

Table of Contents

1. General
 - .1 Purpose
 - .2 Objectives
 - .3 Authority
 - .4 Responsibilities
 - A. Assistant Secretary - Indian Affairs
 - B. Deputy to the Assistant Secretary - Indian Affairs
(Trust and Economic Development)
 - C. Land Records Officer
 - D. Director, Office of Data Systems
 - E. Land Titles and Records Office Manager
 - F. Administrative Law Judge
 - G. Area Director and Agency Superintendent
2. Procedures
 - .1 Transmittal and Recording of Title Documents
 - .2 Maintenance of Computerized Land Records
 - .3 Title Examination
 - .4 Title Status Reports (TSR)
 - .5 Curative Action to Correct Title Defects
 - .6 Tract Numbering
 - .7 Individual Indian Identification Numbers
 - .8 Certification of Documents
 - .9 Land Status Maps
 - .10 Disclosure of Records
 - .11 Miscellaneous

Illustrations 1-3

- | <u>No.</u> | |
|------------|------------------------------------|
| 1 | Title Status Report, Form BIA-5451 |
| 2 | Title Status Report, Form BIA-5452 |
| 3 | Title Status Report, Form BIA-5453 |

1. GENERAL

1.1 Purpose. The purpose of this manual supplement is to provide a reference to the Secretary's statutory authority and regulations governing Indian land titles and records. It is also to furnish other guidelines and procedures to personnel responsible for the effective performance of the land titles and records activities of the Bureau of Indian Affairs.

1.2 Objectives. The major objective is to accomplish the timely recordation of title documents and expedite the delivery of fully examined and accurate land title information to, and for, the benefit of individual Indians and tribes. Other specific objectives are:

A. Operate and maintain the Land Records Information Systems (LRIS).

(1) This system is a computer system constituting the official title maintenance system of the Bureau of Indian Affairs. The system was developed by the General Services Administration as of 1980 (Purchase Order 7K01-5306064).

(2) Instructions for the use of the system are separately embodied in the "LRIS User's Guide, (and LRIS Operator's Guide) Prepared for the Bureau of Indian Affairs (BIA) by Data Interface Systems Corporation, June 1980" as revised.

B. Record and maintain records that affect titles to trust and restricted Indian land, and government-owned land under the jurisdiction of the Bureau of Indian Affairs.

C. Examine titles to trust and restricted Indian land, and government-owned land under the jurisdiction of the Bureau of Indian Affairs, and prepare title status reports.

D. Certify title documents.

E. Prepare land status maps.

F. Make administrative corrections and certain modifications to Departmental probates.

1.3 Authority. The Secretary of the Interior, through Reorganization Plan No. 3 of 1950 (64 Stat. 1262), is generally and specifically, vested with statutory authority to record title documents and maintain records affecting Indian lands, under the Acts of June 30, 1834 (4 Stat. 733; 25 U.S.C. 9); July 26, 1892 (27 Stat. 272; 25 U.S.C. 5); April 26, 1906 (34 Stat. 137); May 27, 1908 (35 Stat. 312), and August 1, 1914 (38 Stat.

582, 598). The Acts of 1906, 1908 and 1914 relate only to the records of the Five Civilized Tribes. Title 25, Code of Federal Regulations, Part 150, is the primary regulatory authority on land records and title documents.

1.4 Responsibilities.

A. Assistant Secretary - Indian Affairs. The Assistant Secretary - Indian Affairs, or his authorized representative, is responsible for the land titles and records function within the Bureau of Indian Affairs.

B. Deputy to the Assistant Secretary - Indian Affairs (Trust and Economic Development). The Deputy to the Assistant Secretary - Indian Affairs (Trust and Economic Development) is responsible for the effective administration, management, and policy relating to the land titles and records activities within the Bureau of Indian Affairs, and for designating organizational responsibility for:

(1) Coordination of all land records activities in the Bureau of Indian Affairs.

(2) Establishment of land records programs, procedures and standards.

(3) Oversight and enforcement of applicable laws, rules and regulations.

(4) Budgetary formulation for Indian land records activities.

C. Land Records Officer. The Land Records Office is organizationally located within the Office of Trust and Economic Development and the Lands Records Officer is responsible for:

(1) Assuring optimum ownership input to, and the integrity of, the Land Records Information System, nationwide.

