



2003 ATA Board Elections

These members are running for the 2003 Arizona Trustee Association Board

Voting will be held at the ATA Christmas party December 10, 2002. Elections will close at 7 p.m.

PRESIDENT - UNOPPOSED

Kathy Meyers



Kathy Meyers is originally from the Upper Peninsula of Michigan. Upon completion of high school she entered the United States Army

where she served for approximately four and a half years. Her military career was cut short when she suffered an injury to both feet during a training exercise. After recovery she attended Northern Michigan University for two years. Since college didn't exactly agree with Kathy, she left school and began working as a secretary / paralegal for a personal injury defense attorney in Upper Michigan. In 1982 she left Upper Michigan and moved to Arizona. Kathy worked as a secretary / paralegal for Norman Miller with the law firm of Rawlins, Burrus & Lewkowitz for

4 years. In 1986 she moved to her present position as vice president and manager of the foreclosure department for Fidelity National Title Insurance Company. Kathy has been a member of the Arizona Trustee Association since 1987. She has served as its treasurer, secretary and president. She currently resides in North Scottsdale with her husband Kevin and her beloved rottweilers - Lambeau & Tundra (named - appropriately enough - after the "Frozen Tundra of Lambeau Field").

SECRETARY - UNOPPOSED

Jarrold Williams

Jarrold Williams is assistant vice president for Fidelity National Title Insurance Company, working in the foreclosure department. Jarrold has been working in the title industry for thirteen years, nine of those years in foreclosure. He has been active in the ATA for those nine years and

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Absentee Ballots

If you are an active member and cannot attend the Christmas party, fax your signed absentee ballot to Earl Berg at 602-241-0572. Absentee ballots must be received by December 5, 2002.

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ATA DISCLAIMER

The views or opinions expressed by any person in the Trustee Times or by ATA speakers are not endorsed by the ATA nor do they necessarily represent the views of the ATA, its Directors or Members. This pertains to all information provided whether written or verbal.

President Kathy T. Meyers
Vice President Scott S. Pearson
Secretary Jarrod D. Williams
Treasurer Brenda Melroy
Director Earl E. Berg
Director E. Star McGowan
Director Linda M. Rhodes
Director Terri Kaufman

The ATA is a non-profit corporation devoted to serving the needs of Trustees and related industries. For membership information contact Paul Rhodes at (602) 414-0017.

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Presidents Message

This past year was a good year for the ATA in terms of accomplishments. I know that there was controversy regarding the proposed changes to the statute but the Legislative Committee worked very hard to make sure all suggestions, comments and concerns were heard and taken into account. Chris Perry and his entire committee should be commended for their efforts. Brenda Melroy deserves a special thanks for her secretarial services in typing, typing and re-typing all of the changes and making sure everyone always had an up to date version of the proposed bill.

Early in the year the Board of Directors was able to settle a small legal dispute that had been on-going for several years. I know that most everyone was aware of the problem and it was a great relief when a resolution was finally achieved.

My thanks goes to Rick Chambliss for his help in drafting new By-Laws for the ATA. Actually, he did far more than help, he devoted himself to the effort over a period of several weeks. He did a wonderful job and without his hard work it would not have gotten done.

Paul Rhodes as Membership Committee chairman has increased our membership and created a new and improved application form.

This very newsletter is a great accomplishment and Diana Creighton is responsible for putting it together for us.

Finally, our convention this year was a tremendous success. Thanks to Star McGowan and her committee for a wonderful annual convention. The efforts of every one who volunteers is how the ATA continues to provide such a wonderful educational event every year.

I am sure that I have left out individuals whose contributions and efforts deserve recognition and I apologize for that. I encourage everyone to become more involved in the various committees of the ATA. Hopefully we will meet at the Christmas Party. Remember to attend - it is scheduled for December 10, 2002. Thank you all for your support of the ATA through 2002.

— Kathy Meyers

Election

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currently serves as secretary on the Board of Directors. Jarrod is married with a son and three daughters.

