Greetings!

I am Frankie Jones and I am excited to serve as the 2017-18 Chair of the Real Property Section of the North Carolina Bar Association. The Real Property Section is one of the largest and most active sections in the NCBA, and we are always looking for opportunities to become larger and more active. This year’s Section Council will continue the legacy of excellent service to our Section members.

The other officers on the Section Council are:

- Vice Chair: Ellie Bradshaw (Patrick Harper & Dixon LLP)
- Secretary: Nancy Ferguson (Chicago Title Company)
- Treasurer: Brian Taylor (White & Allen PA)
- Immediate Past Chair: Tonya Powell (Shanahan Law Group)

The remaining Section Council members are the following:

Terms Expiring 2018
- Benjamin P. Drayton (The Hunoval Law Firm PLLC)
- Tara G. Eudy (Carolina Title)
- John T. Higgins, Jr. (Higgins Benjamin PLLC)
- Robert C. Lawson (Williams Mullen)
- Ted Shipley (Live Oak Bank)

“Good Fortune often happens when opportunity meets preparation.”
- Thomas Edison

By Jon Biggs

On my first day of law school at Wake Forest, we had homework. We had to “prepare” before we even darkened the door. Preparation was not a foreign concept to me or my classmates. We had all prepared for class and exams in high school and college; prepared for the LSAT; prepared for everything. We had prepared for so many things over our collective academic lives that we were well aware there was no substitute for good solid preparation. We were not aware, however, of a bulletin board in Carswell Hall that contained the assignments for our first day of class. Remember: There was no email to read, no website to check, and Mother certainly was not there to tell us about it. This little tidbit of information, that a bulletin board existed, would have been a good thing to know.

Many of the students had not even purchased the book yet. This fact was of little concern to Professor Rhoda Billings, the esteemed and respected former Chief Justice of the North Carolina Supreme Court, who was going to lead us through Civil Procedure. She looked down on her seating chart and called on Mike – his last name has been omitted in case his children may read this article. She asked Mike to tell us about Rule 15(a) – “Amended and Supplemental Pleadings.” I remember this rule to this day, even though I am a real estate attorney and have not filed an amended pleading in 20 years or more. I remember this rule because of what happened next.

Mike tried to fake it – pretend that he was prepared, that he had read the assignment, or that he had even purchased the book. Miscalculation! Professor Billings kept him standing and squirming the entire lecture as she challenged his preparation (or lack thereof) with every subtle and not-so-subtle form of embarrassment available in her Socratic Method arsenal. We all felt bad for Mike, but were grateful that we had avoided a similar fate. At some point in the inquisition, Professor Billings rhetorically asked if Mike was aware of the student announcement bulletin board. I, for one, found that bulletin board and was absolutely prepared for the next class. We would rather learn from others mistakes than our own. When the next class started, Mike was called upon in a similar fashion, and this continued in each of our next five class periods. Our full class rotation took two days. By the time we reached the first session of our last class on the second day of law school, Mike had been called upon in every single class. As Professor Castleman looked over his
Terms Expiring 2019
• Joanne Badr (Ward and Smith PA)
• Chad Brown (Womble Carlyle Sandridge & Rice LLP)
• Marc Garren (Investors Title Insurance Co.)
• Greg Hinshaw (Burns Day & Presnell PA)
• Shelley Levine (Hinson Faulk)
• John Overfield (Coltrane & Overfield PLLC)
• Tim Sellers (Sellers Ayers Dortch and Lyons PA)

Terms Expiring 2020
• Susan R. Benoit (Hutchens Law Firm)
• Susan Leigh Haire (Starnes Aycock Law Firm)
• Benjamin Vance Ipock (Attorneys Title)
• Phillip E Lewis (Horack Talley Pharr & Lowndes PA)
• Christina Freeman Pearsall (Schell Bray PLLC)
• Robert Christopher Rountree (Narren & Holdford PA)
• Lindsay Parris Thompson (The Van Winkle Law Firm)
• Jimmy Haynes (Schell Bray PLLC)

We are also pleased to introduce the following liaisons:

• E-Mortgage Advisory Committee Liaison: Nancy Ferguson (Chicago Title Company, LLC)
• E-Mortgage Stakeholder Committee Liaison: Tonya Powell (Shanahan Law Group)
• E-Recording Advisory Council Liaison: Scott Andrew Schaaf (Womble Carlyle Sandridge & Rice LLP)
• Land Records Task Force/E-Recording: John McLean (BridgeTrust Title Group); Thomas L. Newton (Craig Jenkins Liipfert & Walker LLP); Tonya Powell (Shanahan Law Group)
• Paralegal Division Liaison Committee Chair: Linda Marion (Brooks Pierce McLendon Humphrey & Leonard LLP)
• Real Estate Commission Liaison: Charlene D. Moody (NC Real Estate Commission)
• RELANC Liaison: Chris Salyer (Hutchens Law Firm)
• YLD Liaison: Jimmy Haynes (Schell Bray PLLC)

Some of our primary focus areas this year include the following:

• E-Recording/E-Closing - In addition to our liaisons, other section members are working closely with the North Carolina Secretary of State’s office on the creation of a best practices guide for e-closings. We are planning to offer additional programs for our members focused on e-closing and e-notary certification.

• Forms Books - We are continuing to solicit assistance with completing the update to our Forms Book. At this stage, we are seeking assistance in the following areas: (1) Purchase Agreements; (2) Easements; (3) Declarations of Covenants; (4) Condominium Declarations; (5) Mobile Homes; and (6) certain sections on Loan Documents. We invite you to assist us in this very important effort.

• Legislation – We will continue to propose, monitor and offer revisions to legislation affecting real property matters and provide periodic updates to our Section members. We are particularly focused on the Curative Statute, the Notice of Settlement Act, and revisions to the Collaborative Law Act, among others.

We look forward to a strong year and invite you to join any of our committees to assist in the hard work of this Section.

Sincerely,

Frankie T. Jones Jr.