(2) Continuing review of the status of land records operations, and advice and recommendations to management, accordingly.

(3) Dissemination of certain information affecting land titles to Land Titles and Records Offices. (See 2.11 of this supplement.)

(4) Providing guidance, for adherence to procedures, policies and standards to the Land Titles and Records Office Managers, and other program managers who have direct supervision over the land titles and records function.

(5) Coordinating, enhancing and monitoring data processing of land records within LRIS.

D. Director, Office of Data Systems. The Director, Office of Data Systems, is responsible for providing automatic data processing technical services, guidance, and advice on matters relating to, or affecting, LRIS.

E. Land Titles and Records Office Manager. The Land Titles and Records Offices (25 CFR 150.4) and other Bureau of Indian Affairs offices having title service responsibilities (25 CFR 150.5) are designated as the Federal offices of record for Indian land records and title documents. (These offices may formulate local procedures, provided they are not inconsistent with this manual or any regulations.) Managers are responsible for:

- (1) Processing input to LRIS, where LRIS is available.
- (2) Recordation, custody and maintenance of records that affect titles to trust and restricted Indian land and government-owned land under the jurisdiction of the Bureau of Indian Affairs.
- (3) Examination of titles to trust and restricted Indian land and government-owned land under the jurisdiction of the Bureau of Indian Affairs, and the preparation of title status reports.
- (4) Certification of title documents.
- (5) Preparation of land status maps.
- (6) Administrative corrections of Departmental probates where authorized by 25 CFR 150.7(b)(3), and administrative modifications of Departmental probate inventories for omitted property where authorized by 43 CFR 4.272.

F. Administrative Law Judge. Pursuant to the provisions of 43 CFR, Part 4, Subpart D, Administrative Law Judges are responsible for transmitting the original record of Indian probate decisions, and copies of petitions for rehearing, reopening and other appeals to the Land Titles and Records Office, or other Bureau of Indian Affairs office which provides service to the originating Indian agency. If trust or restricted land, or Indian heirs, involved in a probate are under the jurisdiction of other Land Titles and Records Offices, the Administrative Law Judge shall furnish duplicates to those offices.

General

G. Area Director and Agency Superintendent. Area Directors and Agency Superintendents are responsible for:

- (1) Timely transmission of all approved, issued or accepted title documents to the Land Titles and Records Offices, or other Bureau of Indian Affairs offices having title service responsibilities, for recordation. The fulfillment of this responsibility is imperative to the integrity and use of LRIS.
- (2) Maintaining land transaction case files according to the Bureau of Indian Affairs Records Disposition and Control Schedule, 15 BIAM Supplement 3, Appendix 2.
- (3) Maintaining originals, or certifiable copies thereof, of those title documents remaining in effect that are not required to be recorded in the Land Titles and Records offices (i.e. leases for less than 10 years, revocable permits, service line agreements, etc.). Areas or agencies should maintain certifiable copies of other important supporting documents (i.e. applications for allotment, applications for fee patents, various consent forms, etc.).

2. PROCEDURES

2.1 Transmittal and Recording of Title Documents.

A. Bureau officials, delegated authority by the Secretary to approve, issue or accept title documents, are responsible for submitting such documents to the appropriate Land Titles and Records Office for recording immediately after final approval, issuance or acceptance. For recordation of probates, see 2.1E below.

B. All title documents submitted by the Agency Superintendent, or Area Director, to the Land Titles and Records Office for recording, shall be accompanied by a transmittal certifying that said documents are in conformity with existing laws and regulations. Any waivers of the regulations must be attached to the transmittal.

C. The original, a signed duplicate, or a certified copy of the title documents listed below shall be submitted to the Land Titles and Records Office for recording:

<u>DOCUMENT TYPE NO.**</u>	<u>TITLE DOCUMENT</u>
01	Trust Patent
02	Restricted Fee Patent
03	Deed to Non-Trust
04	Executive Order
05	Treaty
06	Acts of Congress
07	Secretarial Order
08	Order Transferring Inherited Interests
09	Deed to Restricted Status
10	Deed to Trust Status
11	Probate*

<u>DOCUMENT TYPE NO. **</u>	<u>TITLE DOCUMENT</u>
12	Probate Modification*
13	Easement (See 25 CFR 169.15-169.17 and 169.20)
14	Supplemental Plat
15	Mortgage
16	Fee Patent
17	Homestead Patent
18	Certificate of Competency
19	Order Removing Restrictions
20	Allotment Schedule or Allotment Approval Document
21	Declaration of Taking
22	Mortgage Satisfaction
23	Lease/Contracts (10 years and over)
24	Memorandum of Sale of Allotted Land (Deferred Payment Contract)
25	Federal Revesting Order
26	Miscellaneous
27	Title Status Report and Certification (Optional)
28	Death Notice (furnished by Agency Superintendent)
29	Non Compos Mentis Declaration

* See Part 2.1C for recording of Probate Documents.