VICE PRESIDENT

Scott Pearson



My name is Scott Pearson and I am running for a second term as vice president for the Arizona Trustee Association. I have worked for First American Title

Insurance Company for 12 years and currently hold the position of assistant vice president and manager of our Foreclosure Services Department.

Over this last year I have learned a great deal about our industry and the importance of this association. I feel that it is very important for all of us in this association to contribute our time and talents so we can make positive changes for our industry. If I am re-elected I will do my best to provide all members the best service possible.

Linda M. Rhodes



I am seeking the position of vice president of the Arizona Trustee Association in the upcoming election. I have over twenty-four years experience in the

financial industry, twenty of those years acting as a trustee with Statewide Foreclosure Services, Inc., where I am the owner and president.

I have been an active member of the ATA since 1988 and have previously served on the Board as secretary and on the Newsletter and Convention Committee. I currently serve on the Legislative Committee, the By-laws Committee and I co-chair the Education Committee. I also serve as a director on the Board, a term which will expire in December.

I seek to continue my service to the

Arizona Trustee Association in the position of vice president. I would welcome this leadership role and respectfully request your support and your vote at the election in December.

DIRECTOR - ONE OPEN SEAT

Pamela S. Brittain



Pam Brittain, President and owner of TSG Title Agency, Inc., started handling foreclosures in 1972 (within a year of the trustee sale laws coming into

existence). She was the founding president of the Arizona Trustee's Association and has served on various committees since its inception in 1986. Presently, Pam is active in the ATA's Legislative Committee and Education Committee.

Prior to September 11, 1997 (the date TSG Title Agency, Inc. opened its doors), her primary practice was in foreclosures and title insurance geared to the foreclosure industry.

She is ready and willing to serve as a director of the ATA. Pam has concerns that the few entities that aren't fully complying with our Arizona laws may cause repercussions for the entire industry. She feels that if we do not regulate ourselves, we will be regulated. If elected as a director, one of her focuses will be to create a committee that will actively help non-qualified entities to become qualified in Arizona and to provide the education they need to handle Arizona foreclosures. It will be her goal to help make this work for everyone in the foreclosure industry. She will strive to maintain the high integrity of the ATA and help maintain its influence in our court and legislative systems.

Richard E. Chambliss

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Diana Portnova will be filling the shoes of Beth Thill formerly of Earl E. Berg's office, who has accepted a position at Grand Canyon Title Agency, Inc. in their title department.

Patsy Hansen of First American Title Insurance Company has taken a leave of absence for health reasons. We all hope she is able to return in February.

The **Law Office of Constance E. Sutton** has moved. You can now reach Connie and her staff at 1633 West Colter Street in Phoenix. The new zip code is 85015. The telephone and facsimile numbers remain the same.

Michelle McGuire has left First Southwestern Title and joined Fidelity National Title's title department. Also joining Fidelity as a title examiner is Liz Sprague formerly with First American Title.

September was the first year anniversary of **Perry and Partners PLC**. Chris Perry celebrated his first year in his new location with a Mexican fiesta at his new office.

Personal Notes

Jarrod Williams and his wife are proud parents of a baby girl, Reece Isabella, born October 1, 2002.

We are sorry to learn that **Ben Williamson**, a California icon, passed away earlier this year.

Moving?? New jobs??

Send member news to
dcrighton@arizonacapitol-times.com

Ask The Titleman

By John T. Lotardo, Attorney-at-Law

Q. I am an attorney who has a client notifying me that the grantor under a beneficiary deed that I did for them has now died. The grantee/beneficiary received the deed as a married woman as her sole and separate property. There was no disclaimer deed done at the time. The mother who granted the deed has now died. Do we need to do an affidavit of record to transfer title? How about the taxes?

