

**SUMMARY**  
**OF**  
**CALIFORNIA**  
**ENDORSEMENTS**  
**TO**  
**TITLE INSURANCE**  
**POLICIES**



**Chicago Title**

# PREFACE

The Western Division Counsel's Office of Chicago Title Insurance Company has prepared this Summary to assist owners, lenders, Realtors® and counsel in responding to today's complex title insurance marketplace.

It is sometimes difficult to determine which (among many) endorsements are most useful in providing the title insurance coverage needed for a particular problem or transaction. This Summary was developed to simplify that determination.

The Summary is indexed alphabetically and topically to enhance its usefulness and to ease access to the endorsement commentaries in the text.

This is the fourth edition of the Summary.



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# ENDORSEMENTS

## CLTA FORM 100

Provides "comprehensive" coverage for insured ALTA lender against loss by reason of present or future CC&R violations, the encroachment of improvements, or by reason of surface entry for mineral development.

### Endorsement provides assurance that:

- 1(a) There are no CC&Rs under which the lien of the insured mortgage can be cut off, subordinated or impaired;
- 1(b) There are no present CC&R violations on the land; and
- 1(c) Except as shown in Schedule B, there are no encroachments of improvements on the land onto adjoining land, and no encroachments of improvements on adjoining land onto the land.

### Endorsement insures against loss by reason of:

- 2(a) Future violations of CC&Rs which result in loss of the insured mortgage lien or title to the land if the insured lender has acquired same by foreclosure or conveyance in lieu thereof;
- 2(b) Unmarketability of title by reason of CC&R violations occurring prior to acquisition of title by the insured lender;
- 3(a) Damage to improvements which encroach on any portion of the land subject to an easement excepted in Schedule B;
- 3(b) Damage to improvements resulting from the exercise of any right to use the surface of the land for the extraction or development of excepted minerals; and
4. Final court order or judgment requiring removal from any land adjoining the land of any encroachment shown in Schedule B.

## CTI FORM 100 (MODIFIED – FOR UNIMPROVED LAND)

Provides limited CLTA Form 100 coverage for an insured owner or lender concerning violations of CC&Rs, the encroachment of improvements and surface entry for mineral development.

### Endorsement provides assurance that:

1. There are no CC&Rs containing forfeiture or reversion of title provisions, unless there is also a "saving" or "good faith" clause;

2. There are no present CC&R violations on the land;
3. Except as shown in Schedule B, there are no encroachments onto said land of improvements located on adjoining land; and
4. There is no right to use the surface of the land for mineral extraction or development.

## CLTA FORM 100.1

Provides "comprehensive" coverage for insured lender under a CLTA Standard Coverage Policy against loss by reason of present or future CC&R violations, the encroachment of improvements, or by reason of surface entry for mineral development.

## CLTA FORM 100.2 (ALTA FORM 9)

Provides "comprehensive" coverage for insured ALTA lender against loss by reason of present or future CC&R violations, the encroachment of improvements, or by reason of surface entry for mineral development.

### Endorsement provides assurance that:

- 1(a) There are no CC&Rs under which the lien of the insured mortgage can be divested, subordinated or extinguished, or its validity, priority or enforceability impaired;
- 1(b)(1) Except as shown in Schedule B, there are no present violations of CC&Rs or subdivision plat building setback lines;
- 1(b)(2) Any Schedule B matter referencing a CC&R does not, in addition, contain other matters affecting title unless expressly stated in Schedule B;
- 1(b)(3) Except as shown in Schedule B, there are no encroachments of improvements on the land onto adjoining land, and no encroachments of improvements on adjoining land onto the land;
- 1(b)(4) Except as shown in Schedule B, there are no encroachments of improvements located on the land onto that portion thereof subject to any easement shown.

### Endorsement insures against loss by reason of:

- 2(a),(b) Future violations of CC&Rs which result in loss of the insured mortgage lien or title to the land if the insured lender has acquired same by foreclosure or conveyance in lieu thereof;
- 3(a) Damage to improvements which encroach upon that portion of the land subject to any easement shown in Schedule B;

3(b) Damage to improvements resulting from the exercise of any right to use the surface of the land for the extraction or development of excepted minerals;

4. Final court order or judgment requiring removal from any land adjoining the land of any improvement shown in Schedule B.

5. Final court order or judgment requiring removal of existing improvements because of violation of CC&Rs or subdivision plat building lines.

### **CLTA FORM 100.4**

Provides insured lender with coverage against loss by reason of a present violation of a particular provision of CC&Rs.

### **CLTA FORM 100.5**

Provides insured owner with coverage against loss by reason of a present violation of CC&Rs.

### **CLTA FORM 100.6**

Provides insured owner with coverage against loss by reason of present or future violations of CC&Rs.

### **CLTA FORM 100.7**

Provides insured owner with coverage against loss by reason of a present violation of a **particular provision** of CC&Rs.

### **CLTA FORM 100.8**

Provides insured owner with coverage against loss by reason of present or **future violation** of a particular provision of CC&Rs.

### **CLTA FORM 100.12**

Provides insured lender with assurance concerning the enforceability of reverter rights found in CC&Rs.

### **CLTA FORM 100.13**

Provides insured ALTA lender with assurance concerning the priority of a mortgage lien over maintenance or upkeep assessment liens.

### **CLTA FORM 100.17**

Provides insured owner or lender with assurance that CC&Rs have been properly modified.

### **CLTA FORM 100.18**

Provides insured lender or owner with coverage against loss by reason of the exercise or attempted exercise of reverter rights found in the CC&Rs.

### **CLTA FORM 100.19**

Provides insured owner or lender with assurance that there are no present violations of CC&Rs.

### **CLTA FORM 100.20**

Provides insured owner or lender with coverage against loss by reason of the enforcement or attempted enforcement of CC&Rs which enforcement is **based on a present** violation of the CC&Rs prior to the effective date of the policy.

### **CLTA FORM 100.21**

Provides insured lender with assurance concerning approval of construction plans and specifications as required by CC&Rs.

### **CLTA FORM 100.23**

Provides insured ALTA lender with coverage against loss by reason of the exercise of surface rights for the extraction or development of minerals leased under an oil and gas lease.

### **CLTA FORM 100.24**

Provides insured ALTA lender with assurance that lessee under mineral lease does not have any right to enter on or use the surface of the land.

### **CLTA FORM 100.25**

Provides insured ALTA lender with coverage against loss by reason of a violation of CC&Rs occasioned by subsurface oil drilling operations.

### **CLTA FORM 100.26**

Provides insured with coverage against loss by reason of damage to proposed or completed improvements under an FHA project, resulting from the exercise of surface or subsurface rights for the extraction or development of minerals excepted from the description of the land.

