

# Pinnacle Creative

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85 Broad St., 16<sup>th</sup> Floor  
New York, NY. 10004

Kansas Insurance Dept.  
Attn: Property and Casualty Division  
420 SW 9th St.  
Topeka, KS. 66612

**RE: ORCHARD STREET SETTLEMENTS LLC**

**Dear Sir/Madam:**

Please find enclosed herewith the Kansas Rate Filing Manual, the E & O Bond, and the Kansas Surety Bond.

Kindly process this in accordance with your procedures and the law.

If you have any questions or issues with the application **please contact the undersigned at 860-716-9665 or via e-mail at [Roberto@PinnacleCreativeStudio.com](mailto:Roberto@PinnacleCreativeStudio.com)**, and I will address any concerns you may have.

Thank you for your courtesy and cooperation in advance.

**Sincerely,**

**Roberto Abreu**  
***Compliance Consultant***

RECEIVED  
DEC 05 2016  
KANSAS INSURANCE DEPT.



FILED

DEC 06 2016

KEN SELZER  
Commissioner of Insurance

# TITLE INSURANCE RATES AND CHARGES FOR OFFICES IN KANSAS

EFFECTIVE: November 21, 2016  
(Unless Otherwise Specified Herein)

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## SECTION 1 AUTHORITY TO QUOTE CHARGES

No employee may quote title insurance charges unless they are properly licensed as a title insurance agent in the state where the property is located. No employee may quote charges, other than set forth in this manual, without approval of the appropriate revenue manager or underwriter.

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Commissioner of Insurance

## SECTION 2 STANDARD CHARGES

### 2.01 Summary of Charges for Residential Owner's Policies. (Rates apply to one-to-four family residential properties only for purchase.)

- A) Summary of charges for **Owner's Title Insurance Policies** (Rates apply to one-to-four family residential properties only for purchase.)
- B) For policies issued on properties improved by one-to-four family residential structures, the rates shown below include the fees for risk and search and examination. These fees are lumped together and stated as a single charge, rather than expressed separately. Settlement services charges are not included in this rate. These rates apply to every county in Kansas when the policy is written by a Company owned office. If an owner's policy is issued simultaneously with a loan policy, see Sections 2.03 and/or 2.04

#### NEW LOW RATES APPLY TO TRANSACTIONS WITH OR WITHOUT A PRIOR POLICY

Amount of Insurance	Fee for Resale, Owners Policy
Up to \$80,000 .....	420.00
80,001 to 90,000 .....	438.00
90,001 to 100,000 .....	456.00
100,001 to 110,000 .....	468.00
110,001 to 120,000 .....	480.00
120,001 to 130,000 .....	492.00
130,001 to 140,000 .....	504.00
140,001 to 150,000 .....	516.00
150,001 to 160,000 .....	528.00
160,001 to 170,000 .....	540.00
170,001 to 180,000 .....	552.00
180,001 to 190,000 .....	564.00
190,001 to 200,000 .....	576.00
200,001 to 210,000 .....	588.00
210,001 to 220,000 .....	600.00
220,001 to 230,000 .....	612.00
230,001 to 240,000 .....	624.00
240,001 to 250,000 .....	636.00
250,001 to 275,000 .....	665.00
275,001 to 300,000 .....	696.00
300,001 to 325,000 .....	726.00
325,001 to 350,000 .....	756.00
350,001 to 375,000 .....	786.00
375,001 to 400,000 .....	816.00
400,001 to 425,000 .....	846.00
425,001 to 450,000 .....	876.00
450,001 to 475,000 .....	906.00
475,001 to 500,000 .....	936.00
500,001 to 525,000 .....	951.00
525,001 to 550,000 .....	966.00
550,001 to 575,000 .....	981.00
575,001 to 600,000 .....	996.00
600,001 to 625,000 .....	1011.00
625,001 to 650,000 .....	1026.00

650,001 to 675,000 .....	1041.00
675,001 to 700,000 .....	1056.00
700,001 to 725,000 .....	1071.00
725,001 to 750,000 .....	1086.00

Calculating premiums over card amount:

For policies over \$750,000 and up to \$1,000,000 - Add \$0.66 per thousand.

For policies over \$1,000,000 and up to \$5,000,000 - Add \$0.50 per thousand.

For policies over \$5,000,000 and up to infinity - Add \$0.65 per thousand.

2.02 Summary of Charges for Residential Refinance Loan Policies. (Rates apply to one-to-four family residential properties only for refinance transactions.)

- A) Summary of Charges for Residential Refinance Loan policies when Fidelity National Title Insurance is clearing Title encumbrances and handling the associated escrow process. (Rates apply to one-to-four family residential properties only for refinance transactions.)
- B) For policies issued on properties improved by one-to-four family residential structures, the rates shown below include the fees for risk and search and examination. These fees are lumped together and stated as a single charge, rather than expressed separately. Settlement services charges are not included in this rate. If an owner's policy is issued simultaneously with a loan policy, see Sections 2.03 and/or 2.04