A. The Beneficiary Deed, touted as the best innovation in conveying property in quite some time, is the latest kid on the block when it comes to how to deal with real estate. The theory behind the statute is to create a transfer-at-death type of grant to a third party without the need for special administration at the time of death. One of the major concerns in the initial revisions to the new statute was the involvement of the beneficiary (ies) in the property itself. In the early stages of the statute, there was concern that there was a requirement for the beneficiary to sign off on any action having to do with the

property such as a sale or a new loan being placed on the property. The statute makes it clear that the "signature, consent or agreement of or notice to a grantee beneficiary of a beneficiary deed is not required for any purpose during the lifetime of the owner." Once again the statute makes it clear the beneficiary has no interest in the property until the owner dies. One reason for this clarification is that it allows for the owner to do what they will with the property without unnecessary involvement from a prospective heir.

Recording the death certificate should suffice to allow for the transfer of the property from the grantor to the grantee/beneficiary. It is always a good idea to confirm the fact of death as well as the cause of death. That way, you know there was nothing malicious in the cause of death that could cause a termination of the grant. Since there is no tax waiver currently being granted in many jurisdictions, an affidavit confirming that

estate taxes are not due may be helpful if the issue ever comes up at the time of sale.

Q. I recently did a condition of title report for an attorney who is now asking additional questions. He was preparing to record a death certificate to eliminate the wife's interest (Mr. & Mrs. were in title with no right of survivorship.) Both are now deceased with the wife pre-deceasing her husband. The attorney is trying to save time and money for the heirs, who are cooperating. His question is, can he do one Affidavit of Succession since it is such a small estate with both the parents' names on it?



John T. Lotardo is Vice-President and General Counsel for Stewart Title & Trust of Phoenix, Inc. and is a regularly featured columnist. In addition, he is a frequent speaker and presenter on all aspects of real estate-related topics. Have any questions for him? Send it to him at titleman@stewartaz.com.

A. It may be too difficult to do one affidavit for both of them. I typically see a Personal Representative appointed for the father and then the Personal Representative (PR) for the father's estate would sign the Affidavit of Transfer for Title to Real Property) to acquire the portion found in the Mother's name. Here that could work. Another alternative is to have the PR deed the father's interest into the rightful heirs and then have them sign the Affidavit. In any case, you would work backwards to get the title into the names of the heirs.

Returning to your question, I do not believe that you can use one Affidavit for two individuals. The affidavits are in lieu of a probate proceeding and you typically file probates separately for each person. I do not believe the Registrar would accept only one probate court file with one case number for two people. You may suggest to the attorney that he speak with his local Registrar to see what their position is on this matter.

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ATA 15th Annual Convention Update

By Star McGowan, Convention Chairperson

This year's convention was one of our most successful conventions ever, thanks to everyone who participated in our annual event! This includes all the sponsors, advertisers, exhibitors, speakers and attendees. My heartfelt thanks to each of you for your support!

The convention began, as tradition holds, with the golf tournament, followed by a boxed lunch. We had 26 golfers this year, including a few brave ladies! First place winners in the tournament were Douglas Miles, Jeremy T. Bergstrom, Steve Farrell and Rick Chambliss. Special awards were presented to Douglas Miles & Aleta Lavandier for longest drive, male and female, and to Chris Rebhun & Laura Kaminski for closest to the pin, male and female. Awards were presented on Thursday evening after dinner. Thanks to all the sponsors and participants who

made this a fun and successful event!

A good time was had by all who attended our Wednesday evening "Hawaiian" Vendor Fair and Welcoming Party. Guests received a colorful "lei" as they arrived to eat, drink, "shop" and mingle with their peers and friends alike, while listening to the sounds of Polynesian Music by Glenn Miyabara.

The seminar program was fantastic! Our Education Committee did an excellent job with the education format and speaker line-up. The topics were informative and timely. The convention committee received many compliments from attendees of the seminars. Thank you to education committee members Linda Rhodes, Terri Kaufman and Pam Brittain for doing an excellent job!