** For information relating to these document type codes, Land Titles and Records Offices personnel should consult the LRIS User's Guide, Appendix II. Codes 04, 05, 06 and in some instances 07, may be recorded from the Federal Register or published U.S. Statutes.

D. Recording Functions of Land Titles and Records Offices (Exclusive of Probates).

- (1) Upon receipt of title document:
 - (a) Conduct preliminary review as to location of land; document date; signature; notary acknowledgment; and dated approval, acceptance or issuance, if applicable. In case of omission or error, notify originating office to determine appropriate action.
 - (b) Time/date stamp transmittal and title document.
 - (c) Enter reception record entry in appropriate register.
 - (d) Enter reception number on transmittal and on each page of document.
- (2) Microfilming.
 - (a) Enter document on microfilm log.
 - (b) Microfilm title document.
- (3) Photo copy document when signed duplicate is not retained.
- (4) Return original recorded document to originating office (Area/Agency) with a copy of completed recording data within 24 hours of receipt.
- (5) Transfer copy of title document to data extractors.
 - (a) Hold copy of title document until return of developed microfilm.
 - (b) Compare developed microfilm with retained copy of title document.
 - (i) In the event of unacceptable microfilmed images, the original document is recalled from originator and refilmed.
 - (ii) Acceptable microfilm is filed for official use.

E. Recording Functions of Land Titles and Records Offices for Probate Records.

- (1) Upon receiving probate record:
 - (a) Time/date stamp probate record.
 - (b) Enter on probate register/probate reception book using probate number assigned by Administrative Law Judge, Examiner of Inheritance, etc.
 - (c) Prepare file cover and backing sheet.
- (2) Microfilm probate record.
- (3) Stamp probate record "MICROFILMED". (Date optional.)
- (4) Transmit probate record to data extractors.
- (5) After extraction of data, file original probate record according to Bureau of Indian Affairs Records Disposition and Control Schedule, 15 BIAM Supplement 3, Appendix 2.
- (6) Compare developed microfilm with original.
 - (a) Refilm unacceptable images from original.
 - (b) File acceptable film for official use.

F. All recorded title documents to be returned to grantees, lessees, etc., shall contain the requisite recording data.

2.2 Maintenance of Computerized Land Records. Follow LRIS User's and Operator's Guides.

2.3 Title Examination. "Title examination" means an examination and evaluation by a qualified title examiner, in the office where the public records are kept, to ascertain historical and present conditions of title to a particular tract of Indian land and its status with reference to ownership, liens, encumbrances, clouds, etc., with certification of the findings by the Land Titles and Records Office Managers or other program managers who have direct supervision over the land title and records function. The ultimate objective is to have all titles examined and stored on a current basis in LRIS.

A. Examine each title document affecting the land in question as follows:

- (1) Patents/Certificates of Allotment (Alaska).
 - (a) Proper description, including fractional interest.
 - (b) Resource conveyed.
 - (c) Nature of estate conveyed (i.e., trust, restricted fee, fee simple, etc.).
 - (d) Reservations and exceptions.
 - (e) Special interests (i.e., life estates, etc.).
 - (f) Signature and date of issuance.
- (2) Deeds/Orders Transferring Inherited Interests.
 - (a) Proper description, including fractional interests.
 - (b) Resource conveyed.
 - (c) Nature of estate conveyed (i.e., trust restricted fee, fee simple, etc.).
 - (d) Reservations, exceptions and restrictions.
 - (e) Special interests created or existing (i.e., life estates, etc.).
 - (f) Proper identification of the grantor/grantee.
 - (g) Acceptable execution and acknowledgment.
 - (h) Dated Secretarial approval and/or acceptance.
 - (i) Review applicable abstracts and Solicitor's opinions.
- (3) Secretarial Orders, Executive Orders, Treaties, Statutes.
 - (a) Date.