**NEW LOW RATES APPLY TO TRANSACTIONS WITH OR WITHOUT A PRIOR POLICY!**

Amount of Insurance	Fee for Refinance Loan Policy
Up to \$80,000 .....	330.00
80,001 to 90,000 .....	343.00
90,001 to 100,000 .....	356.00
100,001 to 110,000 .....	368.00
110,001 to 120,000 .....	381.00
120,001 to 130,000 .....	394.00
130,001 to 140,000 .....	407.00
140,001 to 150,000 .....	419.00
150,001 to 160,000 .....	432.00
160,001 to 170,000 .....	444.00
170,001 to 180,000 .....	457.00
180,001 to 190,000 .....	470.00
190,001 to 200,000 .....	482.00
200,001 to 210,000 .....	495.00
210,001 to 220,000 .....	508.00
220,001 to 230,000 .....	520.00
230,001 to 240,000 .....	533.00
240,001 to 250,000 .....	564.00
250,001 to 275,000 .....	596.00
275,001 to 300,000 .....	627.00
300,001 to 325,000 .....	659.00
325,001 to 350,000 .....	690.00



350,001 to 375,000 .....	722.00
375,001 to 400,000 .....	753.00
400,001 to 425,000 .....	785.00
425,001 to 450,000 .....	816.00
450,001 to 475,000 .....	848.00
475,001 to 500,000 .....	863.00
500,001 to 525,000 .....	879.00
525,001 to 550,000 .....	895.00
550,001 to 575,000 .....	911.00
575,001 to 600,000 .....	927.00
600,001 to 625,000 .....	942.00
625,001 to 650,000 .....	958.00
650,001 to 675,000 .....	974.00
675,001 to 700,000 .....	990.00
700,001 to 725,000 .....	1,005.00
725,001 to 750,000 .....	1,018.00

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Calculating premiums over card amount:

For policies over \$750,000 and up to \$1,000,000 - Add \$0.66 per thousand.

For policies over \$1,000,000 and up to \$5,000,000 - Add \$0.50 per thousand.

For policies over \$5,000,000 and up to infinity - Add \$0.65 per thousand.

## 2.03 Non-Residential Rate (Commercial)

The following charges apply to all properties other than those improved by 1-to-4-family residential structures. These charges include risk rate and search and examination fees lumped together and stated as a single charge. Settlement services charges are not included in this rate. This rate is also commonly referred to as the "Commercial Rate".

### A. Policies for \$1,000,000 or less.

<u>Amount of Insurance</u>	<u>Charge</u>	<u>Amount of Insurance</u>	<u>Charge</u>	<u>Amount of Insurance</u>	<u>Charge</u>
\$25,000 or less	325.00	\$145,001 to 150,000	725.00	\$400,001 to 425,000	1,275.00
\$25,001 to 30,000	350.00	\$150,001 to 155,000	735.00	\$425,001 to 450,000	1,325.00
\$30,001 to 35,000	375.00	\$155,001 to 160,000	745.00	\$450,001 to 475,000	1,375.00
\$35,001 to 40,000	400.00	\$160,001 to 165,000	755.00	\$475,001 to 500,000	1,425.00
\$40,001 to 45,000	425.00	\$165,001 to 170,000	765.00	\$500,001 to 525,000	1,450.00
\$45,001 to 50,000	450.00	\$170,001 to 175,000	775.00	\$525,001 to 550,000	1,475.00
\$50,001 to 55,000	470.00	\$175,001 to 180,000	785.00	\$550,001 to 575,000	1,500.00
\$55,001 to 60,000	490.00	\$180,001 to 185,000	795.00	\$575,001 to 600,000	1,525.00
\$60,001 to 65,000	510.00	\$185,001 to 190,000	805.00	\$600,001 to 625,000	1,550.00
\$65,001 to 70,000	530.00	\$190,001 to 195,000	815.00	\$625,001 to 650,000	1,575.00
\$70,001 to 75,000	550.00	\$195,001 to 200,000	825.00	\$650,001 to 675,000	1,600.00
\$75,001 to 80,000	565.00	\$200,001 to 210,000	845.00	\$675,001 to 700,000	1,625.00
\$80,001 to 85,000	580.00	\$210,001 to 220,000	865.00	\$700,001 to 725,000	1,650.00
\$85,001 to 90,000	595.00	\$220,001 to 230,000	885.00	\$725,001 to 750,000	1,675.00
\$90,001 to 95,000	610.00	\$230,001 to 240,000	905.00	\$750,001 to 775,000	1,700.00
\$95,001 to 100,000	625.00	\$240,001 to 250,000	925.00	\$775,001 to 800,000	1,725.00
\$100,001 to 105,000	635.00	\$250,001 to 260,000	945.00	\$800,001 to 825,000	1,750.00
\$105,001 to 110,000	645.00	\$260,001 to 270,000	965.00	\$825,001 to 850,000	1,775.00
\$110,001 to 115,000	655.00	\$270,001 to 280,000	985.00	\$850,001 to 875,000	1,800.00
\$115,001 to 120,000	665.00	\$280,001 to 290,000	1,005.00	\$875,001 to 900,000	1,825.00

\$120,001 to 125,000	675.00	\$290,001 to 300,000	1,025.00	\$900,001 to 925,000	1,850.00
\$125,001 to 130,000	685.00	\$300,001 to 325,000	1,075.00	\$925,001 to 950,000	1,875.00
\$130,001 to 135,000	695.00	\$325,001 to 350,000	1,125.00	\$950,001 to 975,000	1,900.00
\$135,001 to 140,000	705.00	\$350,001 to 375,000	1,175.00	\$975,001 to 1,000,000	1,925.00
\$140,001 to 145,000	715.00	\$375,001 to 400,000	1,225.00		

For policies over \$1 million, charge \$1,925, plus \$0.80 per thousand up to \$5 million.

