

**CHESTER COUNTY BAR ASSOCIATION
YOUNG LAWYERS DIVISION
MAY 6, 2009**

Announcements/Upcoming Events:

1. The YLD and Westlaw are hosting a happy hour on Thursday May 7 from 5 p.m. to 7 p.m. at the Landmark Americana. Admission is free for YLD members.
2. The CCBA is hosting a golf outing on May 12, 2009 at the Applebrook Country Club beginning at 11:30 a.m. Dinner will follow at 5:30 p.m.
3. The YLD is seeking volunteers for the Wilmington Blue Rocks game on Friday 6/5 at the Frawley Stadium in Wilmington DE at 7:05 p.m. Please contact Eric Trajtenberg or Lillian Taliercio if interested.
4. The CCBA is hosting a Bar Sail on June 11 and 12 in St. Michaels, MD. More details will follow.

Guest Speaker:

CCBA President John Stanzone visited our meeting this month to introduce himself to the YLD members. He spoke briefly about the CCBA and encouraged all young lawyers to become involved in the organization. He mentioned the monthly Return of the Country Lawyer events and the Pancakes with the President breakfasts as a great way to socialize with fellow CCBA members.

Our guest speaker was Ryan Costello, Esquire, the Chester County Recorder of Deeds. Mr. Costello began by giving some background on himself. He graduated law school in 2002 and soon after became the East Vincent Township Supervisor. Mr. Costello remained active in his local Republican party. In 2008, he was elected the Chester County Recorder of Deeds.

The Recorder of Deeds office (“ROD”) handles all recording for Chester County, including deeds, mortgages, satisfactions, and powers of attorney. The UPI numbers that are relevant to each land parcel in the county are essential in identifying pieces of land. The Bureau of Land Records (“BLR”) verifies all UPI’s before recording because those numbers are used by the GIS, tax assessment, health department and even law enforcement to identify property.

Chester County now offers e-recording along with Montgomery and Lancaster Counties. You must buy a subscription and keep a small escrow account to use this service through Simplifile. You can email the ROD office to sign up.

One of the main functions of the ROD, aside from recording, is maintaining revenue. The 2% transfer tax paid on many land transfers is a source of revenue for the county and state. One percent is sent to the Department of Revenue, one half percent is sent to the local school district and the other half is sent to the local municipality. The ROD holds 1% in escrow before sending it out so that it can earn interest. Recording fees are another source of revenue for the ROD. Some revenue from the ROD is even placed in the county general fund at the end of the year.

During the height of the real estate boom in 2003 and 2004, the ROD had the highest amount of revenue in recent years.

Mr. Costello shared the top three reasons that a document is rejected for recording: 1) improperly formatted UPI numbers; 2) notary acknowledgment issues; and 3) incorrect fees. Anything that is e-recorded will come back instantly telling you what is incorrect.

An issue involving adverse possession arose recently in the ROD office. Mr. Costello explained that a statement of claim can be recorded in the ROD even though the UPI number and the grantor do not match (which is generally a prerequisite to recording). The statement of claim must be filed to proceed with an adverse possession claim. Once the BLR flags the document for the non-matching UPI and grantor, the ROD office will then allow the recording.

The ROD is currently located on Walnut Street, but will move to a new office building in 2011.

Mr. Costello gave all attendees a FAQs handout, which discusses several aspects of recording in Chester County. All handouts are available in the ROD office.

Anyone with suggestions for speakers for this year should submit those suggestions to Eric Trajtenberg.

Next Meeting:

The next meeting will be held on Wednesday, June 3, 2009 at 12:00 P.M. in the Lower Level of the Bar Association building. Our guest speaker will be Barry Rabin, a solo practitioner in Chester County.