- (b) Proper description, including fractional interests.
 - (c) Reservations and exceptions.
 - (d) Nature of estate conveyed (i.e. trust, restricted fee, fee simple, etc.).
- (4) Probates.
- (a) Dated and signed Order.
 - (b) Verify inventory interests and legal descriptions.
 - (c) Identification of decedent, heirs, devisees, legatees.
 - (d) Fractional interests inherited.
 - (e) Determination of the nationality or citizenship, or the Indian or non-Indian status of heirs, devisees, or legatees, where the right and duty of the United States to hold property in trust depends thereon. (See 43 CFR 4.206)
 - (f) Nature of estate conveyed (i.e., trust, restricted fee fee simple, etc.).
 - (g) Special interests created (i.e., life estate, homestead, dower, curtesy, etc.).
 - (h) Compare citation of State and/or Federal Laws with location of land.
 - (i) Proper Notice of Hearing and Determination as required by 43 CFR 4, Subpart D.
 - (j) Determine date decision becomes final.
 - (k) Construe or obtain construction of wills when necessary.
 - (l) Check for modifications, corrections, and appeals.
- (5) Easements and Dedications.
- (a) Signature, date granted/approved.

- (b) Name and identification of grantee.
 - (c) Location and proper description, including fractional interests.
 - (d) Term and expiration date.
 - (e) Purpose.
 - (f) Easement assignment or termination/cancellation.
 - (g) Check for application and reproducible map (Easements only).
 - (h) Affidavit of completion (Easements only).
- (6) Supplemental Plats.
- (a) Description and acreage.
 - (b) Dated approval.
- (7) Mortgage.
- (a) Proper description, including fractional interest.
 - (b) Identification of mortgagor, mortgagee.
 - (c) Dated approval.
 - (d) Acceptable execution and acknowledgment.
 - (e) Reservations and exceptions.
 - (f) Resource mortgaged.
 - (g) Mortgage assignment.
 - (h) Satisfaction/Release.
- (8) Certificate of Competency (CC).
- (a) Date of issue.

- (b) Effective date.
 - (c) Recipient of the CC.
 - (d) Proper description, including fractional interest.
- (9) Order Removing Restrictions.
- (a) Date of issue.
 - (b) Recipient.
 - (c) Proper description, including fractional interest.
 - (d) Special conditions.
- (10) Allotment Schedules or Allotment Approval Document.
- (a) Reserves (i.e., agency, school, timber, etc.).
 - (b) Power site designations.
 - (c) Proper description.
 - (d) Dated approval.
- (11) Declaration of Taking.
- (a) Case citation.
 - (b) Proper description, including fractional interest.
 - (c) Taking agency.
 - (d) Rights acquired.
 - (e) Effective date.
- (12) Lease/Contract.
- (a) Proper description, including fractional interest.
 - (b) Identification of lessor.

- (c) Name of lessee.
 - (d) Terms and expiration date.
 - (e) Dated approval.
 - (f) Lease/Contract assignment.
 - (g) Cancellation date.
 - (h) Modification.
 - (i) Type of lease/contract.
 - (j) Resource affected.
- (13) Memorandum of Sale.
- (a) Proper description, including fractional interest.
 - (b) Identification of owner.
 - (c) Resource conveyed.
 - (d) Name of purchaser.
 - (e) Dated approval.
 - (f) Terms and expiration date.
 - (g) Reservations, exceptions and restrictions.
 - (h) Special interests created or existing (i.e., life estates, etc.).

B. Check recording section and reception records for new documents and examine according to above procedures.

2.4 Title Status Reports (TSR).

A. Area Offices and Agencies.

- 150.3. (1) TSR's must be requested according to the provisions of 25 CFR

(2) An Agency must obtain a TSR before such Agency or the Area Office, approves, accepts or issues any title document affecting Indian lands.

B. Land Titles and Records Offices.

(1) To obtain computer-generated TSR's, follow procedures in LRIS User's Guide.

(2) For manually prepared TSR's, use forms BIA-5451, BIA-5452 and BIA-5453 (formerly 5-188a, b and c). (See Illustrations 1, 2, and 3.)

