

MCBA REAL ESTATE SECTION COUNCIL MEETING
JANUARY 18, 2011 MEETING MINUTES

LOCATION: Monroe County Bar Association

ATTENDANCE: Paul Berndt (Chair), Kevin Hoyt (Vice Chair), Maureen Garvey, Jill Myers, Peter Bryant, Thomas Solomon, Lou Morin, Steve Pheterson, and Seth Weinstein (Secretary).

EXCUSED:

The meeting was called to order by Chairman, Paul Berndt.

I. Old Business

A. November and December minutes circulated for approval.

- Myers: Comments on 2 changes to be made to November minutes.

Weinstein: Motions to approve as amended. Carra: 2nd

Motion passes – None opposed.

- Garvey moves to approve December minutes as-is. Pheterson: 2nd

Motion passes – None opposed.

II. Current Business

A. CLE's:

(i) December Holiday Meeting – Berndt states that feedback is mixed.

- Section is glad that we are doing something, but not happy with our position regarding survey encroachments.

B. Kevin Hoyt is putting together committee to (1) update manual and (2) review Title Standards (including survey)

Committee:

Kevin Hoyt, Chair

Joe Interlicchia

John D'Amanda

Stu Cooper

Tom Solomon

Jerry Vasile

Josephine Carra

Steve Pheterson

Seth Weinstein

- Goal of June, 2011 to publish updated manual and title/survey standards.

(ii) Construction Contract presentations:

- Agents fair on March 10th – Myers and Weinstein to present.

- MCBA/Developer CLE (April/May target)

(iii) Berndt: David Case working on a foreclosure update.

- Tom Solomon suggests Zoning CLE
- Lou Morin volunteers to Chair.
- Target: May, 2011.

C. Myers reports that HOA contract generally approved but being reviewed for final draft.

- Hoyt moves to accept general changes and make part of HOA contract.
- Pheterson 2nd Motion passes.
- D. MCBA website update – Garvey: work in progress.
- E. UPL update – Garvey: No Dec. meeting of UPL.

III. New Business.

- A. Solomon presents Certificate of Insurance Case
- B. Carra: If a title policy doesn't revise an exception for marketability, is title deemed marketable? General discussion follows regarding whether a recorded Order vests title in Plaintiff.
- C. Pheterson reports on MCCO matter regarding Reverse Mortgage. MCCO filed 2nd mortgage twice because it imaged wrong mortgaged.
- D. Morin: HETPA raised at Realtor/Bar committee and MCBA asked to provide Spanish language form. GRAR will pay for translator but we have been asked to prepare document.

Meeting adjourned.

Next meeting is scheduled for February 15, 2011 at the Monroe County Bar Association. Josephine Carra of Chicago Title to provide lunch.

Respectfully submitted,
Seth A. Weinstein, Secretary