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Virginia Practice Series: Virginia Real Estate Closings: With Forms, 1st Edition

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Virginia
Real Estate
CLOSINGS

WITH FORMS

By
W. Wade Berryhill

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FOREWORD

In the first paragraph of Section 1-1, Professor Berryhill states ". . . this book is not a legal treatise; it is a 'how-to' book." The author is too modest. His first footnote refers the reader to seven sources of additional material. Section 2-11 on Ethics, which, by the way, is extremely well-written, contains eighteen footnotes substantiating one and one-half pages of text. Any book giving that much back-up material is more than a "how-to" book.

Having said that, it should be noted that the strength of this work lies in its liberal use of forms and outlines of procedures. For example, Section 1-5 is a settlement information sheet containing 122 separate items. Even the most experienced real estate practitioner will benefit by reviewing this checklist and if used intelligently, the neophyte real estate lawyer can, with a little more, become an instant expert.

The "little more" is well taken care of as the book proceeds. Where forms are required, they are furnished with due credit being given to their source. Virginia attorneys, particularly those in the Richmond area, will recognize many of these items and due credit is given to the source of each of them. Not only will the reader find forms which may appear in standard reference books, but there are numerous items which normally are unobtainable, such as an example of an attorney's letter to his client, the purchaser, or instructions from a lender to an attorney in connection with the handling of funds being furnished by it for a closing.

There is a section on title examinations. Not only will title companies and their employees, and attorneys using the services of title companies find this helpful but attorneys who do their own abstracts will find it invaluable. A section on legal descriptions helps the reader understand and interpret plats. When I was lecturing at the University of Virginia Law School, I found that it was a rare student indeed who had the vaguest conception of what a "course" or a "call" was.

Perhaps the most valuable part of the book is Chapter 5 on Preparation of Documents. It is quite extensive and well-organized for easy access. Here in one place are all of the forms and procedures that real estate lawyers with years of experience accumulate. Hopefully, this section, at least, will be periodically updated.

While the book was written primarily for Virginia practitioners, refers to Virginia law and uses forms which have been adapted for use in Virginia, lawyers from other jurisdictions anxious to know more about how to close a real estate transaction can profit from reading this book. Much of the book is of value to the real estate lawyer, no matter where he practices. To the Virginia lawyer, the ability to find, through an excellent index, almost any material he or she might need in connection with a real estate closing together with citations to the law and source material makes this work a valuable addition to the real estate practitioner's library.

Richmond, Virginia
August 12, 1983

Edward S. Hirschler