

**2007 SPECIAL EDITION: VOLUME 30
TOPICAL INDEX AND
TABLE OF CASES**

This special edition of the newsletter contains a Topical Index and Table of Cases covering all issues of Volume 30 (calendar year 2006) of *the ATG concept*, the *ATG Underwriters' Bulletin* (these articles will be followed by the tag *Bulletin*), and the *ATG Member News Wisconsin* (these articles will be followed by the tag *WNews*).

The **Topical Index** alphabetizes by topic items that appeared in last year's newsletters. All page numbers refer to pages of Volume 30. The Topical Index is broken into two sections: "Articles," which go into detail on a particular topic, and "Casenotes," which are brief synopses in the "Casenotes" or "Of Note" sections of *the ATG concept*. The abbreviation of the state of the case law follows the cite.

The **Table of Cases** alphabetizes cases by plaintiff's name. The page number where the case can be found in Volume 30 of *the ATG concept* follows the full case citation. The page numbers that correspond with the months of the year are listed below for your convenience.

■ ■ ■

You can find issues of *the ATG concept*, along with a topical index, on the member section of our website, www.atgf.com. Need your password and ID access? Contact Suzy at 217.403.0130 or sauteber@atgf.com.

TOPICAL INDEX: Articles

<i>Competency</i>	
Mental Competence	41
<i>Conflict of Interest</i>	
Disclosure of Conflicts of Interest	26
<i>Disclosure</i>	
Attorney Title Agent Must Disclose Agency	33
Disclosure of Conflicts of Interest	26
<i>E-Commerce</i>	
Electronic Signatures	9
<i>Legislative Updates</i>	
Condominium Property Act (P.A. 94-0384)	1
Decedents' Estates (2005 Wisconsin Act 206)	47
Deeds (P.A. 94-0823)	46
Deeds (2005 Wisconsin Act 206)	47
Fraud (P.A. 94-0822)	46
Home Repair and Remodeling Act (P.A. 94-0490)	1
Liens (P.L. 78-2006)	38
Mechanic's Liens (P.A. 94-0627)	2
Mortgage Escrow Account Act (P.A. 94-0050)	3
Mortgages (P.A. 94-0822)	46
Predatory Lending Database Pilot Program (P.A. 94-0280)	3
Recording (P.A. 94-0823)	46
Title Insurance Enforcement Fund (P.L. 171-2006)	35
<i>Member News Wisconsin</i>	
2006 ATG Wisconsin Educational Programs Update (Feb)	2
All Aboard with ATG Resource (Feb)	1
ATG Hires Office Coordinator for Madison Office (Sep)	2
Coming in Future Issues (Feb)	2
Great Changes in Search Procedures (Sep)	1

PUBLICATION PAGE NUMBERS:

2006 *the ATG concept*

January-February	1-8
March-April	9-16
May-June	17-24
July-August	25-32
September-October	33-40
November-December	41-48

2006 *Underwriters' Bulletin*

July	1-2
September	3-4

2006 ATG *Member News Wisconsin*

February	1-2
September	1-2

New—and Familiar—Faces at ATG Wisconsin (Feb).....	1
New Wisconsin and Minnesota Members (Feb)	2
Procedural Update: Informed Consent Waiver (Sep).....	1
Reminders to Members (Sep).....	2
Reminder to New ATG Members (Feb)	2
Wisconsin Member Appreciation Event Held at Miller Park (Sep)	1

Miscellaneous

ATG Events/Programs:

ATG Chicago Operations: On the Move	17
ATG Holiday Reception	4
ATG Hosts Events for Top Members	36
ATG Illini Tailgate Weekend.....	44
ATG Takes Wisconsin Members to the Ballgame ...	39
Real Estate Roundtable January 2006 Program Schedule	6

Newsmakers:

ATG and Its Members Support Habitat for Humanity	23
ATG Elects New Officers	7
ATG Founder Voted a Pillar of the Bar	25
ATG Hosts First Call-In Program	31
ATG Takes Wisconsin Members to the Ballgame ...	39
ATG Trust Acquires Land Trust Business from Northern Trust Company	15
Naomi Schuster Elected to ATG Board of Directors	7

Procedural Updates

Reminder: Downstate Rates Change in June.....	20
---	----

Underwriters' Bulletin

ATG Members Must Provide Disclosure to Customers and Clients	2
ATG Members Responsible for Determining the Insurability of Mortgages.....	1
Certificates of Payment and Certificates of Release	3
Insuring Two Mortgages	3
Release Verification Fee	2
Survey Coverage on Construction Property	3

Website Updates

Frequently Asked Questions Posted Online.....	1
Order a Title Search Online.....	9
Reminder: Request Prior Policies On-Line	17, 41
REsource Users: Access <i>Paperless Closer</i> from our Website.....	25
Where to Find It: Place an Order	33