For policies over \$5 million, charge \$5,125, plus \$0.65 per thousand up to infinity.

B. Policies over \$500,000.

Rates for policies over \$500,000 must be considered on a case-by-case basis. Reissue credits may be available, or other factors may reduce our work charges. Special coverages are often required and require special pricing considerations. The following rates are meant to serve as a guideline and starting point. They may be increased to reflect risk and work factors.

2.04 Simultaneous-Issue Loan Policies

- A. Basic Residential loan policies issued simultaneously with an owner's policy (provided the amount does not exceed the amount of the owner's policy):

Charge \$275

- B. Extended coverage loan policies issued simultaneously with an owner's policy (provided the amount does not exceed the amount of the owner's policy):

Charge \$290

- C. Nonresidential loan policies issued simultaneously with an owner's policy (provided the amount does not exceed the amount of the owner's policy):

Under \$5 Million liability \$250  
\$5 Million liability and over \$500

2.05 Simultaneous-Issue Leasehold Policies

- A. For leasehold policies simultaneously issued with a policy insuring an interest in a different estate in the land, refer to above schedules and charge 30% of the indicated amount.
- B. If the amount of the leasehold policy exceeds the amount of the policy being issued simultaneously therewith, charge 30% of the amount to be charged for the other policy, plus the difference between the amount being charged for the other policy and the amount that would otherwise be charged for such a leasehold policy not being simultaneously issued.



2.06 Reserved for Future Use

2.07 Residential Junior Lien Policy/Limited Loan Coverage Policy Rate.

This rate applies on second, third or fourth mortgages on 1-to-4 family residential platted subdivision properties only, where the Junior Lien Commitment Information Sheet is issued in lieu of the ALTA Commitment, and the ALTA

Short Form Residential Loan Policy; or the Limited Loan Coverage Policy is issued.

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<u>Amount of Insurance</u>	<u>Rate</u>
Less than \$15,001 .....	\$165
\$15,001 to \$20,000 .....	180
20,001 to 30,000 .....	195
30,001 to 40,000 .....	210
40,001 to 50,000 .....	230
50,001 to 60,000 .....	250
60,001 to 70,000 .....	270
70,001 to 80,000 .....	290
80,001 to 90,000 .....	310
90,001 to 100,000 .....	330
Over 100,000, add .....	\$1.50 per thousand

## 2.08 Summary of Charges for Homeowner's Title Insurance Policies.

Amount of Insurance	Fee
Up to \$80,000	\$470
\$80,001 to \$90,000	\$491
\$90,001 to \$100,000	\$511
\$100,001 to \$110,000	\$524
\$110,001 to \$120,000	\$538
\$120,001 to \$130,000	\$551
\$130,001 to \$140,000	\$564
\$140,001 to \$150,000	\$578
\$150,001 to \$160,000	\$591
\$160,001 to \$170,000	\$605
\$170,001 to \$180,000	\$618
\$180,001 to \$190,000	\$632
\$190,001 to \$200,000	\$645
\$200,001 to \$210,000	\$659
\$210,001 to \$220,000	\$672
\$220,001 to \$230,000	\$685
\$230,001 to \$240,000	\$699
\$240,001 to \$250,000	\$712
\$250,000 to \$275,000	\$745
\$275,001 to \$300,000	\$780
\$300,001 to \$325,000	\$813
\$325,001 to \$350,000	\$847
\$350,001 to \$375,000	\$880
\$375,001 to \$400,000	\$914
\$400,001 to \$425,000	\$931
\$425,001 to \$450,000	\$964
\$450,001 to \$475,000	\$997
\$475,001 to \$500,000	\$1,030

Calculating premiums over the above rates:

For policies over \$500,000 and up to \$1,000,000 – add \$0.74 per thousand

For policies over \$1,000,000 and up to \$5,000,000 – add \$0.56 per thousand

For policies over \$5,000,000 and up to infinity – add \$0.73 per thousand



## 2.09 Summary of Charges for Extended Coverage Loan Policies

Amount of Insurance	Fee
Up to \$80,000	\$363
\$80,001 to \$90,000	\$377
\$90,001 to \$100,000	\$392
\$100,001 to \$110,000	\$405
\$110,001 to \$120,000	\$419
\$120,001 to \$130,000	\$433
\$130,001 to \$140,000	\$447
\$140,001 to \$150,000	\$461
\$150,001 to \$160,000	\$475
\$160,001 to \$170,000	\$488
\$170,001 to \$180,000	\$503
\$180,001 to \$190,000	\$517
\$190,001 to \$200,000	\$530
\$200,001 to \$210,000	\$545
\$210,001 to \$220,000	\$559
\$220,001 to \$230,000	\$572
\$230,001 to \$240,000	\$586
\$240,001 to \$250,000	\$620
\$250,000 to \$275,000	\$656
\$275,001 to \$300,000	\$690
\$300,001 to \$325,000	\$725
\$325,001 to \$350,000	\$759
\$350,001 to \$375,000	\$794
\$375,001 to \$400,000	\$828
\$400,001 to \$425,000	\$864
\$425,001 to \$450,000	\$898
\$450,001 to \$475,000	\$933
\$475,001 to \$500,000	\$949

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Calculating premiums over the above rates:

For policies over \$500,000 and up to \$1,000,000 – add \$0.74 per thousand

For policies over \$1,000,000 and up to \$5,000,000 – add \$0.56 per thousand

For policies over \$5,000,000 and up to infinity – add \$0.73 per thousand

2.10 ( SECTION HELD OPEN FOR FUTURE USE )

2.11 Master Home Equity Loan Policy

For home equity loan transactions up to \$250,000 with centralized order tracking and processing through National Lender's Solution or similar unit, pursuant to a written agreement, the rate shall be \$45.00.

