



**Vollertsen, Britt,  
& Gorsline P.C.**

**ATTORNEYS AT LAW**  
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Davenport, Iowa 52801-1498  
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Jack R. Vollertsen (1909-1982)  
Dennis J. Britt (Retired)  
Michael L. Gorsline  
Anton J. Suchy  
Tricia S. Fairfield\*

Phone  
(563) 324-0441  
Fax  
(563) 324-0936

\*Also Admitted in Illinois

October 13, 2010

Loyd Ogle, Director  
Title Guaranty Division  
2015 Grand Avenue  
Des Moines, IA 50312

RE: Title Guaranty Division  
Application for Waiver

10-15-10 A09:20 IN

Dear Mr. Ogle,

Enclosed please find my original executed Application for Tract Index Waiver, Attachment, Affidavits and samples of my abstracting work all of which are being submitted to the Title Guaranty Division. I am requesting that the Board consider my application at the next regular board meeting in December 2010. I have also submitted a copy of my Application to the Scott County Bar Association so that they may make a recommendation to Iowa Title Guaranty on my Application.

Thank you for your consideration.

Very truly yours,

Tricia Spratt Fairfield  
Vollertsen, Britt & Gorsline, P.C.

TSF  
enclosures

# Title Guaranty Application for Tract Index (title plant) Waiver

(Please submit Application to Attn: Loyd Ogle - Director, Title Guaranty Division of the Iowa Finance Authority, 2015 Grand Ave, Des Moines, IA 50312)

NAME OF APPLICANT: Tricia Spratt Fairfield

BUSINESS ADDRESS: 101 W. 3rd Street STE 321 Davenport IA 52801  
(Street) (City) (State) (Zip)

Telephone: (563) 324-0441

Facsimile: (563) 324-0936

Email: tricia@vb-law.com

1. Select type of title plant waiver requested:
  - a.  Provisional (temporary) waiver (see Paragraph #4, below)
  - b.  Permanent waiver for attorney (see Paragraph #5, below)
  - c.  Permanent waiver for non-attorney (see Paragraph #6, below)
  
2. Attach a written statement with the following information:
  - a. General description of the applicant's business;
  - b. Intention, if any, to develop a 40-year tract index;
  - c. Relevant facts that the applicant believes would justify a waiver, as stated below:
    - i. That the title plant requirement described in Iowa Code Supplement section 16.91(5)"a"(2) imposes a hardship to the abstractor or attorney; and
    - ii. That the waiver is:
      - (1) Clearly in the public interest; or
      - (2) Absolutely necessary to ensure availability of title guaranties throughout the state.
  
3. All waiver requests must include a signed, sworn statement from the applicant attesting to the accuracy of the facts provided in the application.
  
4. Provisional Waiver Request  
Applicant, at a minimum, should also provide the following:
  - a. Evidence that a title plant will be built for a specified county;
  - b. Evidence of significant financial loss due to the inability to provide abstracts for the division;
  - c. Evidence that the provisional waiver is necessary in order to produce a revenue stream to justify the expense associated with building a title plant; and
  - d. Professional references from two licensed Iowa attorneys or one participating plant-abstractor attesting to the applicant's ability to abstract.

5. Permanent Waiver Request: for Attorney

Applicant, at a minimum, should also provide the following:

- a. For attorney applicants with experience abstracting under the supervision and control of an exempt attorney-abstractor, Applicant, at a minimum, should also provide the following:
  - i. Evidence of the applicant's abstract experience;
  - ii. Professional references;
  - iii. Samples of abstracts prepared by the applicant;
- b. For attorney applicants without experience working under the supervision and control of an exempt attorney-abstractor, Applicant, at a minimum, should also provide the following:
  - i. Evidence of the applicant's abstract experience;
  - ii. Professional references;
  - iii. Samples of abstracts prepared by the applicant;
  - iv. The applicant's business plan;
  - v. Evidence of clients and volume of additional transactions that will be brought into the title guaranty abstract/attorney system as a result of the waiver;
  - vi. Evidence of the number, availability, service and quality of other abstractors available to perform abstracting and whether the grant of a permanent waiver will adversely impact the business of other participating abstractors;
  - vii. Evidence of whether the applicant demonstrates the inability to abstract under the supervision and control of an exempt attorney.

