



THE KANSAS ABTRACTER

The Official Publication of The Kansas Land Title Association

Spring 2007

SHAWN HERRICK, Editor

Electronic Recording Commission Report

Submitted by Randy Barbour and Chris St. John

Wednesday, December 13, 2006, Chris St. John and Randy Barbour attended the third meeting of the Electronic Recording Commission established by URPERA (Uniform Real Property Electronic Recording Act) as passed in Kansas during the 2006 legislative session. John Bartolac, Johnson County Register of Deeds, presided over the meetings. Three industries still had not submitted their appointments as of meeting time, among which were the mortgage broker industry and the realty industry.

Special guest Carmelo Bramante, Co-author of the PRIA URPERA Guide, and a recognized expert in this area, gave a presentation and answered questions for the group.

Based upon suggestions from Mr. Bramante, the commission divided up into several subgroups to put together a focus statement, organizational rules and to begin work on the very technical details from data mapping. At issue still is the lack of funding for the commission, which has not caused a problem

up until now, but may cause a problem in the future if outside technical expertise is required to complete the mission.

Also based upon comments by Mr. Bramante, I feel the commission will place lesser emphasis on work done in other states, and utilize very heavily the PRIA white papers and modify if necessary for Kansas specific laws.

The next meeting is scheduled for January 24th in Wichita at a location arranged by the Sedgwick County Register of Deeds, Bill Meek. This is two weeks later than originally planned to allow for the holidays and aggressive goals to be achieved for the next meeting.

NOTE: Randy Barbour reports that nothing of any consequence to report was done at the January 24th meeting.

New Executive Secretary Announced

President Suzan Kimball and the Executive Committee of the Kansas Land Title Association are pleased to announce the hiring of a new Executive Secretary effective February 1, 2007.

Her name is Shawn Herrick and she is a life long Kansan having grown up in Topeka, Kansas and graduated from Seaman High School. She has a Degree in History and Political Science from Kansas State University and has spent the last 16 years in association management. Shawn is very active in the Pleasant Hill United Methodist Church and just accepted the Secretary position on the Board of Trustees. She and her husband, Brian reside in Topeka, Kansas along with their 2 daughters Jessica, 8 and Tara 5. Shawn's interests include competitive level of racquetball, volleyball, golf, refinishing furniture, flower gardening, reading and of course lots of children's activities. Please add Shawn's name and contact information to your KLTA Directories for future reference.



Picture captures the transition team of Linda Lea Voss and Steve Kimball on the left transitioning to Shawn Herrick on the right

KLTA Needs You!

KLTA to Celebrate 100 Years!

2007 marks the 100th Anniversary of the Kansas Land Title Association, and I am looking for members who are interested in working on the Centennial Committee. Plans are being made for this special event and I invite anyone interested in being part of this landmark event to volunteer now! Your ideas and comments are welcome. Help make this a year to remember!!

Look Forward to:
New KLTA Member Door Logos
Updated KLTA History Booklet
Company Histories of KLTA Members
Abstract Contest????

**Contact Suzan Kimball, KLTA President-Elect
Or Steve Kimball, Sec-Treas**

Contact Suzan at 620-675-2322, titlepro@pld.com OR
Steve at 785-487-3441, pottcoab@bluevalley.net

**2007 Centennial Convention
August 9th-11th, 2007
Wichita Marriott Hotel**

Volunteer Today!!

Address Change for KLTA Association Office

Shawn Herrick, Executive Secretary
7321 NW Rochester Road
Topeka, Kansas 66617
(785) 286-1110
shawnherr@tfmwireless.net

PRIA Convention • 2/28/2007 to 3/2/2007 • Washington, D.C.

PRIA work (Property Records Industry Association) has been the foundation of the progress the URPERA Commission has made in meeting its July 1, 2007 deadline of implementing the guidelines to be used for electronic recording of real estate documents in Kansas.

KLTA was kind enough to pay my convention registration fee to attend their national meeting. Saline County Register of Deeds, Rebecca Seaman, graciously got my fee reduced to a minimal guest fee making it cost effective for me to attend the PRIA meetings. First American Title Insurance Company of Kansas was kind enough to pay for my room and board while attending the PRIA meetings.

In attendance from the Kansas Commission at the meetings were John Bartolac, Johnson County Register of Deeds who is the Kansas URPERA Commission Chairman and Rebecca Seaman, Saline County Register of Deeds. Also attending were the Riley County Register of Deeds as well the Deputy Sedgwick County Register of Deeds and a member of her IT staff.

There were several sessions of general discussion with panels of industry leaders leading the discussions.

- There was a presentation by Adobe and Countrywide Home Loans of an electronic document created and executed in Acrobat format. Of importance to me in that presentation was the announcement that they are submitting version 1.7 of acrobat format to ISO for approval and acceptance as an open standard, taking it out of the control of one company.
- There was some discussion of removing private information from recorded documents (termed redacting) and the penalties for distributing documents with private information on them.
- I was able to ask some questions regarding introduction of electronic documents as evidence in a court

of law.

I left the meetings confident that the Kansas URPERA Commission is asking the right questions and is concerned about the right issues. Unfortunately, I also left knowing that there are no concrete answers out there. We are on the leading edge of this metamorphosis in the way we do business. With little guidance but

the foundation that PRIA experts have laid for us and the practicality and common sense that we Kansans seem to draw upon, I suspect we will succeed in our task of integrating Kansas recording offices into the mainstream of American e-commerce.