For home equity loan transactions from \$250,000 up to \$500,000 with centralized order tracking and processing through National Lender's Solution or similar unit, pursuant to a written agreement, the rate shall be \$75.00.

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2.12 ALTA Limited Pre-Foreclosure Policy and Date Down Endorsement:

**A. Amount of Insurance**

The Amount of Insurance for an ALTA Pre-Foreclosure Policy shall equal either the face amount of the mortgage to be foreclosed or the outstanding balance of the mortgage to be foreclosed as requested by the Insured.

**B. Basic Rate for ALTA Limited Pre-Foreclosure Policy**

For the first \$250,000.00 of liability -

\$350.00

For each additional \$1,000.00 (or fraction thereof)  
above \$250,000.00 and up to \$1,000,000 -

\$ 0.60

For each additional \$1,000.00 (or fraction thereof)  
above \$1,000,000.00 -

\$ 0.40

**C. Date Down Endorsement**

ALTA Limited Pre-Foreclosure Date Down Endorsement\*\* \$50.00

\*\*(Endorsement to be issued only in connection with a previously issued ALTA Limited Pre-Foreclosure Policy to date down the policy prior to or during a foreclosure of the lender's mortgage insured by the policy).

## SECTION 3 CHARGES INVOLVING DEVELOPMENT OR CONSTRUCTION

### 3.01 Development Loans

The company will insure the lien of a development loan for site improvements, such as streets and sewers to lots in a platted subdivision, when the aggregate sales price of such lots is in excess of \$500,000.00, at a premium of \$.90 per thousand. No reissue credit from any prior policy will be allowed toward this premium, and no reissue credit will be allowed on any future policy by virtue of having issued a development loan policy at this price.

If a development loan does not qualify under these guidelines, charge the rate for a commercial loan policy set forth in Section 2.02. Reissue credit is available when the loan qualifies under Section 5.01 and does not qualify for the rate set forth above.

### 3.02 Construction Loans on One-To-Four-Family Residential Properties

Residential construction loans are handled as follows:

A commitment is issued to the construction lender. The fee is \$275 to a builder/investor or \$75 to a builder/developer and charged when the construction loan mortgage is recorded. In most cases, a supplemental commitment will be issued showing the recorded documents. No additional charge is made for this supplemental report. If no construction loan policy is issued, the commitment is held open during construction. If a construction loan policy is required by the lender, the charge is \$275 for the initial policy to the builder/investor or \$75 to the builder/developer with renewals of \$75 for each six month term. When the home is sold and an Owner's Policy issued to the ultimate buyer, a credit of \$200 from the \$275 charge will be given on the Owner's Policy. No credit will be given from the \$75 fee.

### 3.03 Builder's/Investor's Rate

The Builder's/Investor's Rate on orders placed after September 15, 2003, is \$1.50 per thousand for the first \$250,000 of liability, and \$1 per thousand for liability above \$250,000, minimum \$250. The Builder's/Investor's Rate will apply in the following situations:

- A. Where two or more houses are constructed, or to be constructed, on building plots within the same chain of title, and requiring only one examination of the original base title; or
- B. Where one or more building plots have been acquired and so improved within a subdivision, the title to which we have insured; or
- C. Where one or more plots have been acquired by an established residential builder/investor; and
- D. Where the builder/investor is paying for the title insurance.



### 3.04 Subdivision Charge

A special charge known as the subdivision charge will be granted under the following circumstances:

- A. Premises owned by one owner have been platted into 10 or more lots, or where one owner owns 10 or more lots within a platted subdivision; and
- B. The owner proposes to sell vacant lots to individual purchasers and furnish an owner's title insurance policy to each purchaser, as evidence of title, in lieu of furnishing an abstract of title; and
- C. The owner of such premises has either an outstanding owner's title insurance policy thereon, issued by the Company, or has caused the Company to prepare a blanket title report covering all of said premises owned by him. (Note: A minimum charge for the preparation of such blanket title report may be necessary in individual cases.)

The Subdivision Charge shall be quoted by the revenue manager. The quote shall be in writing and given a contract rate number. All subsequent orders placed pursuant to this quotation shall have this number affixed to the "Order Sheet". Copies of all Subdivision Charge quotations are to be given to the Metro Manager, the affected Branch Manager, and Office Counsel. A copy of each contract shall be filed in the Contract Rate Book.

Before the rate is established and quoted to the customer, it must be filed with the Kansas Insurance Department under the "U & U Rule".

### 3.05 Developer and Builder Rate

Where the Developer is also the builder on one or more building plots within a subdivision and we have already insured the Developer's underlying subdivision base Title.

The Developer and Builder rate is \$1.50 per thousand for the first \$200,000 of Liability, and \$.50 per thousand for liability above \$200,000, minimum \$250.