6. Permanent Waiver Request: for Non-Attorney

Applicant, at a minimum, should also provide the following:

- a. Evidence of the applicant's abstract experience, maintenance of a title plant by the applicant in any other county, and degree of participation by the applicant in the title guaranty division standards in excellence program;
- b. Professional references;
- c. Samples of abstracts prepared by the applicant;
- d. The applicant's business plan;
- e. Evidence of clients and volume of additional transactions that will be brought into the title guaranty abstract/attorney system as a result of the waiver;
- f. Evidence of the number, availability, service and quality of other abstractors available to perform abstracting and whether the grant of a permanent waiver will adversely impact the business of other participating abstractors.

ATTACHMENT

**TITLE GUARANTY DIVISION**

APPLICATION FOR WAIVER

I am currently an attorney and abstractor with the law firm of Vollertsen, Britt & Gorsline, P.C. in Davenport, Scott County, Iowa. I have extensive real estate experience, as I have been practicing primarily in this area and abstracting since September 2002. Last year, I personally prepared or updated more than 800 abstracts and generated gross abstracting receipts of more than \$120,000.00.

As an attorney with Vollertsen, Britt & Gorsline, P.C., I provide abstracting services through the firm to numerous clients, including many banks, mortgage companies and other law firms in the area. I spend a significant amount of time abstracting every day. While there are attorneys in Scott County who have abstracting numbers with the Division, relatively few actively abstract.

Vollertsen, Britt & Gorsline, P.C. has a longstanding reputation of being an experienced real estate and abstracting law firm in Scott County that can deliver quick and efficient service. I have a practice that includes the representation of a variety of lenders as well as individual parties in real estate transactions. It is, and will continue to be, a hardship to my clients who include banks, mortgage companies, law firms, individual sellers and buyers, and to me, not to offer the service of abstracting directly to these clients. Moreover, if I am unable to directly provide abstracting services to my clients under my own abstracting number, I will be unable to directly control the quality and timeliness of the abstracting required for my clients.

The practice of real estate law in Scott County is unique because attorneys and not title companies conduct the vast majority of real estate transactions. Moreover, the majority of abstracting is performed by attorneys acting in their capacity as attorney abstractors. Combining legal services with abstracting services results in lower closing costs and more expedient resolution of title issues, with these benefits being passed on to the public. Prohibiting attorneys with extensive real estate experience, such as myself, from obtaining individual abstractor numbers is likely to lead to a movement in Iowa toward title insurance. This is not in the public interest. It is not my intention to develop a 40-year tract index. Our office has in the past and expects to continue to utilize the official public records located in the Scott County Courthouse and the Scott County Administration Building for the preparation of abstracts. This is the practice of the majority of Scott County Abstractors.

Vollertsen, Britt & Gorsline, P.C. has a substantial and extensive internally indexed collection of 40 year base abstracts that includes abstracts for numerous subdivisions in Scott County, as well as numerous metes and bounds abstracts. In addition, my office has an extensive indexed collection of documents dating from 1937 to the present that are related to abstracting, such as plats, surveys, articles of incorporation, probates, dissolutions, affidavits, foreclosures, law suits and other documents, all of which are continually updated by my office.