Respectfully submitted,
Randy Barbour

Changes to Constitution and By-laws

Enclosed in this Edition of the Kansas Abstracter are copies of the KLTA Constitution and Bylaws. The Executive Committee is submitting proposed changes to the membership. The changes will be voted on at the convention in August. The changes are noted by underlining and are as follows:

Constitution:

Article III: Membership 1.
Article IV: Dues
Article VII: Management and Control
Section 2: Officers
Article IX: Committees Items A, H and I. (Addition of New Committees)
Article XI: Section 2 Archives

By-Laws of the Kansas Land Title Association

Article II: Executive Committees
Section 4: Duties
Article III: Officers
Section 4: Treasurer
Article IV: Committees
Section 9: Executive Secretary
Supervisory Board

Most of the changes are necessary due to the change from Secretary Treasurer to an Executive Secretary.

The changes will be explained in detail at the convention prior to the vote.

If you have questions please feel free to contact Suzan or Steve Kimball.

Thanks to Hayden St. John our By-Laws Chair for all his work on these changes.

Notices

- A well established National Title Insurance Company is accepting resumes for an Agency Representative position in this area.

Please send resumes and inquiries to: KLTA

P.O. Box 218
Westmoreland, Kansas 66549

- John Wheeler, United General Title Insurance Company, has been appointed Kansas State Trustee to the Title Industry Political Action Committee (TIPAC) for the American Land Title Association. Mr. Wheeler has served on the KLTA Pac Committee and is a Past President of KLTA. Congratulations are in order for John.

In Memoriam



Harold Henderson
Eureka, Kansas
January 16, 2007



Gerald Rogers
Wellington, Kansas
February 28, 2007



David Robson
Abilene, Kansas
March 8, 2007

Following conduct of appropriate assessment and/or remedial activities under the direction of the Kansas Department of Health and Environment (KDHE), another tool is now available in our remediation toolbox to comprehensively address environmental contamination at impacted properties across the state. Specifically, when contamination exceeding applicable standards for unrestricted use remains on a property, the property owner may make application to KDHE for voluntary participation in the recently established Environmental Use Control (EUC) Program. The purpose of the EUC program is to provide a practical mechanism to achieve eventual site closure by addressing remaining environmental contamination in both a cost-effective and overall protective manner.

Basically, EUCs are a legal means of restricting or prohibiting property use to prevent or reduce human exposure to residual environmental contamination. Some examples of EUCs include, but are not limited to: preventing disturbance of soil covers; prohibiting drilling of water wells on the property; restricting excavation activities on a property with required advance notification; restricting use of a property to only nonresidential use; and/or restricting access to a property. The EUC Act became state law on July 1, 2003 with EUC regulations finalized in April 2006 as K.A.R. 28-73-1 through 28-73-7.

Purpose

Again, EUCs provide property owners with a method of potentially limiting or reducing the amount of remediation on a property while still remaining protective of human health and the environment. By limiting future use, the remedial stan-

dards for that property may be tailored to the allowed future use of the property. EUCs can be applied to a property in perpetuity or for a specified number of years. In addition, a property owner may conduct additional activities in the future to reduce or eliminate the risk posed by the residual contamination, at which point, a request can be made to KDHE to remove or modify the EUC.

EUCs can be an effective component of the remedial alternative for properties where it is not technically or economically feasible to remove residual environmental contamination that exceeds unrestricted use standards; that is, a property with contaminant concentrations that exceed residential standards. Restricting access to or activities on the property are viable options for reducing potential exposure to environmental contamination and dramatically decreasing the overall risk to human health.

Anticipated long-term benefits from the EUC program include: increased protection of human health and the environment through tracking and enforcement of land use restrictions; increased selection of more affordable remedies based on future land use; redevelopment and beneficial reuse of previously contaminated property for industrial and commercial use; and, establishment or restoration of economic vitality in Kansas communities. The benefits of the program will be realized by a wide spectrum of parties including the public, landowners, potential purchasers, and local government entities.

EUCs can be beneficial to landowners by reducing a landowner's environmental liability and through cost savings realized from restricting access or use of the prop-

erty rather than remediating to unrestricted use standards. EUCs protect potential purchasers by disclosing contamination and restrictions on the property deed. These restrictions transfer with property ownership and are binding on all subsequent owners, lessees, and other users of the property. Once applied, EUCs cannot be removed from a deed without KDHE's approval. Tracking properties with EUCs help protect local government entities interested in acquiring property by making them aware of environmental conditions or restrictions prior to acquiring it. By allowing landowners or companies to remediate environmental contamination to concentrations suitable for the future use of a property, the program encourages redevelopment of previously blighted areas. This would potentially be beneficial for economic redevelopment and could result in an increased tax base for local communities and promote the creation of jobs.

Eligibility and Implementation

To be eligible to receive an EUC, the property must be active (or has been active) in a KDHE program with oversight authority such as the Voluntary Cleanup and Property Redevelopment Program or the State Cooperative Program. While EUCs can be approved for an eligible property at any point during the investigative or remedial process, they must be applied as part of the overall approved clean-up plan. EUCs cannot be used in lieu of evaluating active remedial alternatives or used as a substitute for remedial actions that are otherwise technically and economically practicable.