### **CLTA FORM 100.27**

Provides insured ALTA lender with coverage against loss of mortgage lien or title after foreclosure, or unmarketability of title, resulting from any present violation of CC&Rs.

### **CLTA FORM 100.28**

Provides insured owner or lender with coverage against loss by reason of present or future violation of a particular provision of the CC&Rs resulting from the construction of designated improvements.

### **CLTA FORM 100.29**

Provides insured owner or lender with coverage against loss by reason of the exercise of surface rights for the extraction or development of minerals excepted

from the description of the land or shown as a reservation in Schedule B.

## **CLTA FORM 101**

Provides insured CLTA construction lender with coverage against loss by reason of lack of priority of the insured mortgage over statutory liens for services, labor or material, based on the claim that material had been delivered, or work commenced, prior to mortgage recording. This endorsement provides mechanics' lien coverage.

## **CLTA FORM 101.1**

Provides insured owner with coverage against loss by reason of statutory liens for services, labor or material arising out of a work of improvement referred to in a recorded notice of completion.

## **CLTA FORM 101.1-A**

Provides Department of Veterans Affairs of the State of California with coverage against loss by reason of statutory liens for services, labor or material arising out of a work improvement referred to in a recorded notice of completion.

## **CLTA FORM 101.2**

Provides insured construction lender with coverage against loss by reason of a lack of priority of the insured mortgage over statutory liens for services, labor or material arising out of a work of improvement referred to in a recorded notice of completion.

## **CLTA FORM 101.3**

Provides insured lender with coverage against loss by reason of a lack of priority of the insured mortgage over statutory liens for services, labor or material arising out of a work improvement **under construction or completed** at the date thereof.

## **CLTA FORM 101.4**

Provides insured **owner** with coverage against loss by reason of any statutory liens for services, labor or material arising out of a work of improvement under construction or completed at the date thereof.

## **CLTA FORM 101.5**

Provides insured lender with assurance as to the regularity of a recorded notice of completion and that, as to the land described in the notice, no statutory liens for services, labor or material have been recorded, except as shown (liability limited to a stated amount).

## **CLTA FORM 101.6**

Provides insured lender with assurance as to the regularity of a recorded notice of completion and that, as to the land described in the notice, no statutory liens for services, labor or material have been recorded, except as shown (liability limited to **face amount** of policy).

## **CLTA FORM 101.8**

Provides "off-site" insured CLTA lender with coverage against loss by reason of lack of mortgage priority over statutory liens for services, labor or material arising out of a separate contract for "off-site" work.

## **CLTA FORM 101.9**

Provides insured owner with coverage against loss by reason of statutory liens for services, labor or material arising out of a work of improvement referred to in a recorded notice of completion on a part of the land (liability limited to a stated amount).

## **CLTA FORM 101.10**

Provides insured lender with coverage against loss by reason of lack of priority of the insured mortgage over statutory liens for services, labor or material arising out of a work of improvement referred to in a recorded notice of completion on a part of the land (liability limited to a stated amount).

## **CLTA FORM 101.11**

Provides insured lender with coverage against loss by reason of lack of priority of the insured mortgage over statutory liens for services, labor or material arising out of a work of improvement under construction or completed at the date thereof on a part of the land (liability limited to a stated amount).

## **CLTA FORM 101.12**

Provides insured owner with coverage against loss by reason of statutory liens for services, labor or material arising out of any work of improvement under construction or completed at the date thereof on a part of the land (liability limited to a stated amount).

## **CLTA FORM 101.13**

Provides insured construction lender with coverage against loss by reason of any statutory lien for services, labor or material arising out of a work of improvement referred to in a recorded notice completion.

## **CLTA FORM 101.14**

Provides insured **ALTA Construction Loan Policy** lender with coverage against loss by reason of lack of

priority of the insured mortgage over statutory liens for services, labor or material arising out of a work of improvement referred to in a recorded notice of completion.

### **CLTA FORM 101.15**

Provides insured ALTA Construction Loan Policy lender with coverage against loss by reason of lack of priority of the insured mortgage over statutory liens for services, labor or material arising out of a work of improvement under construction or completed at the date thereof.

### **CLTA FORM 101.16**

Provides insured ALTA Construction Loan Policy lender with coverage against loss by reason of lack of priority of the insured mortgage over statutory liens for services, labor or material arising out of a work of improvement referred to in a notice of completion on a part of the land (liability limited to a stated amount).

### **CLTA FORM 101.17**

Provides insured ALTA Construction Loan Policy lender with coverage against loss by reason of lack of priority of the insured mortgage over statutory liens for services, labor or material arising out of a work of improvement under construction or completed on a part of the land (liability limited to a stated amount).

### **CLTA FORM 101.18**

Provides insured ALTA Construction Loan Policy lender with coverage against loss by reason of any statutory lien for services, labor or material arising out of a work of improvement referred to in a recorded notice of completion.

### **CLTA FORM 102.4**

Provides insured construction lender with assurance that the foundations of the structure under construction are within the boundaries of the land, and that their location does not violate referenced CC&Rs.

### **CLTA FORM 102.5**

Provides insured construction lender with assurance that the foundations of the structure under construction are within the boundaries of the land, that their location does not violate referenced CC&Rs, and that they do not encroach upon referenced easements. (Broader coverage than CLTA Form 102.4).

### **CLTA FORM 102.6**

Provides insured lender with assurance that the foundations of the structure under construction on a portion of the land are within the boundaries of such

portion, and that their location does not violate referenced CC&Rs (limited liability). This endorsement is useful if a construction loan mortgage encumbers a tract development and foundations have been completed on part of the land only.

### **CLTA FORM 102.7**

Provides insured construction lender with assurance that the foundations of the structure under construction on a portion of the land are within the boundaries of such portion, that their location does not violate referenced CC&Rs, and that they do not encroach on referenced easements (limited liability).

### **CLTA FORM 103.1**

Provides insured lender with coverage against loss by reason of the exercise of the right of use or maintenance of a particular easement by the easement holder.

### **CLTA FORM 103.3**

Provides insured lender with coverage against loss by reason of the forced removal of improvements which encroach on a particular easement which easement right is presently being exercised.

### **CLTA FORM 103.4**

Provides insured owner or lender with assurance that an insured easement affords ingress and egress to and from a specified public street.

### **CLTA FORM 103.5**

Provides insured extended coverage owner or lender with coverage against loss by reason of the exercise of surface rights for the extraction or development of water excepted from the description or shown as a reservation in Schedule B.

### **CLTA FORM 103.6**

Provides insured ALTA lender with assurance that none of the improvements on the land encroach on a particular easement.

### **CLTA FORM 103.7**

Provides insured owner or lender with assurance that the land described in Schedule A abuts on a specific, physically open public street.