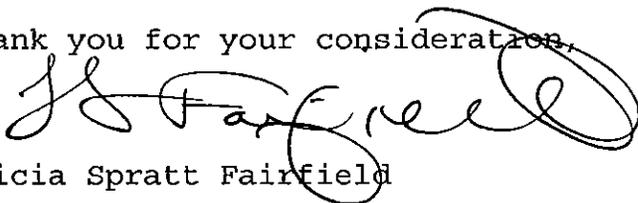
The cost of obtaining a 40-year tract index is prohibitively expensive and prevents qualified attorney abstractors from individual participation in the Division's program. As the attorneys with abstractor numbers approach retirement age, there will be virtually no attorneys able to meet the requirements in Iowa Code Section 16.91(5), which will have a corresponding detrimental effect on the ability of Scott County residents to obtain abstracting services from qualified attorney abstractors. As an attorney abstractor, I have specialized expertise because I have the legal skills from attending law school and practicing law, as well as abstracting skills from years of abstracting.

The requirement of a 40-year tract index would clearly impose a hardship upon me, my law firm and the residents of Scott County. The waiver of a 40-year tract index is clearly in the public interest and absolutely necessary to ensure the availability of title guaranties throughout the state. See Iowa Code Section 16.91(5).

It is in the best interest of the public, particularly in Scott County, that attorney abstractors continue to exist so the public has a variety of abstractors to choose from. This will result in the continued availability of quality abstracting services for reasonable costs. If qualified, younger attorney abstractors are denied abstracting numbers, as older attorney abstractors retire, there will be fewer options for the public which will result in higher costs. This is clearly not in the public interest. To allow such a waiver for the undersigned applicant would also guarantee the availability of title guaranty in Scott County.

Attached hereto and made a part hereof are affidavits in support of this application from my supervising attorney and clients. I am also enclosing several samples of my abstracting.

Thank you for your consideration,



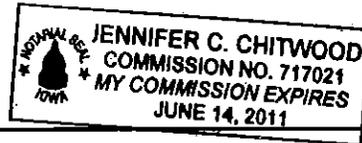
Tricia Spratt Fairfield

STATE OF IOWA            )  
                                  )    ss.  
COUNTY OF SCOTT        )

The aforesaid, being first duly sworn, upon oath State that the foregoing Application is true and correct.

Subscribed and sworn to before me, this 13<sup>TH</sup> day of OCTOBER, 2010.

*Jennifer C. Chitwood*  
Notary Public





Jack R. Vollertsen (1909-1982)  
Dennis J. Britt (Retired)  
Michael L. Gorsline  
Anton J. Suchy  
Tricia S. Fairfield\*

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Fax  
(563) 324-0936

\*Also Admitted in Illinois

October 11, 2010

Dear Sir or Madam,

I am currently an attorney and abstractor with the law firm of Vollertsen, Britt & Gorsline, P.C. in Davenport, Scott County, Iowa. I have extensive real estate experience, as I have been practicing primarily in this area since June 1994. I joined Vollertsen, Britt & Gorsline, P.C. in October 1998 and immediately began abstracting under the supervision of Dennis J. Britt. I received my abstractor number from Iowa Title Guaranty in December 2005.

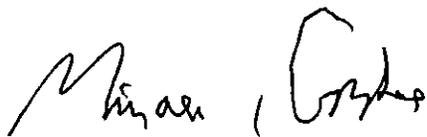
I am the attorney and mentor who supervises Tricia S. Fairfield. Ms. Fairfield joined our firm in 2002 and immediately began abstracting. As attorneys with Vollertsen, Britt & Gorsline, P.C., Ms. Fairfield and I provide abstracting services to numerous clients, including many banks, mortgage companies and law firms in the area.

Ms. Fairfield and I do not merely supervise clerical workers and put our names on other people's work. Both Ms. Fairfield and I spend a significant amount of time abstracting every day. While there are attorneys in Scott County who have abstracting numbers with Iowa Title Guaranty, relatively few actively abstract. It is imperative that Iowa Title Guaranty ensure that attorneys requesting a waiver to receive an abstract number through the mentoring program are actively abstracting.