Upon approval of an application, KDHE will generate an EUC

KDHE's Environmental Use Control *continued from page 3*

Agreement (EUCA) that sets forth the restrictions, prohibitions, and limitations to be applied to the property. The agreement also describes the funding means and amount, the duration of the EUC, the monitoring, inspection, and maintenance requirements, and any other necessary terms and conditions of the EUC. Upon receipt of the executed EUCA from KDHE, the applicant must sign and notarize the document and file the agreement with the Register of Deeds in the county where the property is located. The applicant must submit a notarized copy of the filed EUCA to KDHE within 90 days from certified receipt of the executed agreement from KDHE.

For additional information about the Environmental Use Control Program, please contact KDHE at (785) 296-1673.

Thank you from Steve Kimball

As you should know by now I am no longer the Secretary of the Kansas Land Title Association. As of February 1, 2007 Shawn Herrick is the new Executive Secretary. I will however stay on as Treasurer through the 2007 convention after which Linda Lea Voss and I will be stepping down from our respective positions.

Thanks to all of you for allowing me to serve our Association as Secretary-Treasurer the past 8 years. I have been very fortunate to have been surrounded by very capable and helpful people during my tenure. It has been a real pleasure to have served with and for all of you.

Two people I want to single out for all their help and hard work are my wife, Christy and my very good friend and assistant, Linda Lea. I could not have done this job without their assistance and support.

A Note from Shawn

First, a sincere thank you is extended to the Kansas Land Title Association members for allowing me the opportunity to be a part of such a great team of individuals. I am looking forward to getting to know each member as time passes. With numerous notes and calls of welcome, it's evident this is more than a trade association. It is also a group of professionals who behave more like a family.

The tenure of a 100-year organization alone says volumes about your strength and each individual contributes to that power. You should be proud of your achievement and the best way to show your solidarity is to come to your 100-year celebration at the Annual Convention in Wichita, in August. I know your current President, Suzan Kimball, and the Convention Committee are planning a special event.



Kansas Land Title Association
A century of evidencing Kansas land titles

I've decided to ask a few other people to join me in extending a warm invitation to you to join your KLTA friends. Perhaps they'll be more persuasive.

First off, here's a word from your first grade teacher. She wishes to have a little chat with you. (I think I'd stand up straight if I were you.) "Pay attention, KLTA boys and girls. We're going to line up single file – no talking back there! - and walk through the big doors of this big hotel in order to attend a big convention. Roger Hannaford III, if you don't keep your hands to yourself, you'll have to go back to the big bus and sit by yourself. As I was saying, this is a convention. Does anyone know what "convention" means? No? Well, let's break the word down into its component features. First, we have "convent" On second thought, let's save word study until tomorrow."

More persuasion needed? Here's a word from your mother. "You're not coming to convention? Well, don't you worry one little bit that your absence will break your father's heart and cause him to slip into an immediate state of decline so wretched that he'll look like Mr. Hoppenflunker next door, who, as you may recall, began to wither on the vine when their no good daughter from New Jersey didn't show up at their 50th wedding anniversary but only bought a cheap card (not even a Hallmark) to mark the occasion that meant as much to the poor old folks as this KLTA convention does to us."

Still not convinced that this year's convention warrants top priority on your "Things to do" list? O.K. You're forcing me to fight dirty. Just try to resist this guy.

"Hi there. This is Cuh-ray-zee Bob, coming to you upside down in these inversion boots high up on the snow-covered roof of Crazy Bob's Convention Outlet. Now, folks, it's 14° below zero up here and the blood is rushing to my head. But, I'm not coming down until we've got two zillion people coming to the KLTA 100-year convention. Hurry on down, because Crazy Bob is feeling a little..."

I know you each want to get a happy face sticker, please your mother or make Crazy Bob shut up. So, make plans right now to attend the event a century in the making. I'd like to meet you all. C'mon now.

ALTA FEDERAL CONFERENCE

By Suzan Kimball, KLTA President

The ALTA Federal Conference was held at the Willard-Intercontinental Hotel on Pennsylvania Avenue in Washington, D.C., on March 4-7. Kansas representatives included President Suzan Kimball; Executive Secretary Shawn Herrick; John W. Dozier, ALTA Government Affairs Committee; John P. Wheeler, TIPAC State Trustee; Polly Epting, ALTA Education Committee; and Randy S. Barbour.

Monday morning, Shawn and I attended the Affiliate State Association meeting. ALTA is considering totally restructuring its dues system (income based), possibly adding individual memberships and even considering a "dual-member discount" so that if a member belongs to their State Association, the ALTA dues would be discounted. Each State representative was also given the opportunity to report on their legislative issues and other matters of interest in their respective associations. Ed Miller, Chief Counsel for ALTA and voice on the Hill, reported that the GAO report will probably be available in April. He is hopeful that ALTA will have a copy of the report, prior to it going public so they can address any issues that may not be favorable to the industry.

Cara Detring, Missouri, Past President of ALTA and Chair of TIPAC made a plea for more contributions to PAC, both on the State and Federal levels. Ed Miller has been a great asset to ALTA at the Capital, but "money talks". I would encourage you to contact John Wheeler, or any ALTA staff to make your donation. All checks for TIPAC must be on your personal account - corporate checks are not acceptable. And while you are at it, don't forget the KLTA PAC!