### **CLTA FORM 103.8**

Provides insured ALTA lender with coverage against loss by reason of damage to proposed or completed improvements under FHA project, resulting from the

exercise of surface rights for the extraction or development of water excepted from the description or shown as a reservation in Schedule B.

### **CLTA FORM 103.9**

Provides insured ALTA lender with coverage against loss by reason of forced removal of proposed improvements which encroach into a public street, provided proposed improvements are located and constructed in accordance with designated plans and specifications.

### **CLTA FORM 103.10**

Provides insured owner or lender with coverage against loss by reason of the use of the surface of the land by the owners of land below the surface.

### **CLTA FORM 104**

Provides assignee of the ALTA insured mortgage with assurance concerning (a) validity of the recorded assignment to evidence transfer of the entire beneficial interest to the named assured assignee; (b) subsisting real property tax or assessment liens; (c) matters shown by the public records which affect the validity or priority of the insured mortgage; and (d) federal tax liens or bankruptcy proceedings affecting title to the estate or interest covered by the policy. (See CTI 3146; TICOR 7946; and SUTIC 12746 for broader coverage.)

### **CLTA FORM 104A**

Provides assignee of the CLTA insured mortgage with assurance concerning (a) validity of the recorded assignment to evidence transfer of the entire beneficial interest to the named assured assignee; (b) subsisting real property tax or assessment liens; (c) matters shown by the public records which affect the validity or priority of the insured mortgage; and (d) federal tax liens or bankruptcy proceedings affecting title to the estate or interest covered by the policy.

### **CLTA FORM 104.1**

Provides assignee of the insured mortgage with assurance concerning (a) validity of the recorded assignment to evidence transfer of the entire beneficial interest to the named assured assignee; and (b) full or partial reconveyances, modification or subordination of the insured mortgage.

### **CLTA FORM 104.4**

Provides **collateral assignee** of the insured mortgage with assurance concerning (a) validity of the recorded assignment to evidence transfer of the beneficial interest to the named assured assignee as collateral security; and (b) full or partial reconveyance, modification or subordination of the insured mortgage.

### **CLTA FORM 104.6**

Provides insured ALTA lender with coverage against loss by reason of defects in the execution of an assignment of lessor's interest in a lease or leases, or by reason of any prior assignment except as set forth in the endorsement.

### **CLTA FORM 104.7**

Provides insured lender with coverage against loss by reason of any prior recorded assignment of rents.

### **CLTA FORM 104.8**

Provides assignee of the ALTA insured mortgage with assurance concerning (a) validity of the recorded assignment to evidence transfer of the entire beneficial interest to the named assured assignee, with qualifications; (b) subsisting real property tax or assessment liens; (c) matters affecting the validity or priority of the insured mortgage; and (d) federal tax liens or bankruptcy proceedings affecting the estate or interest covered by the policy.

### **CLTA FORM 104.9**

Provides assignee of the CLTA insured mortgage with assurance concerning (a) validity of the recorded assignment to evidence transfer of the entire beneficial interest to the named assured assignee, **with qualifications**; (b) subsisting real property tax or assessment liens; (c) matters shown by the public records which affect the validity or priority of the insured mortgage; and (d) federal tax liens or bankruptcy proceedings affecting the estate or interest covered by the policy.

### **CLTA FORM 104.10**

Provides assignee of the insured mortgage with assurance concerning (a) validity of the recorded assignment to evidence transfer of the entire beneficial interest to the named assured assignee, **with qualifications**; and (b) full or partial reconveyance, modification or subordination of the insured mortgage.

### **CLTA FORM 104.11**

Provides **collateral assignee** of the insured mortgage with assurance concerning (a) validity of the recorded assignment to evidence transfer of the entire beneficial interest to the named assured assignee as collateral security, **with qualifications**; and (b) full or partial reconveyances, modification or subordination of the insured mortgage.

### **CLTA FORM 105**

Modifies ALTA Loan or Leasehold Loan Policy provisions to accommodate insurance of the liens of two mortgages under a single policy.

## **CLTA FORM 105.1**

Modifies CLTA Standard Coverage Policy provisions to accommodate insurance of the liens of two mortgages under a single policy.

## **CLTA FORM 106**

Provides State of California with assurance concerning the release or relinquishment of access rights, by deed or other voluntary conveyance, with respect to the grantor's remaining land in the event a portion of the land has been conveyed for a freeway or limited access highway.

## **CLTA FORM 106 C**

Provides State of California with assurance concerning the elimination of access rights, by condemnation, with respect to an owner's remaining land in the event a portion of that land has been condemned for a freeway or limited access highway.

## **CLTA FORM 106.1**

Provides State of California with assurance concerning the release or relinquishment of access rights only, by deed or other voluntary conveyance, with respect to land abutting a freeway or limited access highway.

## **CLTA FORM 106.1C**

Provides State of California with assurances concerning the elimination of access rights only, by condemnation, with respect to land abutting a freeway or limited access highway.

## **CLTA FORM 106.2**

Provides State of California with assurance concerning the release or relinquishment of access rights only, by deed or other voluntary conveyance, with respect to the grantor's remaining land if a portion of the land has been conveyed for a freeway or limited access highway, and with respect to other land abutting such freeway or limited access highway.

## **CLTA FORM 106.2 C**

Provides State of California with assurance concerning the elimination of access rights, by condemnation, with respect to an owner's remaining land if a portion of that land has been condemned for a freeway or limited access highway, and with respect to other land abutting such freeway or limited access highway.

## **CLTA FORM 107.1**

Allocates a designated amount of total liability of a policy to each of several lots or parcels described in Schedule A of the policy.

## **CLTA FORM 107.2**

Provides for an increase in the amount of insurance after issuance of the policy. Requires a determination of the reason(s) for the request for an increase in the amount of insurance.

## **CLTA FORM 107.5**

Provides that the value of the lessee's interest in improvements, even though cast as personal property in the insured lease, will be included as an element of loss otherwise insured against under the leasehold policy.

## **CLTA FORM 107.9**

Provides for the naming of an additional insured under an existing policy, with qualification.

## **CLTA FORM 107.10**

Provides for the naming of an additional insured under an existing policy.

## **CLTA FORM 107.11**

Provides insured ALTA lender with coverage against loss by reason of invalidity or unenforceability of the insured mortgage following ostensible merger of the beneficial interest evidenced by the deed of trust with title formerly vested in the trustor named in the deed of trust through insured ALTA lender's acquisition of an interest in the title.

## **CLTA FORM 108.7**

Provides insured CLTA lender with coverage against loss concerning vesting of title, subsistence and priority of insured mortgage lien insofar as same secures an additional (optional) advance, and increases policy liability by the amount of the advance.

## **CLTA FORM 108.7-M**

Provides insured CLTA "revolving" or "line of credit" lender with coverage against loss concerning vesting of title, subsistence and priority of insured mortgage lien insofar as it secures an increase in the revolving credit limit, and increases policy liability by the amount of the increase.

