



Prepared for Anson County's W.A.L.L.

August 5 2012

Blue Ridge Environmental Defense League

WHERE TO START

If you want to discover who owns the mineral rights underneath your property there are usually two places you can start:

- 1) At the Register of Deeds office in your county (free)
- 2) With an attorney familiar with landowner issues (not free)

WHAT NEXT

Find your deed:

Information about land transfers is available at the County Courthouse at the Register of Deeds office. From the land records you can create a “chain of title.”

- You will need to know the legal description of your property in order to locate the correct tract index; or you can search by name using the grantor/grantee index if you have some names to work with and aren't sure of the legal description. Either index book will help you locate the conveyances that pertain to your land.
- You will want to include in your chain of title all conveyances that affect the tract you are researching. Look also for any affidavits, liens, foreclosures, tax sales, divorce settlements, probate files, mortgages etc.
- You may have to examine court records for some of these files like probates or divorce decrees.
- Sometimes gaps may appear in your chain of title. This means you cannot determine from the records when the grantee came into title. The gap could be

caused by divorce settlements, probates, or foreclosures. A faulty legal description could cause the information to be misplaced. If a bank buys the property from a former owner who defaulted on a loan and sells it it might be difficult to locate because the title will be in the name of the bank instead of the person's name.

- During the search carefully look over the records you find. You may see documents called "Royalty Deeds." These are not mineral rights and do not describe their transfer. "Mineral Deed" is what you would be looking for.

SOME DEFINITIONS

1) Conveyance

- a. Transfer of title to property from one person to another.
- b. The document by which a property transfer is effected.

2) Grantee

- a. One to whom a grant is made. (Mortgage holder)

3) Grantor

a. One that makes a grant. (One who loans the money for purchase)

A FEW SUGGESTIONS

Ask your Register of Deeds to make a presentation to your group perhaps at the office so hands on examples can be seen. Anson County has a remote access site although I don't know how good it is. The link is here: <http://www.ansonncrod.org/>

You can also contact them at : (704) 994-3208 Main Number or (704) 994-3209 Land Records

If the chain of title becomes too complex; you may want to consider hiring an experienced attorney to do a "take off" for you. A take off is simply a listing of the books and records where the actual deeds other conveyances pertaining to your property are located this is simpler and less expensive than a full title abstract search.