We then split into two groups. The officers met in one group, and most of the discussion was focused on maintaining memberships and fur-

ther discussion on legislative issues. The executive directors met as a separate group. Pam Croke, Esq., Executive Vice President of the Pennsylvania Land Title Association and Diana Nichols, Executive Director of the Indiana and Kentucky Land Title Association were the moderators of the executive directors group. Discussion centered on fundraising ideas and maintaining a strong and active membership during challenging financial times. Suggestions for fundraising varied from group to group. However a noticeable common theme was that each group relied heavily on vendors and each association leader felt it imperative to keep strong communications with those vendors. Membership growth focused on the value of the membership. Most believed that education was their strongest attraction. A small amount of time was spent on the concept of an individual membership category with several groups having recently begun a new program with dues at \$20 per individual. The associations are realizing some new growth.

Session programs included presentations from the Office of Foreign Assets Control (OFAC) and its impact on the title industry and the need to run names of parties in a transaction against the SDN list. Steve Parton, General Counsel, Florida Office of Insurance Regulation presented a Regulator's View on Title. Florida is taking a hard look into ABA's - not so much with emphasis on being RESPA compliant, but as being formed solely for the purpose of referral of business. When asked his views on a bank or financial institution owning



Suzan and Brad Kimball in Washington D.C.

25% or more of the ABA, he said his office didn't care who owned the company. It was there to regulate the business of insurance. Rich Carlston, ALTA's retained counsel, presented an outline of how to meet with state regulators and policy makers. Gary Gunningham gave a report on RESPA enforcement and RESPA reform. Apparently RESPA reform is not on any of the new Congressional members' agenda for this year, but he does think it will come up again later this year. Several questions were asked by the audience regarding enforcement issues, and whether HUD investigations were open to the public. There was also a panel discussing uniform closing instructions.

The conference ended with a Congressional Luncheon at the Rayburn House Office Building on Wednesday afternoon, but only a few Representatives stopped by to visit with their constituents in our group.

New Members

Premier Title, Inc.
Chris Tucker, President
Leavenworth, Kansas

Sunflower Title
Greg Dale, President
Wichita, Kansas

Please add to your KLTA Directory.

BY-LAWS OF THE KANSAS LAND TITLE ASSOCIATION

ARTICLE I:

VOTING – GENERAL MEMBERSHIP MEETINGS

At all general membership meetings each active member in attendance at any meeting shall have one vote. An active member is defined as any individual, partnership, or corporation that has paid the required dues, and each entity shall be entitled to only one vote for each paid membership. Upon request of an active member, a roll call vote shall be taken, and each active member, as taken from the Executive Secretary's current membership list, shall be entitled to one vote.

ARTICLE II:

EXECUTIVE COMMITTEES

Sec. 1 Structure

The management and control of the Association shall be vested in the President, the President-Elect; the Vice President; the Immediate Past President; the President of the Past Presidents Council, and the Executive Committee, which Committee consists of twelve (12) members.

Each one of the twelve (12) Executive Committee members shall be entitled to one (1) vote. The Immediate Past President and the President of the Past Presidents Council shall each be entitled to one (1) vote. The President of the Association shall only be entitled to vote in the case of a tie and his/her vote is needed to break the deadlock. The President-Elect and Vice President shall each be entitled to one vote unless he/she is acting in place of the president, in which case he/she shall have only the voting powers of the President.

Sec. 2 Districts

The State of Kansas is hereby divided into five Regional Districts. Such districts to consist of the following counties:

District 1.	Cheyenne	Rawlins	Decatur
	Sherman	Thomas	Sheridan
	Wallace	Logan	Gove
	Norton	Phillips	Smith
	Osborne	Rooks	Graham
	Trego	Ellis	Russell
District 2.	Jewell	Republic	Washington
	Marshall	Clay	Cloud
	Mitchell	Lincoln	Ottawa
	Geary	Dickinson	Riley
	Doniphan	Brown	Nemaha
	Atchison	Pottawatomie	Jackson
	Jefferson	Leavenworth	Shawnee
	Wyandotte	Johnson	Douglas
	Wabaunsee		

District 3.	Miami	Linn	Franklin
	Anderson	Coffey	Osage
	Lyon	Chase	Morris
	Bourbon	Allen	Woodson
	Greenwood	Elk	Chautauqua
	Montgomery	Labette	Cherokee
	Crawford	Neosho	Wilson
District 4.	Butler	Barber	Sedgwick
	Kingman	Harper	Sumner
	Cowley	Pratt	Saline
	Ellsworth	Stafford	Rice
	Reno	Harvey	Marion
	McPherson	Barton	
District 5.	Rush	Ness	Pawnee
	Hodgeman	Edwards	Gray
	Meade	Clark	Comanche
	Lane	Kiowa	Ford
	Scott	Wichita	Greeley
	Hamilton	Kearny	Finney
	Haskell	Grant	Stanton
	Morton	Stevens	Seward

Sec. 3 Number and Election of Executive Committee

(a) There shall be 12 elected Executive Committee members each having a three (3) year term of office. Two (2) of the elected members shall be elected from the Association membership "at-large". Ten (10) of the elected members shall be elected from the District in which they reside with there being two (2) members from each of the five KLTA Districts. Terms of office will be rotated and staggered in order that experiencing members will be on the Executive Committee at all times.