## **CLTA FORM 108.8**

Provides insured ALTA lender with coverage against loss concerning vesting of title, subsistence and priority of insured mortgage lien insofar as same secures an additional (optional) advance, and increases policy liability by the amount of the advance.

## **CLTA FORM 108.8-M**

Provides insured ALTA "revolving" or "line of credit" lender with coverage against loss concerning vesting of title, subsistence and priority of insured mortgage lien insofar as same secures an increase in the revolving credit limit, and increases policy liability by the amount of the increase.

## **CLTA FORM 108.9**

Provides the Department of Veterans Affairs of the state of California with coverage against loss concerning vesting of, and defects in or liens or encumbrances on, title to the estate or interest covered, with respect to an advance made under its purchase agreement with a veteran.

## **CLTA FORM 108.10**

Provides insured line of credit lender with coverage against defined loss connected with (1) vesting of title and (2) continued priority of the insured mortgage insofar as that mortgage secures an increased line of credit. This endorsement also increases the existing lender's policy liability by the amount of the increased credit limit.

## **CLTA FORM 109**

Provides insured CLTA owner or lender with assurance concerning assignments of the lessor's interest under community oil and gas lease.

## **CLTA FORM 110.1**

Amends policy to delete particular Schedule B paragraphs, or to delete a particular general Exception from Coverage.

## **CLTA FORM 110.3**

Provides insured owner or lender with assurance that mineral owner has relinquished right of surface entry.

## **CLTA FORM 110.4**

Provides insured ALTA lender with assurance concerning proper modification of the insured mortgage.

## **CLTA FORM 110.5**

Provides insured **ALTA lender** with assurance concerning proper modification of the insured mortgage, **including express priority coverage.**

## **CLTA FORM 110.6**

Provides insured **CLTA lender** with assurance concerning proper modification of the insured mortgage, including express priority coverage.

## **CLTA FORM 110.7**

Provides insured owner or lender with coverage against loss by reason of the enforcement of a specified lien or encumbrance referenced in Schedule B.

## **CLTA FORM 110.9**

Provides insured ALTA residential lender with coverage against loss by reason of lack of priority over (a) any federal or state environmental protection lien which is recorded in the public records, except as set forth in Schedule B, and (b) any state environmental protection lien provided for by any state statute in effect at Date of Policy, except as provided for by state statutes specified in the endorsement.

## **CLTA FORM 111**

Provides insured lender with coverage against **loss by reason of loss of mortgage lien priority on the remaining land** occasioned by a partial reconveyance.

## **CLTA FORM 111.1**

Provides insured lender with assurance that policy liability for loss has not been reduced by reason of a partial reconveyance, except to the extent of any consideration received for the partial reconveyance.

## **CLTA FORM 111.2**

Provides insured lender with coverage against loss by reason of any impairment of the lien of the insured mortgage on the land occasioned by a subordination agreement.

## **CLTA FORM 111.3**

Provides insured lender with coverage against loss by reason of (a) any impairment of the lien of the insured mortgage on the remaining land occasioned by a partial reconveyance, and (b) with assurances concerning encroachments and the designation of improvements on the remaining land.

## **CLTA FORM 111.4**

Provides insured ALTA lender and HUD with assurances as to the continued validity and priority of the insured mortgage following the trustor's conveyance of title if, in return for the assumption of the indebtedness by the purchaser, the original trustor is released from liability for payment of the mortgage.

## **CLTA FORM 111.5 (ALTA FORM 6)**

Provides insured ALTA variable rate mortgage lender with coverage against loss by reason of (1) invalidity

or unenforceability of the insured mortgage resulting from terms therein providing for changes in the rate of interest, or (2) loss of priority of the insured mortgage lien caused by the changes in the rate of interest.

### **CLTA FORM 111.6**

Provides insured ALTA variable rate mortgage lender with coverage against loss by reason of (1) invalidity or unenforceability of the insured mortgage resulting from terms therein providing for changes in the rate of interest, or (2) loss of priority of the insured mortgage lien caused by the changes in the rate of interest, which coverage is conditioned on compliance with specified statutes or regulations concerning variable rate mortgages.

### **CLTA FORM 111.7**

Provides insured ALTA variable rate mortgage lender with coverage against loss by reason of (1) invalidity or unenforceability of the insured mortgage resulting from terms therein providing for the renewal of the mortgage or changes in the rate of interest, or (2) loss of priority of the insured mortgage lien caused by the renewal of the mortgage or changes in the rate of interest.

### **CLTA FORM 111.8 (ALTA FORM 6.2)**

Provides insured ALTA variable rate mortgage lender with coverage against changes in the rate of interest, the addition of unpaid interest to principal and/or interest on interest, or (2) loss of priority of the insured mortgage lien caused by the changes in the rate of interest, unpaid interest added to principal and/or interest on interest.

### **CLTA FORM 111.10 (OPTIONAL ADVANCE)**

Provides insured lender with coverage against (1) loss by reason of invalidity or unenforceability of the insured mortgage or of (2) loss of priority of said mortgage for the unpaid balance together with interest caused by changes in the rate of interest in accordance with the terms of a specified loan agreement. Except as to intervening matters of which the insured has actual knowledge. Insures priority of subsequent advances except as noted.

### **CLTA FORM 111.11 (OBLIGATORY ADVANCE)**

Provides insured lender with coverage against (1) loss by reason of invalidity or unenforceability of the insured mortgage or of (2) loss of priority of said mortgage for the unpaid balance together with interest

caused by changes in the rate of interest in accordance with the terms of a specified loan agreement. Insures priority of subsequent advances except as noted.

### **CLTA FORM 112**

Amends CLTA Conditions and Stipulations to provide coverage for bondholders if the insured mortgage is a trust indenture securing bonds.

### **CLTA FORM 112.1**

Amends ALTA Conditions and Stipulations to provide coverage for bondholders if the insured mortgage is a trust indenture securing bonds.

### **CLTA FORM 112.2**

Amends CLTA Conditions and Stipulations to provide coverage for bondholders if the bonds are a lien, not on the title, but on the revenues produced from the land.

### **CLTA FORM 114**

Provides for coinsurance of policy risks, among two or more title insurance companies, with segregated liabilities.

### **CLTA FORM 114.1**

Provides for coinsurance of policy risks, among two or more title insurance companies, with joint and several liabilities.

### **CLTA FORM 115**

Provides insured lender with assurance that the estate or interest covered by the policy is a condominium, in fee, and is entitled to be assessed and taxed as a separate parcel.

### **CLTA FORM 115.1 (ALTA FORM 4)**

Provides coverage for an insured ALTA lender against loss concerning statutory compliance, violations of CC&Rs, homeowners' association charges and assessments, the separate assessment of real property taxes, encroachments and the exercise of a right of first refusal to purchase, all with respect to a condominium unit within a condominium project.