Yield Spread Premiums

Yield Spread Premiums.....	17
----------------------------	----

■ ■ ■

TOPICAL INDEX: Casenotes

Adverse Possession

<i>Fraley v Minger</i> (IN)	22
-----------------------------------	----

Attorneys and Clients

<i>Beckom v Quigley</i> (IN)	14
------------------------------------	----

Construction

<i>R&B Kapital Dev v North Shore Cmty Bank</i> (IL)	28
---	----

Contracts

<i>McLemore v McLemore</i> (IN).....	29
--------------------------------------	----

Deeds

<i>Chandelle Enters LLC v XLNT Dairy Farm Inc</i> (WI)	15
---	----

Doctrine of Acquiescence

<i>Chandelle Enters LLC v XLNT Dairy Farm Inc</i> (WI)	15
---	----

Easements

<i>Quinlan v Stouffe</i> (IL)	28
-------------------------------------	----

Escrow Agreements

<i>R&B Kapital Dev v North Shore Cmty Bank</i> (IL)	28
---	----

Installment Contracts

<i>Steiner v Wisconsin Am Mut Ins Co</i> (WI)	23
---	----

Mechanic's Liens

<i>Gateway Concrete Forming Systems, Inc v Dynaprop</i> XVIII (IL).....	13
--	----

Mortgages

<i>King v First Capital Financial Services Corp</i> (IL)	13
--	----

Power of Attorney

<i>Losee v Marine Bank</i> (WI)	30
---------------------------------------	----

Property Deeds

<i>Chandelle Enters LLC v XLNT Dairy Farm Inc</i> (WI)	15
---	----

Real Property

<i>McLemore v McLemore</i> (IN).....	29
--------------------------------------	----

Restrictive Covenants

<i>Tippecanoe Assocs II, LLC v Kimco Lafayette 671,</i> <i>Inc</i> (IN)	29
--	----

Roads and Highways

<i>Nettesheim v S.G. New Age Prods</i> (WI).....	30
--	----

Title Insurance

<i>First Magnus Fin Corp v Dobrowski</i> (FED)	20
<i>First Midwest Bank v Stewart Title Guar Co</i> (IL).....	6, 21

Unauthorized Practice of Law

<i>King v First Capital Financial Services Corp</i> (IL)	13
--	----

Wills

<i>Beckom v Quigley</i> (IN)	14
------------------------------------	----

■ ■ ■

TABLE OF CASES

<i>Beckom v Quigley</i> (IN) 814 NE2d 420 (Ind Ct App 2005).....	14
<i>Chandelle Enters LLC v XLNT Dairy Farm Inc</i> (WI) 282 Wis 2d 806, 699 NW2d 241 (Wis App Ct 2005)	15
<i>First Magnus Fin Corp v Dobrowski</i> (FED) 387 F Supp 2d 786 (ND Ill June 2, 2005)	20
<i>First Midwest Bank v Stewart Title Guar Co</i> (IL) 355 Ill App 3d 546, 823 NE2d 168, 291 Ill Dec 158 (1st D 2005).....	6
<i>First Midwest Bank v Stewart Title Guar Co</i> (IL) 218 Ill 2d 326 (Ill 2006).....	21
<i>Fraley v Minger</i> (IN) 829 NE2d 476 (Ind 2005).....	22
<i>Gateway Concrete Forming Systems, Inc v Dynaprop XVIII</i> (IL) 356 Ill App 3d 806, 826 NE2d 1051, 292 Ill Dec 615 (1st D 2005).....	13
<i>King v First Capital Financial Services Corp</i> (IL) 215 Ill 2d 1, 828 NE2d 1155, 293 Ill Dec 657 (Ill 2005)	13
<i>Losee v Marine Bank</i> (WI) 286 Wis 2d 438, 703 NW2d 751 (Wis Ct App 2005)	30
<i>McLemore v McLemore</i> (IN) 827 NE2d 1135 (Ind Ct App 2005).....	29
<i>Nettesheim v S.G. New Age Prods</i> (WI) 285 Wis 2d 663, 702 NW2d 449 (Wis Ct App 2005)	30
<i>Quinlan v Stouffe</i> (IL) 355 Ill App 3d 830, 823 NE2d 597, 291 Ill Dec 305 (4th D 2005)	28
<i>R&B Kapital Dev v North Shore Cmty Bank</i> (IL) 358 Ill App 3d 912, 832 NE2d 246, 295 Ill Dec 95 (1st D 2005).....	28
<i>Steiner v Wisconsin Am Mut Ins Co</i> (WI) 281 Wis 2d 395, 697 NW2d 452 (Wis 2005)	23
<i>Tippecanoe Assocs II, LLC v Kimco Lafayette 671, Inc</i> (IN) 829 NE2d 512 (Ind 2005).....	29

ATTENTION NON-MEMBER SUBSCRIBERS!