Executive Committee members shall be elected at the Annual Convention each year. During the first election year, there shall be elected five (5) members, one from each of the five districts, for a 3 year term of office. During the second election year, there shall be five (5) members, one from each of the five districts, for a 3 year term of office. During the third election year, there shall be elected two (2) members from the membership "at-large" for a 3 year term of office.

(b) Each of the two elected Executive Committee members from each of District shall appoint his/her own District Chairperson of the District. The term of office of each District Chairperson shall run from date of appointment to the next annual convention.

(c) A vacancy in Executive Committee or any office shall be filled by a majority vote of a quorum of said Executive Committee.

Sec. 4 Duties

The duties of the Executive Committee are to formulate the policies of the Association, assist in its activities, act in a general advisory capacity, and decide necessary business and perfunctory matters. The Executive Committee shall annually select a Treasurer to perform the necessary duties of such an office, and prescribe the duties, rules and regulations for the work of such Treasurer.

The Executive Committee shall employ an Executive Secretary whose duties and responsibilities shall be at the direction and control of the Executive Secretary Supervisory Board, and whose salary shall be set by the Executive Committee.

Sec. 5 Quorum

A quorum of the Executive Committee shall consist of six voting members.

ARTICLE III: OFFICERS

Sec. 1 President

The President shall preside at the annual convention and all other meetings and otherwise direct the affairs of the organization as is customary for such an official to do.

Sec. 2 President-Elect

The President-Elect shall be the incoming President of the Association. He/she will act in the name, place and stead of the President in case of his/her absence or inability to perform the function for any reason whatsoever. The President-Elect will preside and be in charge of the title school, and should be the outgoing Vice President.

Sec. 3 Vice President

The Vice President shall serve in the capacity of understudy to the President-Elect and President. The Vice President will be invited to and included in all meetings of the education committee for the purposes of learning how to run the title school, and may be charged with chairperson of a committee at the direction of the President. In the event the President-Elect is unable to serve either temporarily or permanently, the Vice President will automatically become the President-Elect.

Sec. 4 Treasurer

The Executive Committee shall, at the annual convention or within 30 days after adjournment of the convention, meet and appoint from the membership of this Association a Treasurer.

Sec. 5 Election of Officers

The President, President-Elect, and Vice President shall be elected at the annual convention by a majority vote of the quorum at the general membership meeting.

Sec. 6 Term of Officers

The terms of the President, President-Elect and Vice President shall be from the date of their election until the date of the election of such officers at the ensuing regularly held annual convention of the Association.

ARTICLE IV: COMMITTEES

The President, within thirty (30) days after the election shall fill the expired terms and vacancies, if any, in the Grievance Committee, and, unless otherwise provided, appoint members of all other Committees, whether established here, by action of the Executive Board, or by the members at any meeting, each to consist of a chairperson and such number of members as he/she shall deem advisable, and such appointees whose terms expire shall continue in office until their respective successors are appointed.

Sec. 1 Public Relations

The Public Relations Committee shall promote the Association and its members to the general public, other professional or trade associations and branches of the Federal, State, County or Local governments in an effort to create a better understanding of the purposes of the abstract and title insurance industry and the Association and to work with committees or authorized representatives of such groups or similar bodies to promote our mutual interest.

Sec. 2 By-Laws

The By-Laws Committee shall report to the Executive Committee and to the members at each Annual Meeting. It shall consider all proposals to amend and may, on its own motion, propose amendments to the Constitution, By-Laws and the Code of Ethics of this Association, and shall, subject to the approval of the Executive Committee, specify for distribution among the members those practices which shall thereafter be deemed in violation of the principles of said Code of Ethics.

Sec. 3 Education

The President shall, within 30 days following the adjournment of the regular annual meeting in 1996, appoint a committee of not less than fifteen (15) members of the Association to be known as the Education Committee. The President-Elect of this Association shall serve as chairperson. The President shall initially appoint the following: Five (5) members shall serve a three (3) year term; five (5) members shall serve a two (2) year term; five (5) members shall serve a one (1) year term. Any additional members shall serve a one (1) year term. The

terms of the Committee members shall run from the first day of the month following the annual Kansas Land Title Association Title School following his/her appointment, to the first day of the month following the annual Kansas Land Title Association Title School at the end of his/her respective terms. Thereafter, the President, after consultation with the Vice Chairman of this Committee, shall appoint each year, five (5) members. If so appointed, nothing herein shall prohibit a member from serving successive terms. A Vice-Chairperson shall be elected by a majority vote at the first meeting of the committee, for a two (2) year term. The Vice-Chairperson shall be elected from those committee members who have served at least one (1) year on committee.

The Education Committee shall plan, organize, promote and be responsible for the execution of a constantly improving program of instruction for the general benefit of Association members and the employees of Association members. Subject to the approval of the Executive Committee, it shall conduct schools of education on behalf of the Association, or in conjunction with other professional and trade associations.

Sec. 4 Grievance

(a) Structure

(1) The Grievance Committee shall consist of a Chairperson, who shall serve for one year, and four other members. No two members of the Committee shall be appointed from the same District. Within thirty (30) days after the annual meeting of the Association at which this Constitution is adopted, the Chairperson and two members shall be appointed for a term of one year each and two members shall be appointed for a term of two years each. Thereafter, within thirty (30) days after each succeeding convention, a Chairperson shall be appointed to a term of one year and two members shall be appointed for a term of two years each. The Committee shall have the power to consider and investigate complaints involving alleged misconduct by a member thereof, including, without limitation, alleged member-violations of the principles of the Code of Ethics. The Committee may itself initiate investigation as aforesaid, and, on majority vote of its members, may become the complaining party to a grievance, or may undertake any such investigation upon complaint laid before it by a member of an aggrieved party. The Committee shall proceed in the manner provided by Article IV, Section 5(b).