Currently, even though Ms. Fairfield has created the abstract and reviewed the work of the legal assistant typing the abstract, I have to sign the abstract. Ms. Fairfield has been an active abstractor and real estate attorney with Vollertsen, Britt & Gorsline, P.C., for over eight years. Based on my daily observations and interactions with Ms. Fairfield I can unequivocally state that she possesses the requisite knowledge, ability and ethics required to be an abstractor. She has extensive real estate and abstracting knowledge and a strong work ethic. Moreover, she has extremely high ethical standards. I believe that she is a highly qualified active abstractor who should be issued an individual abstractor number.

Thank you for the opportunity to address the Board. Please feel free to contact me if you would like to discuss Ms. Fairfield's qualifications in more detail.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael L. Gorsline". The signature is written in a cursive style with a large, prominent initial "M".

Michael L. Gorsline

Vollertsen Britt & Gorsline, P.C.

Iowa Title Guaranty

Abstractor Member No. 8656

# SCOTT COUNTY BAR ASSOCIATION

*Davenport, Iowa*

Alicia D. Gieck  
President

Melissa Gross  
President - Elect

1111 E. River Drive  
Davenport, Iowa 52803-5740  
E-Mail: [president@scottcountybar.org](mailto:president@scottcountybar.org)

Telephone: (563) 326-0006  
Facsimile: (563) 326-6204

March 30, 2011

Loyd Ogle  
2015 Grand Avenue  
Des Moines, IA 50312

Re: Tricia Fairfield application for title plant waiver with Title Guaranty

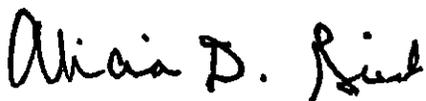
Dear Mr Ogle:

As you know, Tricia Fairfield submitted an application to the Scott County Bar Association Real Estate committee for a recommendation to Iowa Title Guaranty for a permanent title plant waiver.

The Real Estate Committee reviewed Ms. Fairfield's application, unanimously approved it, and submitted a recommendation to the Scott County Bar Association Executive Council. Upon review of the Real Estate Committee's recommendation, the Executive Council has unanimously approved Ms. Fairfield's application and recommends that Ms. Fairfield be given a permanent title plant waiver.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,



Alicia D. Gieck  
H.J. Dane Law Office

ADG/res  
Cc: Tricia Fairfield  
Marc Engelmann

11/04/11 10:55:46

AFFIDAVIT

STATE OF IOWA )  
 ) ss.  
COUNTY OF SCOTT )

1. Vollertsen, Britt & Gorsline, P.C. has an excellent reputation of being an experienced real estate and abstracting law firm in Scott County that can deliver quick and efficient service.

2. Tricia S. Fairfield is an attorney from Vollertsen, Britt & Gorsline, P.C. who provides my firm, Lane & Waterman, LLP, with abstracting services.

3. Tricia S. Fairfield is very knowledgeable about real estate and abstracting matters and provides our firm with prompt, efficient services at a reasonable cost. Members of my firm often contact her for advice on complex abstracting issues.

4. Upon our request, Tricia S. Fairfield is able to create a 40 year complete abstract of title and other title services in a relatively short time frame.

5. It would create a hardship for our firm if Tricia S. Fairfield were unable to provide our company with abstracting and title services. It is in the public interest to grant Tricia S. Fairfield a wavier and issue her an individual abstractor number.

FURTHER AFFIANT SAYETH NAUGHT.

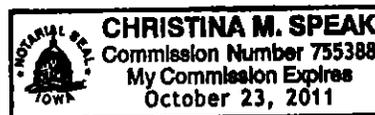
Dated this 7<sup>th</sup> day of October, 2010.

*Richard A. Davidson*

Richard A. Davidson, Attorney  
Lane & Waterman, LLP  
220 N. Main St., Ste. 600  
Davenport, IA 52801  
563-324-3246

Subscribed and sworn to me by Richard A. Davidson, on this 7<sup>th</sup> day of October, 2010.

*Christina M. Speak*  
Notary Public in and for the County of Scott



AFFIDAVIT

STATE OF IOWA            )  
  ) ss.  
COUNTY OF SCOTT        )

1. Vollertsen, Britt & Gorsline, P.C. has an excellent reputation of being an experienced real estate and abstracting law firm in Scott County that can deliver quick and efficient service.