### 3.06 ( SECTION HELD OPEN FOR FUTURE USE )

### 3.07 ( SECTION HELD OPEN FOR FUTURE USE )

### 3.08 Rundown and Endorsement on Construction Loan Policies.

Where the Company is disbursing construction funds pursuant to a construction loan escrow and disbursing agreement, there is no additional charge for periodic title rundown and endorsements to cover each disbursement. Where the Company is not disbursing the funds, however, the charge for each rundown and endorsement shall be \$100.

3.09 Permanent Loans on New Commercial Projects

Where the Company has previously insured the lien of a construction loan on a commercial project, and collected the appropriate premium therefor, we will insure the lien of a permanent mortgage, which replaces the construction mortgage, for a processing or work charge only. If the amount of the permanent mortgage exceeds the amount of the construction mortgage, it will be necessary to bill additional premium for the excess amount. The processing charge is \$250.00. Of course, any extended or special coverages given in the permanent loan policy should be billed at the appropriate rate in addition to the work charge.

If an unusual amount of work is involved, we must file our rate under the "U and U Rule".

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3.10 ( SECTION HELD OPEN FOR FUTURE USE )

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Commissioner of Insurance

## SECTION 4 CHARGES FOR ADDITIONAL OR SPECIAL SERVICES AND COVERAGES

### 4.01 Additional Charges

All of the above charges are for ordinary or normal cases.

When the premises to be insured consist of multiple tracts coming from separate chains of title, an additional charge of \$100.00 for each additional tract shall be made.

In cases involving a long and intricate title, an appropriate additional charge, fixed by the examiner, will be made.

In order to comply with Kansas law, a special rate filing will need to be made under the "Unique and Unusual Rule". Consult the Area Manager in these cases.

### 4.02 Commitment Charges

Information Report charges or commitment charges are made to compensate the Company for the work done in preparing a commitment when no policy is issued.

An "Information Report charge" is made when a title report is issued with no likelihood of a policy being issued in the next 6 months.

A "Commitment charge" is made when there is a strong possibility a policy will be written, but we are aware of contingencies that will result in cancellation of the order.

- A. The fee for an Informational Report on 1-to-4-family residential properties is \$250.00. Charge \$125.00 for each update report issued.
- B. A commitment fee of \$350 on a 1-4 family residential property, which includes the curative work.
- C. The fee for an Informational Report on commercial properties is \$350.00.
- D. If more than three hours of search and examination time is required, add \$100.00 to the charge for the Informational Report or Commitment.
- E. A commitment fee of \$150.00 is made on 1-to-4-family residential properties. If copies of deeds and/or exceptions are required, the fee is \$200.00.
- F. A commitment fee of \$300.00 is made on commercial properties.



The Commitment Charges at "B", "D", "E" and "F" above shall also apply as cancellation fees in cases where an order for a policy is cancelled. To collect these fees, the customer must be advised, before the commitment is issued, that there will be a cancellation or commitment fee.

Amounts paid for Informational Reports or Commitments, except construction binders issued by Fidelity National Title Insurance (Section 3.02 of this manual), shall be credited toward the premium due for any policy issued pursuant to those reports. If the report or commitment was issued by another company, the credit shall not exceed \$175.00.

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#### 4.03 Special Coverages

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##### Extraordinary Risks

Our published schedule of rates creates sufficient reserves to cover losses arising from our assumption of "normal" risks. While we sometimes accept greater-than-normal risks, our loss experience is naturally less favorable in such cases. It is therefore the Company's policy that, where appropriate underwriting authority has determined that an extraordinary risk is nevertheless acceptable, the Company should be compensated accordingly. It is not possible to enumerate these risks, but they might be such things as insuring against forced removal by reason of an encroachment, or deleting some cloud on the title, such as by adverse possession affidavit, without requiring suit to quiet title. The possibilities are as diverse as the imaginations of counsel are fertile. Likewise, it is not possible to formulate any schedule of charges for such risks. Unless there is a sufficient experience or custom factor to serve as a guide, an officer should be consulted.

If unusual or unique circumstances require additional charges, a special rate filing under the "U and U Rule" is required.

#### 4.04 (SECTION HELD OPEN FOR FUTURE USE)

#### 4.05 Service and Closing Fees

##### I. Residential Properties:

Standard Escrow Related Fees across all metro area residential escrow offices. All fees below will be charged to the party shown unless instructed otherwise in contract.



### SALE TRANSACTIONS WITH NEW LOAN

Seller Fees:	\$0	New Construction transaction where seller is builder, or transactions where developer is selling individual lot to builder.
	\$150	Customary Realtor Assisted Transactions (non-inclusive of overnight delivery fees, wire fees or other additional services).
	\$300	All inclusive rate for transactions where seller is/has negotiated a short sale with their lender.
	\$300	Relocation Transactions where all-inclusive seller fee is required and commitment has been issued by agent of the company.
	\$325	Relocation Transactions (non-inclusive of overnight delivery fees, wire fees or other additional services).
	\$250	All-inclusive rate where Foreclosing Lender is Seller
	\$200	Non-Realtor Assisted (FSBO) Customary Transactions (non-inclusive of overnight delivery fees, wire fees or other additional services).
Buyer Fees	\$325	Escrow Fee/Settlement Services when loan obtained by institutional lender (All inclusive fee)
	\$125	Jr. Lien Closing Fee, if closed simultaneous with first.

