

are any large significant numbers of titles throughout the state that are in trouble, and a host of unknown ones, and it goes back to our massive land use laws and some people predicted precisely these things were going to occur, so now we are basically curing many of the problems and things we created then. It really is an important bill to get passed.

PRESIDENT: The Chair recognizes Senator Warner.

SENATOR WARNER: I guess my question would be to Senator Nichol.

PRESIDENT: Senator Nichol, will you respond?

SENATOR NICHOL: Yes.

SENATOR WARNER: I want to be sure I understand, Senator Nichol, that this amendment only deals...does this also permit titles to have no question on them, or for subdivisions that are going through the process from now on, or does it only deal with the past?

SENATOR NICHOL: It only deals with the past.

SENATOR WARNER: Without question.

SENATOR NICHOL: Yes. Up to this time. Now let me say this to you in all honesty. What happens so often is that a piece of property is subdivided improperly. Someone else buys it not knowing that it has been subdivided improperly. Then it automatically becomes a fact that the deed is void, so in theory the person who has bought it unknowingly does not have a valid deed, and the problem is starting to appear that these transfers happened several years ago, the attorneys that handled the problem, the people that bought the property are gone, moved away, passed away, and the deed is invalid. Now to go back and say, look it is impossible to go put the piece of property back together, but you still have a deed that is no good. So, in my opinion, deeds and zoning should not be tied together. Now the zoning people like it this way so that people will go along with the zoning restrictions that are on that piece of property, but the person who has bought it after it has been illegally subdivided has his or her hands tied and they can't get a valid deed. So this is a corrective measure for zoning. Now let me say this too, Senator Warner, that this does not let you go ahead and use that piece of property counter to the zoning restrictions. You still have to use it according to the zoning restrictions.