2. Tricia S. Fairfield is the closing agent for our company and is the primary attorney from Vollertsen, Britt & Gorsline who provides us with abstracting, legal and closing services.

3. Tricia S. Fairfield is extremely knowledgeable about real estate matters and provides our company with prompt, efficient services at a reasonable cost. Members of our company often contact her for advice on complex real estate issues.

4. It is extremely beneficial and important to our company and our customers that we are able to have abstracting, title and legal services provided by a single entity. Currently, Tricia S. Fairfield is able to provide us with this combination of services.

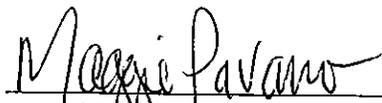
5. Due to the reputation of Vollertsen, Britt & Gorsline, P.C. and Tricia S. Fairfield in the real estate market, our company contacted Tricia S. Fairfield and requested that she become our abstractor and closing agent.

6. Upon our request, Tricia S. Fairfield is able to create a 40 year complete abstract of title and other title services in a relatively short time frame.

7. It would create a hardship for our company if Tricia S. Fairfield were unable to provide our company with abstracting and title services. It is in the public interest to grant Tricia S. Fairfield a wavier and issue her an individual abstractor number.

FURTHER AFFIANT SAYETH NAUGHT.

Dated this 06 day of October, 2010.



\_\_\_\_\_  
Maggie Pavano, Mortgage Loan Originator  
Northwest Bank & Trust Company  
100 E. Kimberly Road  
Davenport, IA 52806  
563-388-2561

Subscribed and sworn to me by Maggie Pavano, on this 6 day of October, 2010.



Connie S. Weston  
Notary Public in and for the County of Scott  
State of Iowa

AFFIDAVIT

STATE OF IOWA )  
 ) ss.  
COUNTY OF SCOTT )

1. Vollertsen, Britt & Gorsline, P.C. has an excellent reputation of being an experienced real estate and abstracting law firm in Scott County that can deliver quick and efficient service.

2. Tricia S. Fairfield is the attorney from Vollertsen, Britt & Gorsline, P.C. who provides my firm, Shawver & Shawver, with abstracting services.

3. Tricia S. Fairfield is very knowledgeable about real estate and abstracting matters and provides our firm with prompt, efficient services at a reasonable cost. Members of my firm often contact her for advice on complex abstracting issues.

4. Upon our request, Tricia S. Fairfield is able to create a 40 year complete abstract of title and other title services in a relatively short time frame.

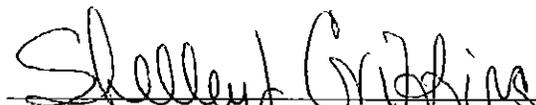
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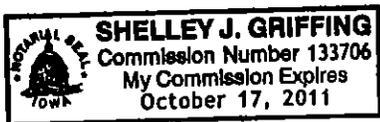
FURTHER AFFIANT SAYETH NAUGHT.

Dated this 7 day of October, 2010.

  
\_\_\_\_\_  
Judy A. Shawver, Attorney  
Shawver & Shawver  
2805 Eastern Avenue  
Davenport, IA 52803  
563-324-4182

Subscribed and sworn to me by Judy A. Shawver, on this 7 day of October, 2010.

