

Alabama Attorney Quickly Resolves Client's Numerous Title Defects and Avoids Time Consuming and Costly Litigation

George Gaston of the firm's Mobile office resolved a client mortgage lender's title defect without the necessity of filing likely drawn-out and costly litigation. The matter regarded numerous defective deeds in the borrower's chain of title, which resulted in the borrower only holding a one-half interest in the property, as well as other issues affecting the validity of the conveyance of the property to the borrower. Under Alabama law, these defects effectively called the borrower's ownership of the property into question and potentially prevented our client's mortgage from attaching as a lien against the property. Additionally, the mortgage contained an incorrect legal description of the property, one person in the chain of title was deceased, and the borrower would unlikely cooperate due to pending foreclosure against the property.

In approximately three months, our Alabama office was able to avoid the necessity of filing a title curative lawsuit by obtaining cooperation from numerous parties, including prior owners in the chain of title, the preparer of several of the defective deeds, and the title company that originally recorded the mortgage with the incorrect legal description. Once the various title curative instruments were recorded in the land records, the client's borrower was fully vested and held a complete ownership in the property, thus resolving the client's title defect.

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ALABAMA

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