

## CHAIRPERSON'S REPORT

by Patrick A. Karbowski

Although this is the Spring Issue of the *Michigan Real Property Review*, as I write this report there is still plenty of snow on the ground. Perhaps you too were perplexed by school closures in southeast Michigan due to the extremely cold temperatures in the waning months of winter. I've heard of "snow days" but "cold days"—it just doesn't sound right. Why, I can remember walking to school in . . . (you've heard it, said it, before). I can assure you, however, that there have been no "cold days" for the Section and its very active Council and committees.

There is no denying that winter left us with some very cold days as it relinquished the season to spring. Long before the onset of such cold weather, the Real Property Law Section had already concocted the perfect elixir: our Winter Conference at Disney's Yacht & Beach Club Resort in Walt Disney World®, in Lake Buena Vista, Florida. The conference theme was "Resort Communities and Second Homes: Following Your Clients 'Up North' and 'Down South.'" As of this writing, the conference is only days away and all of our allotted rooms at the Yacht Club have been booked, and rooms at the adjacent Beach Club are now being filled by conference attendees. Many thanks to our program coordinators, Gregory Gamalski and Ronn Nadis, and to all of our conference speakers, for their hard work. A special thank you to our Friday evening reception sponsor, Alliant Insurance Services.

The Homeward Bound Seminar Series continued its record breaking season at its new location at the Inn at St. Johns in Plymouth, Michigan. The February program featured Mark F. Makower and Thomas R. Schultz on the topic, "The Site Condominium Approval Process from the Developer and Municipal Perspectives—A View from Both Sides of the Fence." Thank you, Mr. Makower and Mr. Schultz, for a job well done. Remember that ICLE partners are able to attend Homeward Bound Seminars at no extra charge as part of their partnership, and webcasts of the seminars are available from ICLE both live over the internet and for a period of time after the live seminar at [www.icle.org/seminars](http://www.icle.org/seminars).

We are excited to announce that our "Groundbreakers" Breakfast Roundtable program on April 19, 2007 has been enhanced such that you are not going to want to miss it. The program will now be conducted in conjunction

with a full day seminar sponsored by the International Council of Shopping Centers ("ICSC"), at the Townsend Hotel in Birmingham, Michigan. The ICSC program will have presentations by some of the top commercial and retail real estate lawyers in Michigan and Michigan real estate brokers, associate brokers, and salespersons that attend the ICSC will receive continuing education credits. The Section will kick-off the all day seminar with its Groundbreakers Breakfast Roundtable program from 8:00-9:30 a.m. Best of all, attendees at the Section's Groundbreakers program will have the option to stay for the entire ICSC program at no extra charge.

It is not too early to register for our Summer Conference, which, as you will see from the "Continuing Legal Education" section of this issue of the *Review*, promises to be an excellent program. Thank you to Melissa Collar and Larry Dudek for planning an excellent conference. Please contact Arlene Rubinstein at (248) 644-7378 or [lawa1@aol.com](mailto:lawa1@aol.com), for more information on any of these great programs.

The Section's ad hoc committee on Recording Issues has been very busy meeting and communicating with several groups and individuals interested in improving access to and the means by which documents are delivered to and recorded by the various county Registers of Deeds. At many Register of Deeds offices, there have been periods of time in recent years where there has been a significant lag-time, or gap, between the date of delivery of an instrument to the Register of Deeds and the date the instrument is assigned a liber and page number by the Register of Deeds. Because Michigan is a "race-notice" state, this "gap" and the corresponding lack of a searchable "entry book" has led to much confusion with regard to the priority of instruments, and has contributed to the widespread problem of fraud in real estate transactions. The groups and individuals involved in these meetings and communications often have passionate views about issues such as the abandonment of the entry book by most Registers of Deeds, and the means by which the winner of the "race" may best be determined. These passions are well-founded; these issues are vital to the health and well being of real estate transfers and transactions in Michigan. The ad hoc committee members have devoted many hours to their task, and the Section remains committed to working with all



of the interested parties to define and reach mutually acceptable goals. Please stay tuned.

Although we are just at the start of a new legislative session, we have already seen several proposed bills of interest to the Section. Be sure to review Leslie Banas' report "Legislation Affecting Real Property" in this issue of the *Review* to stay up to date on legislative developments. If you are interested in the Section's positions on various public policy matters be sure to check out the State Bar of Michigan's Public Policy Updates Archive at [www.michbar.org/publicpolicy](http://www.michbar.org/publicpolicy).

Something I have said before may bear repeating: The Section offers tremendous opportunities for service and growth to its members, and, the Section needs your participation. It is virtually certain that if you invest some time in Section activities you will grow in your knowledge and understanding of real estate law. So, if you'll pardon the tortured cliché, as winter moves into spring and thoughts turn to new growth and opportunity, please contact me so we can discuss your investment and growth in the Section.