### **CLTA FORM 115.2 (ALTA FORM 5)**

Provides coverage for an insured ALTA lender against loss concerning violations of CC&Rs, homeowners' association charges and assessments, encroachments and the exercise of a right of first refusal to purchase, all with respect to a parcel of land in a planned development.

## **CLTA FORM 116**

Provides insured ALTA lender with assurances concerning the street address of designated improvements on the land; and, with respect to the sufficiency of the policy plat to show the record location and dimensions of that land.

### **CLTA FORM 116.1**

Provides insured lender with assurance that the land described in the policy is the same as that delineated on plat of a survey attached to and made a part of the policy.

### **CLTA FORM 116.2**

Provides insured ALTA lender with assurance concerning the street address of designated separately owned elements comprising part of the insured condominium; and, with respect to the sufficiency of the referenced map or plan to show the exterior boundary of the condominium project as a whole.

### **CLTA FORM 116.3**

Provides insured owner or lender with assurance that the land described in the policy now constitutes all or part of a later subdivision of the land.

### **CLTA FORM 116.4**

Provides insured owner or lender with assurance that the land described in the policy is contiguous to other land.

### **CLTA FORM 116.5 (ALTA FORM 7)**

Provides insured ALTA lender with assurance that the term "land" as defined in the policy includes the manufactured housing unit located on the land at Date of Policy.

### **CLTA FORM 116.6**

Provides insured ALTA lender with assurance that the manufactured housing unit described in the endorsement is included within the term "land" when used in the policy. This endorsement requires that a description of the manufactured housing unit be set forth in the endorsement.

### **CLTA FORM 116.7**

Provides insured with assurance that the land described is a lawfully created parcel according to the California Subdivision Map Act and local ordinances adopted pursuant thereto.

## **CLTA FORM 119**

Provides insured CLTA lender with coverage concerning the due execution and record priority of an extant lease to which the insured mortgage is subject.

### **CLTA FORM 119.1**

Amends CLTA policy by adding other general Exceptions from Coverage with respect to off-record matters which may affect title to the covered leasehold estate.

### **CLTA FORM 119.2**

Provides insured ALTA lender with assurance as to the validity, priority and subsistence of an extant lease to which the insured mortgage is subject.

### **CLTA FORM 119.3**

Provides insured ALTA lender with assurance as to the priority of an extant lease to which the insured mortgage is subject in circuitry of lien situations. (Relative priority among purchase money deed of trust, lease, and permanent financing deed of trust is questionable.)

### **CLTA FORM 119.4**

Provides assurance to bondholders that sublease is valid and will be binding at the commencement of its term, subject to intervening matters.

### **CLTA FORM 120.2**

Provides insured oil and gas lessee with assurance that deed of trust on fee estate executed prior to oil and gas lease has since been subordinated to the oil and gas lease.

### **CLTA FORM 122**

Provides insured ALTA lender with assurance concerning obligatory advance made under the insured mortgage; liability limited to face amount of policy.

### **CLTA FORM 122.2**

Provides insured ALTA lender with assurance concerning obligatory advance made under the insured mortgage; liability increased by **amount of advance**.

### **CLTA FORM 122.3**

Provides insured ALTA Construction Loan Policy lender with assurance concerning obligatory advance under the insured mortgage; liability limited to face **amount of policy**.

### **CLTA FORM 122.4**

Provides insured ALTA Construction Loan Policy lender with assurance concerning obligatory advance under the insured mortgage; liability increased by **amount of advance**.

### **CLTA FORM 123.1 (ALTA FORM 3)**

Provides insured ALTA owner or lender with assurance concerning the zoning classification of the land, and the broad, allowable use or uses under that classification.

### **CLTA FORM 123.2 (ALTA FORM 3.1)**

Provides insured ALTA owner or lender with assurance concerning the zoning classification of the land, the broad allowable use or uses under that classification and, with respect to the existing structure on the land, limited coverage concerning compliance with applicable provisions of the applicable zoning ordinance.

### **CLTA FORM 124.1**

Provides insured owner or lender with assurances concerning affirmative and/or negative covenants contained in a deed or agreement between landowners.

### **CLTA FORM 124.2**

Provides insured owner or lender with assurances concerning **affirmative** covenants contained in a lease.

### **CLTA FORM 124.3**

Provides insured owner or lender with assurances concerning **negative** covenants contained in a lease.

### **CLTA FORM 125**

Provides coverage for the insured ALTA lender against loss by reason of a **judicial** determination that (a) the insured mortgage lien (or the lender's title after foreclosure) has been defeated by a valid exercise of the right of rescission conferred by the federal Truth in Lending Act, and that (b) such right of rescission existed because neither the loan transaction nor the right of rescission thereof was exempted or excepted by the provisions of Regulation Z.

### **CLTA FORM 126.1**

Provides coverage for insured CLTA owner of a one-to-four family residence against defined loss by reason of lack of a right of access, rights to liens for services, labor or material, encroachments, zoning and restrictions violations, and surface entry for mineral development.

### **CLTA FORM 126.2**

Provides coverage for insured CLTA fee owner of a residential condominium against defined loss concerning the separate assessment of taxes, lack of a right of access, rights to liens for services, labor or material, encroachments, zoning and restrictions violations, and surface entry for mineral development.

CHICAGO TITLE INSURANCE (CTI)  
**SPECIAL  
ENDORSEMENTS**

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**CTI FORM 2697**

Modifies insured owner's policy provisions to accommodate upward adjustment of the maximum amount of insurance in force according to a prescribed formula. (Also see SUTIC Form 3).

**CTI FORM 2701**

Modifies insured owner's ALTA Residential Title Insurance Policy provisions to accommodate automatic increases in the amount of insurance in force. (Also see SUTIC Form 12).

**CTI FORM 2842**

Provides insured lender with a date-down of the record title to land and the insured mortgage subsequent to Date of Policy.

**CTI FORM 3032  
(FAIRWAY ENDORSEMENT)**

Provides insured partnership with assurance that coverage will not be denied on the basis of the withdrawal or addition of a partner or partners.

**CTI FORM 3109**

Provides insured foreign lender with coverage against loss by reason of unenforceability of insured mortgage lien as the result of a violation of state doing business laws.

**CTI FORM 3111**

Provides insured shared appreciation lender with coverage against loss by reason of (1) invalidity or unenforceability of insured mortgage lien resulting from provisions therein providing for additional interest, or (2) loss of priority of the mortgage lien as security for the unpaid principal balance of the loan, the base interest thereon and the additional interest.

**CTI FORM 3113**

Provides insured lender with coverage against loss by reason of a **judicial** determination that the relationship existing between trustor and beneficiary is

that of partners, tenants in common, joint venturers or co-owners rather than that of borrower and lender.

