

# Guiding a Smooth Closing

## Things to look for on a Title Commitment that might cause a problem prior to or at closing.

**Vesting:** If the Seller signature(s) in the purchase contract is different than the owner name(s) on the title, you need to find out why.

**Taxes and Assessments:** Look to see if payments are current. Be sure that all special assessments have been disclosed to the buyer.

**Mortgage:** Mortgages that are paid off but not released require a satisfaction or court order to remove the lien from record. It's important for the seller to understand how these loans affect the sale of their property.

**Identity Matters:** Judgments and Liens may be eliminated with an identity affidavit or a Statement of Information (SI), if they do not affect the party in question. If they do affect the party but have been paid and not satisfied, a release or satisfaction must be obtained and recorded or filed to eliminate these matters.

**Pending Actions:** A civil action affecting real property will generally have to be dismissed or withdrawn before title to the property can be insured. A probate may have specific requirements. Please check with your Upward Title & Closing Representative or Title Officer for details.

**Maintenance Agreements:** Roads, driveways, party walls, and access easements may be affected by joint maintenance agreements which may require future payments for general maintenance purposes. The title report will show such agreements if one is of record. Be sure to request a full copy of the maintenance agreement and have the buyer read it.

**Legal Description:** The legal description should always be compared to the map attached to the Title Commitment. If you previously received a property profile, compare the legal description in the profile to the report. Be sure that all the property being conveyed has been included in the Title Commitment.



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