

**2025 MLTA Fall Education Seminar • Nov. 6-7**  
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**MLTA 2025 Fall Ed - Thursday**  
***Insuring Access in Real Property Transactions***

Introduction: Inevitably, particularly in the state of Montana, title professionals are asked to close and insure real property transactions involving complex access issues. This course will utilize the *Kahoots* game show format to engage attendees in a discussion about access principles in Montana.

- I. Introduction and *Kahoots* set-up
  
- II. Access coverage in Title Insurance Products
  - a. Extent of access coverage in various policy forms.
  
  - b. Access Endorsements
  
- III. Terminology
  - a. highways, roads, rights of way, and easements
  
- IV. Creation of Public Roads in Montana
  - a. Legislative declaration (State)
  
  - b. Formal declaration by Counties
    - i. *Garrison v. Lincoln County*
  
  - c. Dedication through platting process.
  
  - d. Petition Process
  
  - e. Eminent Domain

V. Private Easements

a. Creation

b. Termination

c. Insurance Considerations

VI. Case Studies

a. Certificates of Survey - *Blazer v. Wall*

b. Prescriptive Easements

c. Title Insurance Claims & Coverage

VII. Questions & Answers