**CTI FORM 3122**

Provides insured lender with assurances that (1) a mobilehome is located on the security land; (2) that the value of such mobilehome, even though title thereto is excepted, will be included as an element of any loss otherwise payable under the policy; and (3) reconciles the coverage of CLTA Form 100 to include the mobilehome within the term "improvements".

**CTI FORM 3123**

Provides insured optionees with coverage as to validity, enforceability and priority of option.

**CTI FORM 3124**

Amends Schedule B general reference to supplemental taxes by limiting application to taxable events occurring on or after date of policy.

**CTI FORM 3127**

Provides insured owner or lender with assurance that, in the event of loss, policy liability will not be denied on the basis of knowledge of any matter solely by reason of notice thereof imputed to the insured as a matter of law. (Referred to as the "non-imputation endorsement".)

**CTI FORM 3136  
(FOREIGN CURRENCY  
MORTGAGE)**

Provides insured foreign currency lender with coverage against loss by reason of (1) invalidity or unenforceability of the insured mortgage resulting from terms therein providing for revaluation of the indebtedness based on changes in the conversion rate or (2) loss of priority of the insured mortgage lien caused by changes in the conversion rate.

**CTI FORM 3137  
(LAST DOLLAR ENDORSEMENT)**

If a lender's policy is issued for less than the indebtedness secured by the insured mortgage, this endorsement will provide that coverage will not be reduced by payments on the principal of the loan until after the indebtedness has been reduced to the amount of insurance.

**CTI FORM 3146**

Provides insured lender with assurance concerning validity of recorded assignment transferring beneficial interest under a deed of trust. Additionally, it provides the insured lender with a date down of the policy.

**CTI FORM 3147**

Provides insured lender with coverage against loss by reason of lack of priority of the insured mortgage over any federal or state environmental protection lien which is recorded in the relevant public records, except as set forth in Schedule B of the policy. This endorsement is crafted for use with lender's policies issued on land used for other than residential purposes.

**CTI FORM 3191**

Provides insured lender with assurance that the extension of the due date of the note secured by the mortgage will retain the priority of the mortgage as originally insured.

**CTI FORM 3305**

Provides insured lender with coverage against loss by reason of invalidity or unenforceability of insured mortgage lien based on a determination that the loan transaction is usurious under the law of a particular state or states.

**CTI FORM 3307**

Modifies lender policy provisions to "tie-in" other policy liability relating to a common indebtedness.

**CTI FORM 3331  
(REVERSE ANNUITY)**

Provides insured lender with coverage against (1) loss by reason of invalidity or unenforceability and (2) loss of priority of the lien of the insured mortgage caused by interest rate changes, interest on interest or the addition of unpaid interest to the loan principal. The limitations on this coverage are addressed in the endorsement.

**CTI FORM 3498**

Provides insured lender with assurance that the modification of the insured deed of trust as follows: (1) extension of due date of the secured note, and/or (2) reduction in the rate of interest, and/or (3) capitalization of earned but unpaid interest, and/or (4) reduced mortgage payments made outside payment cycle, and/or (5) reduction in interest rate payable under adjustable rate, and/or (6) increase in interest rate spread but no increase in top rate, will not impair the validity, enforceability or priority of the deed of trust.

# SPECIAL ENDORSEMENTS

## **SUTIC FORM 3**

Modifies insured owner's policy provisions to accommodate upward adjustments of the maximum amount of insurance in force according to a prescribed formula. (Also see CTI Form 2697).

## **SUTIC FORM 4**

Provides insured lender with coverage concerning loss of priority of the insured mortgage over liens for services, labor or material after advance is made in violation of the loan agreement.

## **SUTIC FORM 5**

Provides lender with assurances that (1) a mobilehome is located on the security land; (2) that value of such mobilehome, even though title thereto is excepted, will be included as an element of any loss otherwise payable under the policy; and (3) reconciles the coverage of CLTA Form 100 to include the mobilehome within the term "improvements".

## **SUTIC FORM 12**

Modifies insured owner's ALTA Residential Title Insurance Policy provisions to accommodate automatic increases in the amount of insurance in force. (Also see CTI Form 2701).

## **SUTIC FORM 12535 (NON-IMPUTATION ENDORSEMENT)**

Provides insured owner or lender with assurance that, in the event of loss, policy liability will not be denied on the basis of knowledge of any matter solely by reason of notice thereof imputed to the insured as a matter of law.

## **SUTIC FORM 12544**

Modifies lender policy provisions to "tie-in" other policy liabilities relating to a common indebtedness.

## **SUTIC FORM 12551**

Provides insured foreign lender with coverage against loss by reason of unenforceability of insured mortgage lien as the result of a violation of state 'doing business laws'.

## **SUTIC FORM 12552**

Provides insured shared appreciation lender with coverage against loss by reason of (1) invalidity or unenforceability of insured mortgage lien resulting from provisions therein providing for additional interest, or (2) loss of priority of the mortgage lien as security for the unpaid principal balance of the loan, the base interest thereon and the additional interest.

## **SUTIC FORM 12553**

Provides insured lender with coverage against loss by reason of a **judicial** determination that the relationship existing between trustor and beneficiary is that of partners, tenants in common, joint venturers or co-owners rather than that of borrower and lender.

## **SUTIC FORM 12555**

Provides insured lender with coverage against loss by reason of invalidity or unenforceability of insured mortgage lien based on a determination that the loan transaction is usurious under the law of a particular state or states.

## **SUTIC FORM 12556**

Provides insured optionee with coverage as to validity, enforceability and priority of option.

## **SUTIC FORM 12557**

Amends Schedule B general reference to supplemental taxes by limiting application to taxable events occurring on or after date of policy.

## **SUTIC FORM 12582**

Provides insured lender with assurance that the extension of the due date of the note secured by the mortgage will retain the priority of the mortgage as originally insured.

## **SUTIC FORM 12731 (REVERSE ANNUITY)**

Provides insured lender with coverage against (1) loss by reason of invalidity or unenforceability and (2) loss of priority of the lien of the insured mortgage caused by interest rate changes, interest on interest or the addition of unpaid interest to the loan

principal. The limitations on this coverage are addressed in the endorsement.

### **SUTIC FORM 12746**

Provides insured lender with assurance concerning validity of recorded assignment transferring beneficial interest under a deed of trust. Additionally, this endorsement provides the insured lender with a date down of the policy.

### **SUTIC FORM 12747**

Provides insured lender with coverage against loss by reason of lack of priority of the insured mortgage over any federal or state environmental protection lien which is recorded in the relevant public records,

except as set forth in Schedule B of the policy. This endorsement is crafted for use with lender's policies issued on land for other than residential purposes.