(3) Title status reports should include:

- (a) Reservation code.
- (b) Tract number.
- (c) Resource code.
- (d) Land description.
- (e) Summary of current ownership by name and ID number.
- (f) Identity of trust, restricted and/or fee interests.
- (g) Source document number and type.
- (h) Fractional interests and decimal equivalents.
- (i) Special interests.
- (j) Encumbrances, exceptions, reservations.
- (k) Explanatory notes.
- (l) Date of examination.
- (m) Certification as to title status according to examination of the official land records maintained in the Land Titles and Records Office.
- (n) Disclaimer as to certain title documents which are not of record in the Land Titles and Records Office.

LAND TITLES AND RECORDS GUIDELINES
Procedures

(4) TSR's as of a prior date in time should be prepared in conformity with the above procedures.

2.5 Curative Action to Correct Title Defects. Land Titles and Records Offices shall initiate such action as described below to cure defects in the record discovered during the recording of title documents or examination of titles.

A. If an error is traced to a defective title document other than probate records, the Land Titles and Records Office shall notify the originating office of the defect.

B. If errors are discovered in probate records, the Land Titles and Records Office may initiate corrective action as follows:

(1) An administrative modification shall be issued to modify probate records to include any Indian land or interest omitted from the inventory if such property is located in the same state and takes the same line of descent as that shown in the original probate decision. Such administrative modifications may be made as provided in 43 CFR 4.272, except on those Indian reservations covered by special inheritance acts (43 CFR 4.300) or those interests in Indian land which are subject to the provisions of the Act of January 12, 1983 (96 Stat. 2515; Pub. L. 97-456), amended by the Act of October 30, 1984 (98 Stat. 3171; Pub. L. 98-608).

(2) Copies of administrative modifications shall be distributed to the appropriate Administrative Law Judge, Indian agencies with jurisdiction over the Indian land, all persons who share in the estate and appropriate Land Titles and Records Offices.

(3) Land Titles and Records Offices shall notify the Agency Superintendent when modifications are required by Administrative Law Judges for other types of probate errors. Corrective action is then initiated in accordance with 43 CFR Part 4, Subpart D.

(4) Land Titles and Records Offices shall issue administrative corrections to correct probate errors which are clerical in nature and which do not affect vested property rights or involve questions of due process. Copies of administrative corrections are distributed to the appropriate Administrative Law Judge, Agencies and Land Titles and Records Offices.

2.6 Tract Numbering. The Land Titles and Records Office shall assign tract numbers to all tribally-owned and individually-owned Indian land, and government-owned land within its jurisdiction, for LRIS purposes only.

2.7 Individual Indian Identification Numbers. Land Titles and Records Offices shall be responsible for obtaining or assigning individual identification numbers for LRIS purposes only. Individual identification numbers for Indians not under the jurisdiction of any Land Titles and Records Office listed in 25 CFR 150.4 will, for LRIS purposes, be obtained or assigned by the Bureau Central Office, Washington, D.C. (Office of Trust and Economic Development).

2.8 Certification of Documents. Under the provisions of the Act of July 26, 1892 (27 Stat. 273; 25 U.S.C. 6), an official seal was created for the use of the Commissioner of Indian Affairs in authenticating and certifying copies of Bureau records. Managers of Land Titles and Records Offices have been designated as Certifying Officers for these purposes by 25 CFR 150.10.

A. When a copy or reproduction of a title document is authenticated by the official seal and certified by a Land Titles and Records Office Manager, the copy or reproduction shall be admitted into evidence the same as the original from which it was made. See 15 BIAM 3.4F and 15 BIAM 6.7.

B. The fees for furnishing such certified copies are established by a uniform schedule applicable to all constituent units of the Department of the Interior and published in 43 CFR Part 2, Appendix A.

2.9 Land Status Maps. Land Titles and Records Offices will prepare and maintain base maps from plats of official survey made by the Bureau of Land Management/General Land Office. These maps will show reservation boundaries, prominent physical features and sections, townships, ranges and meridians when applicable.

A. Land Titles and Records Offices will also prepare and maintain land status maps which shall reflect the individual tracts, tract numbers and current status of the tracts. These maps shall be based on the official surveys of the Bureau of Land Management/General Land Office or other survey plats of record in the Land Titles and Records Office or the county/state recording office. Status will include the following:

- (1) TRUST - Individually-owned Indian allotment or tract
- (2) TRUST - Tribally-owned
- (3) TRUST - Tribally-owned in Reserve Status
- (4) FEE
- (5) TRIBAL FEE
- (6) GOVERNMENT-OWNED - BIA

(7) GOVERNMENT-OWNED - Other Federal Agency

(8) PUBLIC DOMAIN

B. One copy of each base map and land status map, or combination thereof, will be furnished to the Bureau Central Office (Office of Trust and Economic Development), Washington, D.C. Copies will be also furnished to appropriate field offices and Indian tribes.

