

Summary of Contents

A detailed chapter table of contents immediately precedes each chapter.

Introduction

Overview of how to use the manual and features available in the online and downloadable digital versions of the manual.

1 Ethics and Professional Conduct

Discussion of the regulation of lawyers and law practice and accountability for professional responsibility, with emphasis on real estate practice.

2 Laws Affecting Real Estate

Digest, arranged alphabetically by topic, of selected statutes and regulations that affect real estate transactions.

3 Preparation, Execution, Proof, and Recording of Documents

Practice notes relating to the preparation of documents used in conveying real property and their proper execution and recording, with forms for party designations and acknowledgments, as well as a jurat and an interpreter's affidavit.

4 Sales Contracts and Transaction Guide

Practice notes and a real estate sales contract form, which serves to outline typical considerations in a closing; the chapter also contains an escrow agent receipt, escrow agreement, and other supporting forms.

5 Deeds, Bills of Sale, and Other Transfers

Practice notes concerning the conveyancing of real property rights and deeds and other forms, including clauses to be used in completing the forms.

6 Promissory Notes

Practice notes concerning loan transactions, with a promissory note form and clauses to be used in completing the form.

7 Letters of Credit

Practice notes and forms relating to the use of letters of credit.

8 Deeds of Trust

Practice notes for the use of a deed of trust, and forms for a deed of trust and deed of trust to secure assumption, with clauses to be used in completing the forms.

9 Security Agreements

Practice notes and related forms for the use of personal property as security in a real property transaction.

10 Ancillary Loan Documents

Practice notes and forms for use ancillary to an original loan and for documenting subsequent transactions such as transfers or releases of liens.

11 Home Equity Loan Documents

Practice notes and forms for documenting the use of homestead property to secure a home equity loan or reverse mortgage.

12 Federal Consumer Disclosure Documents

Practice notes relating to federal lending regulations and examples of the model forms.

13 Residential Contracts for Deed

Brief summary of law relating to contracts for deed.

14 Foreclosure Documents

Practice notes and forms for use in foreclosing a real estate lien created by a deed of trust.

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16 Water Rights Conveyancing Documents

Practice notes and forms for use in conveying groundwater rights for on-site and off-site production, conveying surface water rights, and documenting the creation of liens on water rights.

17 Risk Allocation: Indemnity, Waiver, and Insurance

Practice notes concerning the allocation of risk in real estate transactions, addressing the use of indemnities and waivers and the transfer of risk to third parties through the purchase of insurance.

18 Residential Construction Contract Documents

Practice notes and forms for use in the construction of a new residence.

19 Commercial Construction Contract Documents

Practice notes and form for use in new commercial construction.

20 Contractual Mechanic’s Lien Documents

Practice notes and forms for the creation of a mechanic’s lien on new residential construction.

21 Involuntary Mechanic’s Lien Documents

Practice notes and forms relating to statutory mechanic’s liens.

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23 Restrictive Covenants and Property Owners’ Associations

Practice notes and forms for the creation of property owners’ associations and required notices and protocol for fines.

24 Condominium Documents

Practice notes and forms for the creation and conveyance of condominiums, plus means for termination of a condominium regime.

25 Leases

Practice notes and forms for use in leasing transactions and landlord-tenant relationships. Guidelines and comments regarding renewable energy leases are also included.

26 Miscellaneous Documents

A collection of forms for use ancillary to a real property conveyance and for documenting other transactions, including a boundary line agreement, easement agreements, listing agreements, a restrictive covenant agreement, a surface agreement, and a special durable power of attorney.

27 Third-Party Opinion Letters in Real Estate Financings

Practice notes and form for use when a lender seeks a borrower’s counsel to render a legal opinion to the lender on various aspects of a loan transaction.