  
\_\_\_\_\_  
Notary Public in and for the County of Scott  
State of Iowa



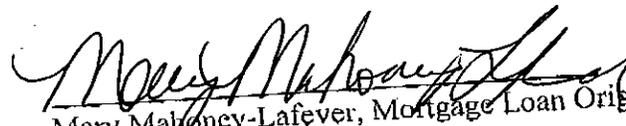
AFFIDAVIT

STATE OF IOWA )  
 ) ss.  
COUNTY OF SCOTT )

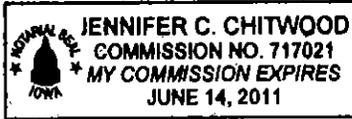
1. Vollertsen, Britt & Gorsline, P.C. has an excellent reputation of being an experienced real estate and abstracting law firm in Scott County that can deliver quick and efficient service.
2. Tricia S. Fairfield and Vollertsen, Britt & Gorsline, P.C. are the closing agents for our company and are the primary attorneys who provide us with abstracting, legal and closing services.
3. Tricia S. Fairfield is extremely knowledgeable about real estate matters and provides our company with prompt, efficient services at a reasonable cost. Members of our company often contact her for advice on complex real estate issues.
4. It is extremely beneficial and important to our company and our customers that we are able to have abstracting, title and legal services provided by a single entity. Currently, Tricia S. Fairfield is able to provide us with this combination of services.
5. Due to the reputation of Vollertsen, Britt & Gorsline, P.C. and Tricia S. Fairfield in the real estate market, our company contacted Tricia S. Fairfield and requested that she become our abstractor and closing agent.
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7. It would create a hardship for our company if Tricia S. Fairfield were unable to provide our company with abstracting and title services. It is in the public interest to grant Tricia S. Fairfield a wavier and issue her an individual abstractor number.

FURTHER AFFIANT SAYETH NAUGHT,

Dated this 7 day of October, 2010.

  
 Mary Maloney-Lafever, Mortgage Loan Originator  
 THE National Bank  
 2322 E. Kimberly Road  
 Davenport, IA 5280  
 563-344-2800

Subscribed and sworn to me by Mary Mahoney-Lafever, on this 7 day of October, 2010.



*Jennifer C. Chitwood*  
Notary Public in and for the County of Scott  
State of Iowa

AFFIDAVIT

STATE OF IOWA            )  
  ) ss.  
COUNTY OF SCOTT        )

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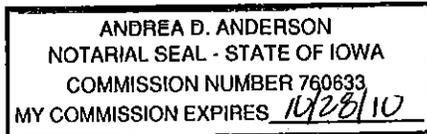
FURTHER AFFIANT SAYETH NAUGHT.

Dated this 7 day of October, 2010.



Eric V. Bormann, Mortgage Loan Originator  
Wells Fargo Bank, N.A.  
18<sup>th</sup> & Spruce Hills Drive  
Davenport, IA 52801  
563-383-3470

Subscribed and sworn to me by Eric V. Bormann, on this <sup>5<sup>th</sup></sup> ~~0~~7<sup>th</sup> day of October, 2010.



Andrea D. Anderson  
Notary Public in and for the County of Scott  
State of Iowa

AFFIDAVIT

STATE OF IOWA            )  
  ) ss.  
COUNTY OF SCOTT        )

1. Vollertsen, Britt & Gorsline, P.C. has an excellent reputation of being an experienced real estate and abstracting law firm in Scott County that can deliver quick and efficient service.

2. Tricia S. Fairfield is an attorney from Vollertsen, Britt & Gorsline, P.C. who provides my firm, Brooks Law Firm, P.C., with abstracting services.

3. Tricia S. Fairfield is very knowledgeable about real estate and abstracting matters and provides our firm with prompt, efficient services at a reasonable cost. Members of my firm often contact her for advice on complex abstracting issues.

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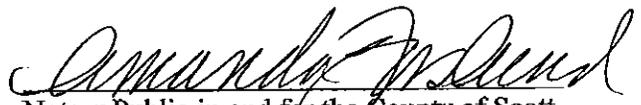
FURTHER AFFIANT SAYETH NAUGHT.

Dated this 12 day of October, 2010.



Henry W. Latham II, Attorney  
Brooks Law Firm, P.C.  
220 Emerson Place, Ste. 301  
Davenport, IA 52801  
563-326-4900

Subscribed and sworn to me by Henry W. Latham II, on this 12 day of October, 2010.



Notary Public in and for the County of Scott  
State of Iowa