### SALE TRANSACTION WITH OTHER FINANCING OR CASH

Seller Fees:	\$0	New Construction transaction where seller is builder, or transactions where developer is selling individual lot to builder.
	\$150	Customary Realtor Assisted Transactions (non-inclusive of overnight delivery fees, wire fees or other additional services)
	\$300	All inclusive rate for transactions where seller is/has negotiated a short sale with their lender).
	\$300	Relocation Transactions where all-inclusive seller fee is required and commitment has been issued by agent of the company.
	\$325	Relocation Transactions (non-inclusive of overnight delivery fees, wire fees or other additional services).
	\$250	All-inclusive rate where Foreclosing Lender is Seller
	\$200	Non-Realtor Assisted (FSBO) Customary Transactions (non-inclusive of overnight delivery fees, wire fees or other additional services).
Buyer Fee	\$200	Escrow/Settlement Services

### REFINANCES

Borrower	\$325	Escrow Fee/Settlement Services
Borrower	\$200	HARP / FHA SF Streamline Loan Closing Fee

### CLOSING FEES FOR CENTRALIZED RATE

Escrow Fee/Settlement Services in connection with transactions insured within the program guidelines shown in Section 5.15a – Centralized Refinance Rate, and where HUD-1 and other documents are prepared by Centralized Processing Unit.

Liability Amount	Amount
Up to \$100,000	\$325
\$100,001 to \$125,000	\$350
\$125,001 to \$150,000	\$375
\$150,001 to \$175,000	\$420
\$175,001 to \$200,000	\$425
\$200,001 to \$250,000	\$430
\$250,001 to \$300,000	\$435
\$300,001 to \$350,000	\$440
\$350,001 to \$400,000	\$445
\$400,001 to \$450,000	\$450
\$450,001 to \$500,000	\$455
\$500,001 to \$1,000,000	\$500

For transactions exceeding \$1,000,000 in liability, the closing fee is \$500 plus \$1.00 per thousand.

An additional fee for notary services in the amount of \$75 may be charged in counties outside Johnson and Wyandotte.

4.06 Copies of Policies

If an insured requests a copy of his policy more than 6 months after the original has been issued, we require that the request be in writing, and charge \$25.00.

If the insured requests a duplicate original - charge \$75.00.

These charges shall be waived if the insured establishes to our satisfaction that he never received the original policy.

4.07 Charge for Mortgage failing to meet register of deeds format requirements

A service charge of \$100 will be made when a mortgage submitted for recording and issuance of title insurance fails to meet the register of deeds' formatting requirements concerning width of margins.

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## SECTION 5 OTHER SPECIAL RATES

### 5.01 Commercial Reissue Rate

The reissue rate applies only to policies on property other than one-to-four family. The reissue rate is the Commercial Rate, less the reissue credit.

Reissue rates apply when a prior title insurance policy on the premises in question has been issued by an underwriter licensed in Kansas to the current owner and is available to us.

#### Commercial Reissue Credit.

- A. The reissue credit shall be 40 percent of the regular rate on the amount of the prior owner's policy, or the most recent loan policy, if more recent and for a greater amount.

Liability in excess of the amount of the prior policy will be billed at the regular rate.

- B. If the examination of title reveals any of the following since the prior policy: a bankruptcy, foreclosure, multiple lawsuits or judgments, a gap in title, a passage of title into divided interests of less than 1/16, more than 25 additional easements, then no reissue credit is available.

### 5.02 Abstract Conversion Rate

Where the prior title evidence on property upon which we are asked to issue a title insurance policy is an abstract, we will give an abstract conversion rate, which is \$100.00 off the amount set forth in Secs. 2.01 or 2.02 above, subject to the following:

- A. The abstract must be surrendered to us prior to commencement of our examination and becomes our property. In appropriate cases, such as where the abstract is in the possession of a lender and cannot be obtained until the loan is paid, the requirement that it be surrendered prior to examination may be waived.
- B. The abstract must be the title evidence relied upon at the time the current seller acquired the property, and must be continued to a date more or less contemporaneous to his acquisition, although it need not actually cover his deed.
- C. In no event will an abstract conversion rate be given which is less than the minimum card rate.

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5.03 Commercial Substitution Rate

In cases involving commercial or industrial property where we have an existing loan policy not over three years old, and the same borrower asks us to issue a new loan policy on a substitute loan, we will charge 60% of the standard rate up to the principal amount of the original loan, plus standard rates for any increase in the loan amount over said amount.

5.04 No longer applicable - Open for future use

5.05 Residential Second Rate (also known as Home Equity Rate)

**HOME EQUITY LOAN PROGRAM**

POLICY TO BE ISSUED: Standard ALTA Loan Form

ENDORSEMENTS AVAILABLE:

1. ALTA Form 6 and 6-06, Variable Rate Mortgage.
2. ALTA Form 14 Series and 14-06 Series, Future Advances.

**RATE SCHEDULE:**

\$155	\$15,000 or less
\$165	\$15,001 to \$20,000
\$180	\$20,001 to \$30,000
\$205	\$30,001 to \$40,000
\$225	\$40,001 to \$50,000
\$245	\$50,001 to \$60,000
\$265	\$60,001 to \$70,000
\$275	\$70,001 to \$80,000
\$300	\$80,001 to \$90,000
\$320	\$90,001 to \$100,000
Add \$1.50	Per thousand for policies greater than \$100,001

**SPECIAL CONDITIONS & PROCEDURES:**

1. This rate does not include any escrow service and is limited to 1-to-4-family residential properties.
2. An instruction letter, in the form below, and the other documents referred to therein, must be furnished the Company at the time of delivery of the mortgage intended to be insured.
3. This rate is applicable when the policy to be issued insures any junior mortgage on residential property, provided all of the conditions set forth herein are met.