(b) Procedure

(1) Complaints against a member of the Association alleging misconduct in his/her relations with the general public, the Association, or a member thereof, shall be in writing, signed by the complaining party and shall state plainly the matter being complained of. Any such complaint shall be filed with the Secretary of the Association

who shall forthwith refer it to the Grievance Committee. The complained-of-member shall be furnished a copy of the complaint and shall be permitted thirty (30) days to answer the same in writing, such answer to be filed with the Chairperson of the Grievance Committee. Such member shall cooperate with the Grievance Committee and, on request, shall disclose pertinent facts and records, not privileged, germane to the investigation.

2) At a time and place designated by the Grievance Committee, said Committee shall hold a hearing on the complaint, at which hearing the complainant and the complained-of-member may appear personally and by counsel; provided, however, that if after preliminary investigation the committee shall deem the complaint groundless, it may dismiss the complaint. Upon the dismissal of the complaint, the Grievance Committee shall determine whether said complaint was brought with malicious intent and if so found may assess the reasonable costs of the hearing against the complainant member.

(3) The Grievance Committee's findings and recommendations after investigation and hearing of any complaint shall be reduced to writing and submitted promptly to the Executive Committee. A copy thereof shall be given to the complained-of-member. Upon the written request of the complained-of-member, the Executive Committee shall, before making a final decision, give him/her an opportunity to appear in person and by counsel and to be heard in support of his/her defense.

(4) The Executive Committee shall review the Grievance Committee's findings and recommendations and may find the complained-of-member to be guilty or not guilty of the charges against him/her, and if found guilty, may adjudge that he/she be censured, or suspended, or expelled from the Association; but no censure, suspension or expulsion shall be adjudged except by a vote of two-thirds of the whole Executive Committee. Such decision of the Executive Committee shall be reduced to writing and a copy thereof furnished to the complainant and the complained-of-member.

(5) Any decision of the Executive Committee suspending or expelling a member shall be final and shall become effective according to its terms unless, within thirty (30) days thereafter, the member shall file with the Secretary of the Association a written appeal to the membership of this Association, in which event the decision of the Executive Committee shall be held in abeyance pending determination of the appeal at the next Annual Meeting. Upon any such appeal the decision of the Executive Committee shall be affirmed or reversed by a majority vote of the Active Members present and voting at the meeting.

(6) All communications, notices or pleadings by or from any party to a grievance proceeding shall be sent by certified or registered mail addressed to the Association at the principal place of business of its Secretary-Treasurer. All notices or communications by or from the Association to any party to such proceedings shall be sent by certified or registered mail addressed to the principal office of said party as last entered upon the records of the Association.

Sec. 5 Legislative

The Legislative Committee shall review and monitor all proposed or pending legislation and court and administrative decisions which are pending at the State and Federal level which impact the conduct of the abstract and title insurance business and, subject to the approval of the Executive Committee, shall have the powers to act on behalf of the Association with regard to any such items which may affect the interests of the Association and its members. The Committee shall report its activities to the Executive Committee at least annually.

Sec. 6 Nominating

The four most recent living presidents and the current president of the association shall constitute the Nominating Committee for the nomination of officers at each annual convention. A majority of those members present at any Nominating Committee meeting shall constitute a quorum. Said committee shall meet prior to the convention and submit a slate of candidates for office. Notification to the membership shall be made by publishing the slate either in the summer edition of the Kansas Abstracter or by mail. A list of candidates shall also be provided in the convention packets. The Nominating Committee shall nominate one candidate for each of the following offices: President, President-Elect, Vice President and members of the Executive Committee of the association as set out in Article II, Section 3 (a) of these by-laws. The Nominating Committee's report shall be delivered at the time and place as directed by the President of the association. Provided, however, that in any event such report shall be delivered before the adjournment of the convention. Additional nominations may be accepted from any voting member of the association.

Sec. 7 Planning

The Planning Committee shall study ways and means for improving the operations and methods of the Association and the furtherance of a closer relationship between it and the membership. Its recommendations shall be submitted by the Chairperson to the Executive Committee.

Sec. 8 Membership

The Membership Committee shall actively recruit new members and review all applications for membership in the Association. They shall determine if the applicant has fulfilled the requirements as set out in the Constitution of the Association. They will forward their recommendations to the Executive Committee for action.

Sec. 9 Executive Secretary Supervisory Board

The Executive Secretary Supervisory Board shall recommend a qualified person for the Executive Secretary position to the Executive Committee, which shall make the final decision on the employment of said person. The duties and responsibilities of the Executive Secretary shall be at the direction and control of the Executive Secretary Supervisory Board. This Board shall consist of the immediate Past President, President, President-Elect, Vice President and Treasurer.

ARTICLE V: PAST PRESIDENTS' COUNCIL

All of the past presidents of the association shall constitute a Past President's Council. They shall organize for the ensuing year at each annual convention of the association. At such organizational meeting they shall elect from among their members a president, vice president and secretary-treasurer. All members of the Past President's Council shall be invited to attend all executive committee meetings. They will have the right to submit suggestions to the executive committee and to perform any duties requested by the officers or executive committee and to submit their recommendations to the executive committee. However, with the exception of the President of the Past President's Council, they shall not have the right to vote, make motions or second motions, or do any other act except those above set out at such executive committee meetings.

