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September 24, 2018

Supreme Court of Texas
Supreme Court Building
201 W 14th Street
Suite 104
Austin, TX 78711

REF: Case No. 18-0676, Chicago Title Ins. Co. v. Cochran Investments, Inc.

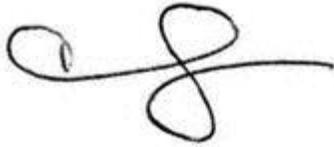
TO THE SUPREME COURT OF TEXAS:

Founded in 1908, the Texas Land Title Association (TLTA) is a statewide trade association representing the Texas title insurance industry and currently serving over 15,000 professionals involved in the safe and efficient transfer of real estate. In the course of their daily work, our membership serves over a million consumers each year. With active members in every Texas county, TLTA membership comprises approximately 90 percent of the title insurance agents and underwriters licensed to do business in Texas. From time to time, cases come before the Court that have significant impact on real estate commerce in Texas and which impact the ability of TLTA's members to safely insure title to real property. On those occasions, we will endeavor to share with the Court our support of those parties who advocate the sanctity of the Texas real property laws and doctrines. The TLTA has received no compensation for the preparation of this letter.

In the above referenced case, the Court of Appeals' opinion in effect turns a special warranty deed into a quitclaim deed, thus depriving the purchaser of the protection provided by the special warranty deed. While the real estate industry recognizes that a quitclaim conveys only the present interest of the seller, *if any*, a special warranty deed implies that the seller actually *does* own the property being conveyed but is limiting the warranty of title to those defects and encumbrances created by the seller, and not those otherwise existing. Because of this distinction, a buyer can

typically obtain title insurance based on a special warranty deed, but not on a quitclaim deed. Since this issue could affect thousands of real estate transactions every year, challenging the use and viability of the special warranty deed, generally used by governmental entities, lenders and creditors, and commercial property owners, the Association requests that the Court address this case.

Sincerely,

A handwritten signature in black ink, appearing to read 'Aaron Day', with a stylized flourish extending to the right.

Aaron Day
Director of Government Affairs & Counsel
Texas Land Title Association
aaron@tlt.com
State Bar No. 24037899

CERTIFICATE OF COMPLIANCE

I certify that this document contains 307 words in the portions of the document are subject to the word limits of the Texas Rule of Appellate Procedure 9.4(i), as measured by the undersigned's word-processing software.

/s/ Aaron Day
Aaron Day

CERTIFICATE OF SERVICE

I hereby certify that on September 24, 2018, a true and correct copy of the foregoing amicus letter has been served by electronic mail to all attorneys of record.

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| <p>Counsel for Petitioner:</p> <p>Jonathan J. Cunningham State Bar No. 00793574 jonathan.cunningham@fnf.com FIDELITY NATIONAL LAW GROUP 5151 Belt Line Road, Ste. 410 Dallas, Texas 75254 Phone: (972) 812-6545 direct Fax: (972) 812-9408</p> | <p>Counsel for Respondent:</p> <p>Jerry Schutza State Bar No. 17853800 schutzalaw@yahoo.com 11 Greenway Plaza, Suite 2820 Houston, Texas 77046</p> |
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/s/ Aaron Day
Aaron Day