### **SUTIC FORM 12798**

Provides insured lender with assurance that the modification of the insured deed of trust as follows: (1) extension of due date of the secured note, and/or (2) reduction in the rate of interest, and/or (3) capitalization of earned but unpaid interest, and/or (4) reduced mortgage payments made outside payment cycle, and/or (5) reduction in interest rate payable under adjustable rate, and/or (6) increase in interest rate spread but no increase in top rate, will not impair the validity, enforceability or priority of the deed of trust.

TICOR TITLE INSURANCE COMPANY (TICOR)

# SPECIAL ENDORSEMENTS

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## **TICOR FORM 7652**

Provides insured lender with coverage against loss by reason of lack of priority of the insured mortgage over any federal or state environmental protection lien which is recorded in the public records, except as set forth in Schedule B of the policy. This endorsement is crafted for use with lender's policies issued on land used for other than residential purposes.

## **TICOR FORM 7745**

Provides insured lender with assurance that the extension of the due date of the note secured by the mortgage will retain the priority of the mortgage as originally insured.

## **TICOR FORM 7898**

Provides insured lender with assurance that the modification of the insured deed of trust as follows: (1) extension of due date of the secured note, and/or (2) reduction in the rate of interest, and/or (3) capitalization of earned but unpaid interest, and/or (4) reduced mortgage payments made outside payment

cycle, and/or (5) reduction in interest rate payable under adjustable rate, and/or (6) increase in interest rate spread but no increase in top rate, will not impair the validity, enforceability or priority of the deed of trust.

## **TICOR FORM 7931 (REVERSE ANNUITY)**

Provides insured lender with coverage against (1) loss by reason of invalidity or unenforceability and (2) loss of priority of the lien of the insured mortgage caused by interest rate changes, interest on interest or the addition of unpaid interest to the loan principal. The limitations on this coverage are addressed in the endorsement.

## **TICOR FORM 7946**

Provides insured lender with assurance concerning validity of recorded assignment transferring beneficial interest under a deed of trust. Additionally, this endorsement provides the insured lender with a date down of the policy.

**SUMMARY OF CALIFORNIA ENDORSEMENTS  
TO TITLE INSURANCE POLICIES**

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## **DEPARTMENT OF VETERANS' AFFAIRS (CALIFORNIA)**

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## **ENVIRONMENTAL PROTECTION LIENS**

No liens except as shown, priority of trust deed over liens except as provided by state statute (ALTA lender).	CLTA 110.9
Priority of trust deed over recorded 'environmental protection liens' except as shown in Schedule B (commonly referred to as 'CLTA Form 110.9M').	CTI 3147, SUTIC 12747, TICOR 7652

## **EXCEPTIONS**

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## **FAIRWAY**

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SUTIC 12558

## **FOREIGN CURRENCY (LENDER)**

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## **FOUNDATIONS**

Foundation does not violate nor encroach (lender). CLTA 102.4,

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No damage by reason of surface mineral development (CLTA lender). CLTA 100.1(3b)

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Forced removal of improvements encroaching into street (ALTA lender).	CLTA 103.9
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Improvements do not encroach onto easements or onto other land (CLTA owner).	CLTA 126.1(2b1), 126.2(2c1)

## **INFLATION PROTECTION**

Accommodates upward adjustments of maximum amount of insurance (CLTA owner).	CTI 2697, 2701; SUTIC 3, 12
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## **LEASES**

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No surface entry under mineral lease (ALTA lender).	CLTA 100.24
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Assignment of rents in trust deed (lender).	CLTA 104.7
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Validity, priority and subsistence of lease (ALTA lender).	CLTA 119.2

Excludes liability if trust deed priority over lease doubtful – circuity of liens situations (ALTA lender).	CLTA 119.3
Sublease is valid and will be binding at commencement of term (CLTA lessee).	CLTA 119.4
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## **LAST DOLLAR**

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## **MECHANICS' LIENS**

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## **MOBILEHOMES AND MANUFACTURED HOUSING UNITS**

“Land” as defined in policy includes manufactured housing unit (ALTA lender).	CLTA 116.5
Manufactured housing unit described in endorsement includes “land” defined in policy (ALTA lender).	CLTA 116.6
Assures that value of mobilehome located on the land will be included as element of loss; reconciles CLTA 100 coverage to include mobilehome (ALTA lender).	CTI 3122; SUTIC 5

## **MODIFICATION**

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Surface entry damage (CLTA lender).	CLTA 100.1(3b)
Surface entry damage – oil and gas lease (ALTA lender).	CLTA 100.23
No surface rights (ALTA owner or lender).	CTI 100 (Mod.) (4)
No surface rights under oil and gas lease (ALTA lender).	CLTA 100.24
No violation of CC&Rs by subsurface oil development (ALTA lender).	CLTA 100.25
FHA project – exercise above 500 feet below surface (ALTA lender).	CLTA 100.26
Surface entry damage – existing improvements (owner or lender).	CLTA 100.29
No assignment of lessor’s interest under community oil and gas lease (owner or lender).	CLTA 109
Mineral owner has relinquished surface rights (owner or lender).	CLTA 110.3
Trust deed subordinated to oil lease (oil and gas lessee).	CLTA 120.2
Surface entry damage – existing improvements (CLTA owner).	CLTA 126.1, 126.2

## **OPTIONS**

Validity, enforceability and priority of option (CLTA or ALTA owner).	CTI 3123; SUTIC 12556
Partnership Fairway Endorsement.	CTI 3032; SUTIC 12559

## **POLICIES - LIABILITIES**

Insurance of two trust deeds in favor of same lender (ALTA lender).	CLTA 105
Insurance of two trust deeds in favor of same lender (CLTA lender).	CLTA 105.1
Allocation of liability between two or more parcels (owner or lender).	CLTA 107.1
Increase of liability (owner or lender).	CLTA 107.2
Leasehold improvements included as element of loss (lessee or lender).	CLTA 107.5

Naming additional insured – with qualifications (owner or lender).	CLTA 107.9
Naming additional insured (owner or lender).	CLTA 107.10
Unenforceability of trust deed following ostensible merger (ALTA lender).	CLTA 107.11
Deletes Schedule B exceptions (owner or lender).	CLTA 110.1
Loss by reason of enforcement of lien or encumbrance shown in Schedule B (owner or lender).	CLTA 110.7
Coinsurance – segregated liabilities (owner or lender).	CLTA 114
Coinsurance – joint and several liability (owner or lender).	CLTA 114.1
Adds general exceptions regarding off-record matters affecting leasehold (CLTA lessee or lender).	CLTA 119.1
Date-down of record title (lender).	CTI 2842
Partnership – No policy termination on change of insureds internal structure (Fairway) (owner).	CTI 3032; SUTIC 12559
Non-imputation of knowledge (owner or lender).	CTI 3127; SUTIC 12535
Foreign currency (lender).	CTI 3136; SUTIC 12560
Last Dollar – Loan partially secured by real property.	CTI 3137; SUTIC 12561
“Tie-in” Endorsement (ALTA lender).	CTI 3307; SUTIC 12544
<b>RECONVEYANCES</b>	
No impairment of lien after partial reconveyance (lender).	CLTA 111, 111.1
No impairment of lien after partial reconveyance – designation of improvements on remaining land – no encroachments (lender).	CLTA 111.3
<b>RENTS</b>	
No assignments of lessor’s interest in lease (ALTA lender).	CLTA 104.6
No assignments of rents (lender).	CLTA 104.7
<b>RIGHTS OF FIRST REFUSAL</b>	
Exercise of rights of first refusal (ALTA lender).	CLTA 115.1, 115.2