These By-Laws hereby rescind and thereby supersede in their entirety the previous By-Laws and Amendments thereto, effective this ____ of August, 2007

CONSTITUTION OF THE KANSAS LAND TITLE ASSOCIATION

ARTICLE I: ASSOCIATION NAME

The name of this association is
THE KANSAS LAND TITLE ASSOCIATION.

ARTICLE II: OBJECTIVES

The objectives of this Association shall be the following:

1. To cultivate and advance the science and art of the title profession of the State of Kansas.
2. To elevate the standards of integrity, honor and courtesy of those in the title profession in the State of Kansas.
3. To educate, inform and train those in the title profession in the State of Kansas.
4. To promote and discipline the activities and conduct of the members of this Association individually and collectively in the interest of the public of the State of Kansas.

ARTICLE III: MEMBERSHIP

Qualifications for and election to membership shall be a matter of privilege rather than a matter of right. There shall be four classes of membership in this Association and the classes and requirements in this Association and the classes and requirements for membership shall be as follows:

1. Active: Any licensed abstractor or any licensed title insurance agent of the State of Kansas (including individuals, Partnerships and Corporations), and all national title insurance underwriters authorized to do business in the State of Kansas and their affiliates and/or branch offices located in the State of Kansas, who shall have agreed to abide by the laws of the State of Kansas; (if applicant is a corporation, experience of the principals may meet this requirement); that such applicant has or has access to sufficiently complete title evidencing facilities; that such applicant shall furnish evidence satisfactory to the Executive Committee of applicant's reputation for integrity, reliability, financial responsibility, and responsibility in all business and professional relationships. The application shall be on a form prescribed and approved by the Executive Committee and the election to membership in this Association shall require the affirmative vote of a majority of the total number of members of the Executive Committee at a meeting duly called at which a quorum is present.
2. Affiliate: Any individual owner, officer, or employee of an Active KLTAA member in good standing may apply for Affiliate Membership. The application shall be on a form prescribed and approved by the Executive Committee. An affiliate member shall not be entitled to vote on any Association matter unless that individual is acting on behalf of an active member.
3. Honorary: Any individual upon whom the Executive Committee of this Association has conferred an honorary membership at any convention

for distinguished and meritorious service rendered this Association. No dues shall be required of any honorary member and he/she shall not be entitled to vote on any Association matter and not hold any office in this Association.

4. Associates: Any association or corporation in an industry affiliated or related to the title industry, which shall have subscribed to the Code of Ethics of this Association and who shall have agreed to abide by the Laws of Kansas and who shall be approved by the Executive Committee for such membership, provided however, that such Associate Member shall not be entitled to vote on any matter pertaining to the affairs of this Association and shall not be eligible to hold any office in this Association. Such Associate Member shall pay the annual dues as set by the Executive Committee. Such applicant shall make application on a form prescribed and approved by the Executive Committee of this Association.

5. Emeritus: Any individual holding membership in the Association, or any officer or employee of a member company, who shall retire from active participation in the title profession, shall be eligible to retain membership in the Association under the classification of Member Emeritus. No dues shall be required of any Member Emeritus and such member(s) shall not be entitled to vote on any Association matter nor hold any office in this Association.

ARTICLE IV: DUES

The annual dues of this Association and time of payment of such dues shall be determined by the Executive Committee for Active, Affiliate and Associate Members. Any member in default of payment of dues after the same shall have become payable and are sixty (60) days past due, shall be notified in writing that unless such dues are paid within thirty (30) days thereafter, such default will be reported to the Executive Committee. Upon such report being made to the Executive Committee, it may, without further notice, strike the name of such member from the roll for non-payment of dues, and the membership and all rights in this Association shall thereupon cease.

ARTICLE V: VOTING – GENERAL MEMBERSHIP MEETINGS

Only Active Members shall vote on any Association matter. Voting qualifications and procedures shall be in accordance with the By-Laws.

ARTICLE VI: MEMBERSHIP APPLICATIONS

The qualifications for membership shall be that determined and required by the Executive Committee, except that the matters set forth in Article III herein shall be included in the Application for Membership which shall be properly signed by the applicant.

ARTICLE VII: MANAGEMENT AND CONTROL

Sec. 1 Executive Committee

The management and control of this association shall be under the Executive Committee as set forth in the By-Laws.

Sec. 2 Officers

The officers of this Association shall consist of a President, President-Elect, Vice President and Treasurer, whose election/appointment and duties are set forth in the By-Laws.

Sec. 3 Past President's Council

All of the past presidents of this Association shall constitute the Past President's Council whose organization, duties and powers are set forth in the By-Laws.

ARTICLE VIII: GENERAL MEMBERSHIP MEETINGS OF THE ASSOCIATION

Sec. 1 Annual Meeting

The Association shall hold an annual meeting at such time and at such place, within or without the State of Kansas, as may be fixed by the Association at the preceding annual meeting, or, if not so fixed, then as may be determined by the Executive Committee.

Sec. 2 Special Meetings

Special meetings of the Association may be called at any time by the President, President-Elect, Vice-President, or by a majority of the Executive Committee, or by thirty (30) Active Members.