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INSTRUCTION LETTER FOR USE WITH RESIDENTIAL SECOND RATE AND HOME  
EQUITY LOAN PROGRAM

Fidelity National Title Insurance Company  
110 S. Cherry  
Suite #202  
Olathe, KS 66061

Attention: \_\_\_\_\_

Re: Loan To \_\_\_\_\_  
Loan No. \_\_\_\_\_  
CTIC File \_\_\_\_\_

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Dear \_\_\_\_\_:

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Enclosed herewith is our mortgage and borrower's affidavit in connection with the  
captioned loan.

When you are prepared to issue to us your loan policy of title insurance in your  
customary form, in the amount of the mortgage, subject only to the following exceptions:

1. Exception Nos. \_\_\_\_\_ which are shown in title insurance policy  
No. \_\_\_\_\_ issued by \_\_\_\_\_ (copy of which has previously been  
furnished you), and any mortgage shown in Schedule A of said policy;
2. Special and general taxes for \_\_\_\_\_;
3. The standard exceptions pertaining to matters of survey and unrecorded  
easements; and
4. \_\_\_\_\_

you are authorized to proceed to record the mortgage and to issue said policy.

Our check in the amount of \$ \_\_\_\_\_ for the title insurance premium and mortgage  
registration tax in the amount of \$ \_\_\_\_\_ is enclosed.

Very truly yours,



5.06 Future Advances

Where the Company endorses an existing loan policy to cover a future advance, make a rundown charge of \$50.00, plus 60% of the regular rate on the amount of the advance, to the extent that the total indebtedness after the advance does not exceed the original face amount of the policy. If the total indebtedness after the advance does exceed the original face amount of the policy, charge 100% of the regular rate on the portion of the advance that causes the original face amount of the policy to be exceeded.

5.07 Swing Loans

A residential purchaser frequently contemplates using the proceeds of the sale of his prior residence to apply to the purchase of a new one. Where the prior residence has not yet been sold, or the sale thereof has not yet closed, it is sometimes necessary for him to obtain a "swing loan" on the prior residence to generate the funds necessary to close on the new one. The full rate, as determined under Sec. 2.01 hereof, should be charged for any policy insuring a swing loan mortgage on the prior residence. Thereafter, when the prior residence is sold, and we issue a policy to the purchaser, the seller is entitled to a credit against the premium therefor equivalent to the premium paid for the swing loan policy, less \$75.00

5.08 Hold Open

Title to land is often acquired by an individual as nominee for a group of investors, or in some similar capacity. It is intended that a corporation or partnership will be formed by the group to which title is to be conveyed. It is requested that we withhold issuance of our owner's policy to reflect such transfer.

This is a reasonable request, and where the premium has already been paid and we do not have to hold the file open for more than twelve months, we will do so and charge only a processing charge which is \$75.00

5.09 Trade-Ins

In the case of residential properties accepted as trade-ins by brokers, where the premium for an owner's policy is paid by the broker's client in the amount established between the parties as the trade-in allowance, the file will be held open and a policy issued to the ultimate purchaser from the broker within six months from the date of the commitment, at a charge of \$75.00, plus the regular rate on any portion of the sale price representing an excess over the value established at the time of trade.

5.10 Contracts for Deed

Where an insured (as defined in paragraph 1(a) of the Conditions and Stipulations) in a contract for deed policy has or is about to acquire fee title by reason of full performance of the contract for deed, we will issue a dated-down policy showing title vested in our insured, which policy should be in the amount of the current fair market value of the property, for a processing charge of \$75.00, plus the regular rate on the excess of current fair market value over the original policy amount. The contract for deed policy must be surrendered for cancellation.

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5.11 Nonstandard Endorsement Charge

A nonstandard endorsement charge is imposed when a proposed insured requests and the Company agrees to a modification of the language of a standard endorsement. The charge is \$100 per endorsement.

5.12 ALTA Residential Limited Coverage Mortgage Modification Policy

The premium charge shall be:

Policy Amount	Rate
\$ 0-\$1,000,000	\$125
\$ 1,000,001 - \$1,500,000	\$250
\$ 1,500,001 - \$2,000,000	\$350

For each \$500,000 of liability above \$2,000,000 or part thereof up to \$20,000,000; add \$100.

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5.13 Standard Endorsements - Classification and Charges

**Class A – Additional 25%<sup>1</sup> (\$250 minimum)**

ALTA Form 10.1-06 Assignment and Date Down [Nonresidential]  
ALTA Form 11-06 Mortgage Modification [Nonresidential]  
ALTA Form 11.1-06 Mortgage Modification with Subordination  
ALTA Form 11.2-06 Mortgage Modification with Additional Amount of Insurance  
ALTA Form 29-06 – Interest Rate Swap – Direct Obligation  
ALTA Form 29.1-06 – Interest Rate Swap – Additional Interest  
ALTA Form 29.2-06 – Interest Rate Swap – Direct Obligation, Defined Amount  
ALTA Form 29.3-06 – Interest Rate Swap – Additional Interest, Defined Amount  
ALTA Form 30-06 – One-to-Four Family Shared Appreciation Mortgage  
ALTA Form 30.1-06 – Commercial Participation Interest  
Date-Down Endorsement 1 [Nonresidential and no construction]

<sup>1</sup>When the charge is expressed as "additional \_ percent," it refers to a percentage of the "Whole" premium, which means the charge determined under section 2.01 or 2.02 of this manual, without reduction by reissue or simultaneous issue or other discount or credit

<sup>2</sup>In zoning Risk Level 1, all of the following must be true:

- (a) No improvements within the last 12 months, and none contemplated.
- (b) Zoning has been in effect at least one year.
- (c) Use of property is not changing.

If any of the foregoing criteria is not applicable, the endorsement is considered to be in Risk Level 2.



Policy Modification 15 (Increase of insurance)  
Post-Policy Transaction Modification [Nonresidential]

**Class B - Additional 20%**

ALTA Form 3.1-06 (Zoning-Completed Structure) (Risk Level 2)<sup>2</sup>  
ALTA Form 3.2-06 - Zoning – Land under Development (Risk Level 2)

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**Class C - Additional 15%**

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**{Reserved for Future Use}**

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**Class D - Additional 10%**

ALTA Form 3-06 - Zoning (Risk Level 2)  
ALTA Form 15-06 – Non-Imputation, Full Equity Transfer  
ALTA Form 15.1-06 – Non-Imputation, Additional Insured  
ALTA Form 15.2-06 – Non-Imputation, Partial Equity Transfer  
ALTA Form 31-06 – Severable Improvements  
ALTA Form 43-06 – Anti-Taint  
Fairway (Change in composition of insured entity)  
Option Endorsement  
Option Endorsement (Lender)  
Option to Repurchase or Lease (Owner)  
SE 199 Wind Farm – Zoning Endorsement (ALTA 3.1 MOD)

**Class E - 10 cents per Thousand**

1001-KC Modified Coverage  
1001-KS Mechanic's Lien - Statutory Bond  
1002 Mechanic's Lien - Priority

**Class F - \$400**

ALTA Form 3.1-06 - Zoning - Completed Structure (Risk Level 1)  
ALTA Form 3.2-06 – Zoning – Land under Development (Risk Level 1)

**Class G - \$350**

Small Commercial Loan Policy Endorsement Pack (ALTA 9-06 - REM;  
ALTA 22-06 - Location; ALTA 19-06/19.1-06 -Contiguity; ALTA 17-06 -  
Access; ALTA 18-06/18.1-06 - Tax Parcel; ALTA 25-06 -Same As Survey)



### **Class H - \$200**

ALTA Form 3-06 - Zoning (Risk Level 1)  
ALTA Form 9.6-06 – Private Rights – Lender  
ALTA Form 9.9-06 – Private Rights – Owner  
ALTA Form 40-06 – Tax Credit, Owners  
ALTA Form 40.1-06 – Tax Credit, Defined Amount, Owners  
Assumption  
Anti-Clogging  
Change of Name of Insured Endorsement  
Post-Policy Transaction Modification [Nonresidential Construction Date  
Down]  
Shopping Center  
Synthetic Lease (Lease vs Mortgage)  
Tax Benefit Endorsement

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### **Class I - \$150**

ALTA Form 10.1-06 – Assignment and Date Down (Residential Only)  
ALTA Form 11-06 – Mortgage Modification (Residential Only)  
ALTA Form 11.1-06 – Mortgage Modification with Subordination  
(Residential Only)  
ALTA Form 11.2-06 – Mortgage Modification with Additional Amount of  
Insurance (Residential Only)  
Post-Policy Transaction Modification [residential - datedown]

### **Class J - \$100**

ALTA Form 1-06 - Street Assessments  
ALTA Form 4-06 – Condominium  
ALTA Form 4.1-06 – Condominium  
ALTA Form 5-06 - Planned Unit Development  
ALTA Form 5.1-06 – Planned Unit Development  
ALTA Form 6-06 - Variable Rate Mortgage  
ALTA Form 6.2-06 - Variable Rate Mortgage - Negative Amortization  
Same, with Convertible Modification  
ALTA Form 8.2-06 – Commercial Environmental Protection  
ALTA Form 9-06 - Restrictions, Encroachments, Minerals  
ALTA Form 9.1-06 – Covenants, Conditions, Restrictions - Unimproved  
Land –Owners  
ALTA Form 9.2-06 – Covenants, Conditions, Restrictions - Improved Land  
–Owners  
ALTA Form 9.3-06 – Covenants, Conditions, Restrictions - Lender  
ALTA Form 9.6-06 – Private Rights – Lender (Residential Only)  
ALTA Form 9.7-06 – Restrictions, Encroachments, Minerals – Land under

Development – Lender

ALTA Form 9.8-06 – Covenants, Conditions, Restrictions - Land under Development–Owners

ALTA Form 9.9-06 – Private Rights – Owner (Residential Only)

ALTA Form 9.10-06 – Restrictions, Encroachments, Minerals – Current Violations - Lender

ALTA Form 10-06 – Assignment

ALTA Form 12-06 – Aggregation

ALTA Form 12.1-06 – Aggregation – State Limits

ALTA Form 14-06 – Future Advance – Priority

ALTA Form 14.1-06 – Future Advance – Knowledge

ALTA Form 14.2-06 – Future Advance – Letter of Credit

ALTA Form 14.3-06 – Future Advance – Reverse Mortgage

ALTA Form 16-06 - Mezzanine Financing

ALTA Form 17-06 (Access and Entry)

ALTA Form 17.1-06 – