBER 11-12**

Kansas Title Association  
Town House Hotel Kansas City, Kansas

## **SEPTEMBER 11-12**

Utah Land Title Association  
Ramada Inn Salt Lake City, Utah

## **SEPTEMBER 20-23**

ANNUAL CONVENTION  
American Land Title Association  
Bellevue Stratford Hotel  
Philadelphia, Pennsylvania

## **SEPTEMBER —**

Louisiana Title Association  
Roosevelt Hotel New Orleans, Louisiana

## **OCTOBER 11-12-13**

Nebraska Title Association  
New Tower Hotel Courts  
Omaha, Nebraska

## **OCTOBER 18-19-20**

Ohio Title Association  
Commodore Perry Hotel Toledo, Ohio

## **OCTOBER 22-23-24**

Wisconsin Title Association  
Uphoff's Motel Lake Delton, Wisconsin

## **OCTOBER 25-26-27**

Missouri Land Title Association  
Belair East Motor Hotel  
St. Louis, Missouri

## **NOVEMBER 8-9-10**

Indiana Land Title Association  
Claypool Hotel Indianapolis, Indiana

## **NOVEMBER 12-13-14**

Florida Land Title Association  
Lucayan Beach Hotel Freeport, Bahamas

## **NOVEMBER 13-14**

Land Title Association of Arizona  
Phoenix, Arizona

## **FUTURE ALTA CONVENTIONS**

1965—Chicago  
1966—Miami Beach  
1967—Denver  
1968—Portland, Oregon

## **FUTURE MID-WINTER CONFERENCES**

1965—Washington, D.C.  
1966—Chandler, Arizona  
1967—Washington, D.C.