Sec. 3 Notice

Written or printed notice of each meeting of the Association, stating the place, date and hour of the meeting and, in the case of a special meeting, the purpose or purposes for which the meeting is called, shall be mailed not less than ten days before the date of the meeting, by or at the direction of the officers or persons calling the meeting, to each Active Member in good standing, to the last known address of such member as shown on the records of the Association, or published in any bulletin, newspaper or newsletter regularly published and distributed by the Association to its members.

Sec. 4 Quorum

At any annual meeting, those Active members present in the number of twenty (20) or more shall constitute a quorum at such meeting.

ARTICLE IX: COMMITTEES

The President, within thirty (30) days after the election, shall fill the expired terms and vacancies, if any, in the Grievance Committee, and, unless otherwise provided, appoint the members of all other Committees, whether established here, by action of the Executive Board, or by the members at any meeting, each to consist of a chairman and such number of members as he/she shall deem advisable, and such appointees whose terms expire shall continue in office until their respective successors are appointed.

CONSTITUTION

Appointment of Committees

The President shall appoint the following committees and such other committees as he/she shall deem necessary whose structure and duties shall be set forth in the By-Laws.

A. Public Relations

B. By-Laws

C. Education

D. Grievance

E. Legislative

F. Nominating

G. Planning

H. Membership

I. Executive Secretary Supervisory Board

ARTICLE X: COMPLAINTS AND INVESTIGATIONS

Complaints against a member of the Association alleging misconduct in its relations with the general public, the Association, or a member thereof shall be governed by the By-Laws.

ARTICLE XI: GENERAL PROVISIONS

Sec. 1 Rules of Order

Should any dispute arise as to the conduct of any meeting of this Association, or its Executive Committee, or any of its Committees, Roberts Rules of Order shall govern the conduct of any such meeting.

Sec. 2 Archives

The Executive Secretary, or such other person as the Executive Committee shall designate, shall take charge of, and be responsible for keeping and maintaining all records of the Association which pertain to its history. He/she shall inventory, index and arrange such records so as to be accessible to any officer or member of the Association upon a reasonable demand at any time.

ARTICLE XII: AMENDMENTS

The Constitution and By-Laws of this Association may be amended at any Annual or Special Meeting of the Association by a two-thirds majority vote of the Active Members in attendance at such meeting, provided:

- (a) a quorum, which for this purpose shall consist of twenty (20) Active Members in good standing, is present and further provided
- (b) that all Active Members of the Association shall have been advised in writing of the proposed amendment or amendments at least thirty (30) days prior to such meeting.

Such notice may be given by publication of the notice in any regular publication of the Association or depositing such notice in the regular mail, addressed to the Active Members at the address last shown for such members on the records of the Association.

This Constitution hereby rescinds and thereby supersedes in its entirety the previous Constitution and Amendments thereto, effective this ____ day of August, 2007.

THE KANSAS ABTRACTER

The Official Publication of The Kansas Land Title Association

Shawn Herrick, Executive Secretary
7321 NW Rochester Road
Topeka, Kansas 66617

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School and Continuing Education Attendance Figures		
	2007	2006
SCHOOL		
Registered	157	145
No Shows	4	4
Walk Ons	3	4
Totals	156	145
CONTINUING ED		
Registered	83	98
No Shows	2	4
Walk Ons	4	10
Totals	85	104
School Gross Income was approximately \$24,805.00		
Continuing Education Gross Income was approximately \$13,020.00		
A very special THANK YOU to Doug Simmons, Chairperson of the KLTA Title School, Linda Lea Voss, and the entire education committee for the outstanding job they did once again this year.		

KLTA Kalendar

KLTA District Meetings

Manhattan, Kansas
April 17, 2007

Wakeeney, Kansas
April 18, 2007

ALTA Tech Forum
April 22-24, 2007
Hyatt Regency Denver
Denver, Colorado

KLTA Centennial Convention

August 9-11, 2007
Wichita Marriott
Wichita, Kansas

KLTA Continuing Education (4 hours)

August 10, 2007
Marriott Hotel
Wichita, Kansas

ALTA Annual Convention

October 10-14, 2007
Chicago Hilton
Chicago, Illinois

KLTA Title School

February 6-8, 2008
Marriott Hotel
Wichita, Kansas

KLTA Continuing Education (4 hours)

February 7, 2008
Marriott Hotel
Wichita, Kansas

ALTA Federal Conference

March 10-12, 2008
Washington, DC

KLTA Annual Convention

August 7-9, 2008
Marriott Hotel
Overland Park, Kansas

KLTA Continuing Education (4 hours)

August 8, 2008
Marriott Hotel
Overland Park, Kansas

ALTA Annual Convention

October 15-18, 2008
Hyatt Regency Kauai Resort
Koloa, Kauai, HI

KLTA Title School

February 4-6, 2009
Marriott Hotel
Wichita, Kansas

KLTA Continuing Education (4 hours)

February 5, 2009
Marriott Hotel
Wichita, Kansas

ALTA Annual Convention

October 21-24, 2009
The Breakers
Palm Beach, Florida

KLTA Title School

February 10-12, 2010
Marriott Hotel
Wichita, Kansas

KLTA Continuing Education

February 11, 2010
Marriott Hotel
Wichita, Kansas

ALTA Annual Convention

October 13-16, 2010
Manchester Grand Hyatt
San Diego, California