## **STATE OF CALIFORNIA**

Release of access rights to freeway or highway by deed (owner – State of California).	CLTA 106, 106.1 106.2
Release of access rights to freeway or highway by condemnation (owner – State of California).	CLTA 106C, 106.1C

## **STREETS**

Insured easement provides access to street (owner or lender).	CLTA 103.4
Land abuts on physically open street or highway (owner or lender).	CLTA 103.7
Owner has right of access to public street or highway (CLTA owner).	CLTA 126.1(2a1), 126.2(2b1)

## **SUBDIVISION/SUBDIVISION MAP ACT**

No violation of Subdivision Map Act.	CLTA 116.7
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## **SUBORDINATION**

No impairment of lien after subordination (lender).	CLTA 111.2
Excepts liability if priority doubtful – circuitry of lien situations (ALTA lender).	CLTA 119.3
Trust deed has been subordinated to oil and gas lease (oil and gas lessee).	CLTA 120.2

## **SURFACE**

Use of surface by subsurface owner (owner or lender).	CLTA 103.10
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## **SURFACE ENTRY**

By owner of minerals (ALTA lender).	CLTA 100(3b), CLTA 100.2(3b)
By owner of minerals (ALTA owner or lender).	CTI 100 (Mod.) (4)
By owner of minerals (CLTA lender).	CLTA 100.1 (3b)
By oil and gas lessee (ALTA lender).	CLTA 100.23
No surface rights under mineral lease (ALTA lender).	CLTA 100.24
By owner of minerals – FHA project (ALTA lender).	CLTA 100.26
By owner of minerals – existing improvements (owner or lender).	CLTA 100.29
By owner of water (owner or lender).	CLTA 103.5
By owner of water – FHA project (ALTA lender).	CLTA 103.8

Mineral owner has relinquished surface rights (owner or lender).	CLTA 110.3
By owner of minerals – existing improvements (CLTA owner).	CLTA 126.1(2c), 126.2(2d); CTI 2695 (2d), 2696(2c)

## **SURVEY-MAP-PLAT**

Policy plat shows correct location and dimensions of land (ALTA lender).	CLTA 116
Land described in policy same as that shown on survey (owner or lender).	CLTA 116.1
Condominium project correctly shown on recorded map (owner or lender).	CLTA 116.2
Land described in policy may be described by reference to later subdivision map (owner or lender).	CLTA 116.3

## **TAXES**

Estate or interest is a condominium and entitled to be assessed and taxed as a separate parcel (lender).	CLTA 115, 115.1
Estate or interest is a condominium and entitled to be assessed and taxed as a separate parcel (CLTA owner).	CLTA 126.2(2a)
Amends Schedule B general reference to supplemental taxes (ALTA owner or lender).	CTI 3124; SUTIC 12557

## **TRUST DEEDS**

Assignment of beneficial interest (lender).	CLTA 104, 104.A, 104.1, 104.8, 104.9, 104.10
Collateral assignment of beneficial interest (lender).	CLTA 104.4, 104.11
No assignment of lessor's interest in lease (ALTA lender).	CLTA 104.6
No assignments of rents (lender).	CLTA 104.7
Two trust deeds in favor of same lender (lender).	CLTA 105, 105.1
Unenforceability of lien following ostensible merger (ALTA lender).	CLTA 107.11
Optional advance under trust deed (lender).	CLTA 108.7, 108.7-M, 108.8, 108.8-M, 111.10

Modification (lender).	CLTA 110.4, 110.5, 110.6
Priority over environmental protection liens (ALTA lender).	CLTA 110.9, CTI 3147 TICOR 7652 SUTIC 12747
No impairment of lien after partial reconveyance (lender).	CLTA 111, 111.1, 111.3
No impairment of lien after subordination (lender).	CLTA 111.2
No impairment of lien after conveyance by, and release of, original trustor (ALTA lender).	CLTA 111.4
Variable or renegotiable rate – validity, enforceability, priority after interest adjustments (ALTA lender).	CLTA 111.5, 111.6, 111.7, 111.8
Securing bonds (lender).	CLTA 112, 112.1
If priority is doubtful – circuitry of lien situations (ALTA lender).	CLTA 119.3
Subordinated trust deed to oil and gas lease (oil and gas lessee).	CLTA 120.2
Obligatory advance under trust deed (ALTA lender).	CLTA 111.11, 122, 122.2, 122.3, 122.4
Right of rescission – Truth in Lending Act (ALTA lender).	CLTA 125
Revolving loan or line of credit – priority of advance (lender)/increase in line of credit.	CLTA 108.10; 111.10; 111.11
Advance after violation of loan agreement (lender).	SUTIC 4
Enforcement of lien – “doing business”.	CLTA 3109, SUTIC 12551
Shared Appreciation Mortgage (ALTA lender).	CTI 3111, SUTIC 12552
Loan Recharacterization (ALTA lender).	CTI 3113, SUTIC 12553
Reverse Annuity (ALTA lender).	CTI 3331 SUTIC 12731 TICOR 7931
<b>UNMARKETABILITY</b>	
CC&R violations (ALTA lender).	CLTA 100 (2b)
CC&R violations (CLTA lender).	CLTA 100.1(2b)

Reverter provision in CC&Rs (ALTA lender).	CLTA 100.18
Present violation of CC&Rs (ALTA or CLTA lender).	100.27

## **USURY**

Mortgage lien not usurious under laws of particular state or states (ALTA lender).	CTI 3305 SUTIC 12555
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## **WATER**

Use of the surface to extract water (owner or lender).	CLTA 103.5
Use of the surface to extract water (lender).	CLTA 103.8

## **ZONING**

Compliance with zoning ordinance – vacant land (owner or lender).	CLTA 123.1
Compliance with zoning ordinance – improved land (owner or lender).	CLTA 123.2
Violation of zoning ordinance – forced removal, interference with use as residence (owner).	CLTA 126.1(2b3), 126.2(2c3)



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