To continue receiving *the ATG® concept*, complete and return this form to: Charlie Howard, ATG, P.O. Box 9136, Champaign, IL 61826-9136.

(Non-members, please attach your mailing label here, or attach a photocopy)

[LABEL HERE]

☐ The above address is correct..... ☐ My correct address is:

Name: _____

Firm Name: _____

Address: _____

C/S/Z: _____

My position:

☐ attorney ☐ secretary/ paralegal ☐ lender
☐ title insurance co. employee ☐ real estate agent/ salesperson

☐ other: _____

Please add the following person(s) to the mailing list:

Position(s):

☐ attorney ☐ secretary/ paralegal ☐ lender
☐ title insurance co. employee ☐ real estate agent/ salesperson

☐ other: _____

If you're receiving multiple copies, please attach both mailing labels and indicate which is correct.

[LABELS HERE]

No. of persons in my firm/office who read *the ATG® concept*: _____

Total people in my firm/office: _____

☐ Please send me more information about ATG.



WEBSITE UPDATES

NAVIGATING OUR WEBSITE

Find your way around the many useful pages posted on our site. The following menu is located under *HOW TO...* on the member section home page of www.atgf.com:

Place an Order

- Closing Protection Letter Request
- Prior Policy Request Form
- Title Orders with Paperless Closer
- Title Search Request

Access Staff Directories

- Home Page
- Directory Search
- Attorneys' Title
- ATG Trust
- Capital Funding
- The Judicial Sales Corporation
- NLT Title, LLC

Use ATG Resource

- About Resource
- 1099 Instructions Presentation
- 1099 Instructions (printable)
- Paperless Closer Login
- Request a Closing

Request a Prior Policy

Access Forms

- ATG Printable Forms
- ATG Wisconsin Real Estate Forms Library
- Closing Protection Letter Request
- Rate Cards
- Real Estate-Related Forms

Select Transaction Tools

- 1099-S Fact Sheet
- Bottom Line Figures
- Calculators

Commercial Transactions

- Member Packet
- Illinois Recording Fees
- Rate Cards
- Transfer Tax Ordinances/Inspections
- Underwriting Assistance
- Wire Transfer Instructions

Access Support Services

- *the ATG concept* Index
- Escrow Services
- Frequently Asked Questions
- Independent Closers Directory
- Legal Research Links
- Member News Wisconsin Index

Office Tools

- ProFUND/Title Forms Notice
- Research Memo Library
- Search Providers: ATG In-House

Search Providers:

- Independent
- Search Providers: Member
- Software HelpDesk
- Starker Exchanges Notice
- Title Services
- *Underwriters' Bulletin* Index
- Underwriting Assistance

Update Your Member

Information

- Your Current Member Profile
- Correct Your Member Information

View Publications

For Members

- *the ATG concept/Underwriters' Bulletin/Member News Wisconsin*
- *ATG Member's Update* (fka Shareholder's Update)
- ATG Start to Finish
- Information on Fraudulent Transfers
- Member Handbooks
- Memo Library
- Monthly Communications Archive
- Real Estate Fraud
- Selected Topics for Basic Underwriting
- Title Insurance Claims and Fraudulent Real Estate Transactions

For Members' Clients

- ATG Consumer Brochures (in English, Spanish, and Polish)
- Capital Funding Consumer Brochures (in English and Spanish)
- *Client Bulletin*

Learn about Additional Services

- ATG Advocacy in Action
- ATG Corporate News Releases
- Congress Contact Information
- Habitat for Humanity Transactions
- Legal Hot Links
- Member Discounts
- Member Health Plan
- National Information Center Federal Reserve System
- Starker Exchanges Notice
- Westlaw Offer (for new subscribers only)

View Calendar/Events

- ATG Corporate Holiday Schedule
- Calendar of Events
- Capital Funding Training
- Educational Programs
- Holiday Reception
- Illini Tailgate
- Law Student Real Estate Seminar
- Real Estate Roundtable
- Resource Training

THE ATG CONCEPT is published monthly by Attorneys' Title Guaranty Fund, Inc. ■ P.O. Box 9136 ■ Champaign, IL 61826-9136. ■ Inquiries may be directed to Mary Beth McCarthy, Senior Manager, Corporate Communications, or Tania M.S. Stori, Senior Underwriting Attorney. ■ Back issues may be obtained by calling the Order Department at 800.252.0402, ext. 2114, or 217.403.2114. © 2007 Attorneys' Title Guaranty Fund, Inc. ■ "ATG," "ATG" plus logo, and "the ATG concept" are marks of Attorneys' Title Guaranty Fund, Inc. and are registered in the U.S. Patent and Trademark Office.



PRINTED ON RECYCLED PAPER.

ATTORNEYS'
TITLE
GUARANTY
FUND,
INC.

P.O. Box 9136
Champaign, IL 61826-9136

RETURN SERVICE REQUESTED