2.10 Disclosure of Records.

A. The usefulness of a Land Titles and Records Office depends in large measure on the ability of the public to consult the records contained therein. It is therefore the policy of the Bureau of Indian Affairs to allow access to land records and title documents unless such access would violate the Privacy Act (5 U.S.C. 552). The disclosure of records which constitute a clearly unwarranted invasion of the personal privacy of individual living Indians, including financial transactions, is subject to the Privacy Act. However, because Tribal entities are not protected by the Privacy Act, it shall be the policy of the Bureau of Indian Affairs that, unless specifically authorized, monetary considerations will not be disclosed insofar as leases of tribal land are concerned.

B. Before disclosing information concerning any living individual, the Land Titles and Records Managers shall consult 5 U.S.C. 552a(b) and the notice of routine uses then in effect to determine whether the information may be released without the written consent of the person to whom it pertains.

2.11 Miscellaneous.

A. The Central Office of the Bureau of Indian Affairs (Office of Trust and Economic Development), Washington, D.C., will furnish to the Land Records Officer, for dissemination to the Land Titles and Records Offices, copies of all Acts of Congress, Executive orders, Secretarial proclamations, available Federal court decisions and Solicitor's opinions affecting reservation boundaries and land titles.

B. Title documents, or certified copies thereof, which are evidenced by the record but are not available in the Land Titles and Records Offices may be obtained from the Central Office of the Bureau of Indian Affairs (Office of Trust and Economic Development), Washington, D.C., upon appropriate request through the Land Titles and Records Offices, provided such documents are available in Washington, D.C.

Form BIA-5453
December 1968

Department of the Interior
Bureau of Indian Affairs

TITLE STATUS REPORT

ALLOTMENT OR TRACT NUMBER	RESERVATION		PAGE NO
	CODE	NAME	

TITLE TO THE REAL ESTATE herein described is held in trust/restricted status subject to the following conditions, reservations, exceptions and encumbrances:

- 1 Rights in favor of the United States under patent(s) and or Acts of Congress as follow:

As of the _____ day of _____, 19__ at _____ o'clock ___ M. the foregoing, consisting of _____ pages, is a true and correct report of the status of the title to the real estate described herein according to an examination of the official land records maintained in this office.

This report does not cover encroachments, or questions of location, boundary and area, which an accurate survey may disclose; rights or claims of parties in possession, or claiming to be in possession; easements, liens, rights or encumbrances, including but not limited to irrigation charges, unpaid probate fees and/or claims, leases and permits, which are not filed for record in this office; any other rights which might be disclosed from a physical inspection of the premises.

Supp. 9, Release 1, 5/28/86

Manager
Land Titles and Records Office

Form 5-1884-1
April 1963

Department of the Interior
Bureau of Indian Affairs

Form BIA-5453

TITLE STATUS REPORT

ALLOTMENT OR TRACT NUMBER	RESERVATION		PAGE NO
	CODE	NAME	

TITLE TO THE REAL ESTATE herein described is held in trust/restricted status subject to the following conditions, reservations, exceptions and encumbrances:

1. Rights in favor of the United States under patent(s) and/or Acts of Congress as follow:

Form BIA-5453
April 1963

Department of the Interior
Bureau of Indian Affairs

Form BIA-5453

TITLE STATUS REPORT

ALLOTMENT OR TRACT NUMBER	RESERVATION		PAGE NO
	CODE	NAME	

The foregoing, consisting of _____ sheets, is a true and correct report of the status of the title to the real estate described herein, according to an examination of the official land records maintained in this office as of _____ o'clock _____ M., this _____ day of _____, 19__.

This report does not cover encroachments, or questions of location, boundary and area, which an accurate survey may disclose; rights or claims of parties in possession, or claiming to be in possession, easements, liens, rights or encumbrances, including but not limited to irrigation charges, unpaid probate fees and/or claims, leases and permits, which are not filed for record in this office; any other rights which might be disclosed from a physical inspection of the premises.