Our Thursday evening dinner was excellent. The entertainment got off to a rocky start with our comedienne, due to a

problem with the sound, but did improve as the night went on. For those of you who participated with our hypnotist, WOW! The "subjects" that were led to the stage were hysterical! Flynn Powers showed everyone he could move and groove while singing the tunes of Elvis! Kathy Meyers pranced around the stage as if she were Madonna! Barbara Molitor caught the BIGGEST FISH we've ever seen! Watching all the guests inhale their "shoes" during their flight was a sight we'll cherish forever!

We wish to again thank everyone who participated and we hope that everyone who at-tended had a great time! Special thanks to Brenda Melroy, Kathy Meyers, Diane Heuel, & Ron Robertson of the convention committee for helping make this a great convention! We'll see you all again at next year's 16th Annual Convention at the Tucson Omni National Golf & Spa Resort.

Election

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Richard E. Chambliss



Rick Chambliss is a partner in the firm of Broening, Oberg, Woods, Wilson & Cass, P.C. Over the last twenty years, he has been involved in most aspects of real

estate-related representation, including escrow, title insurance, and foreclosure matters. He has been a member of the ATA since 1995 and, among other activities, has previously served as a director of the ATA, chairman of the education committee, co-chairman of the by-law committee, and a member of the legislative committee. Rick is seeking to be elected as a director of the ATA and believes his experience both with the ATA and as a real estate practitioner, his independent perspective of industry matters, and reasoned approach to resolution will benefit the Association.

PSST!!!! Have we got a deal for you!!!

Place your ad with the Trustee Times:

Full page\$125.00
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1/4 page\$ 50.00
Bus. card\$ 25.00

Contact Diana Creighton at:

602-258-7026 or

Terri Kaufman at: 623-907-9316

Send your ad and check to: Terri Kaufman
at: P.O. Box 851, Tolleson, AZ 85353

Along with check made payable to: Arizona
Trustee Association:

DEADLINE: FEBRUARY 15, 2003

CONDITIONS: ATA reserves the right to reject any advertising copy of cancel any advertising at any time without penalty to either party at the sole discretion of the Newsletter Committee.



2002 ATA Christmas Party

Come Celebrate the Season with friends while casting your vote and enjoying great food and fun at the Arizona Trustee Association's Annual Christmas Party & Election at:

University Club
39 E. Monte Vista
December 10, 2002 5:30 to 8:30 P.M.

We invite everyone to donate a gift (s) for our Raffle. This year we will be donating 50% of the proceeds from the raffle to charity. Please help in making this our most successful raffle ever by donating gifts, purchasing raffle tickets and, oh yes, having the opportunity to win some great prizes!

INVITATION LIMITED TO REGISTERED MEMBER ONLY. ADDITIONAL ATTENDEES ARE WELCOME FOR JUST \$15 PER PERSON PAYABLE WITH REGISTRATION.

Please RSVP on or before November 15, 2002

Firm Name

Member

Enclosed is check for \$ _____ for _____ # additional attendees @ \$15 each
made payable to ATA.

Gift (s) for Charity Raffle: _____

 **Please mail to Arizona Trustee Association,
P.O. Box 17071, Phoenix, AZ 85011-7071**

If you have any questions contact Terri Kaufman at ☎ (623) 907-9316 fax: 623-907-8735
or teresak@prodigy.net

PLEASE NOTE: ELECTIONS WILL CLOSE AT 7:00 P.M.

Bulletin Board

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Education Committee: **Linda Rhodes**
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Terri Kaufman
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Legislative Committee: **Chris Perry**
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Membership Committee: **Paul Rhodes**
602 414-0017
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Newsletter Committee: **Diana Creighton**
602 258-7026
dcreighton@azcapitoltimes.com

Board Meetings

Kathy Meyers: 602 224-8540

Board meetings are held monthly, and all members are invited to attend.

Luncheons

For reservations and information call Jarrod Williams 602 224-8523.

Monthly Luncheon Schedule

Lunch meetings are held at the University Club
39 East Monte Vista
Phoenix, AZ 602 254-5408

2002 dates:

February	12	June	none	October	01
March	12	July	none	November	12
April	09	August	20	December	none
May	14	September	none		



Arizona Trustee Association

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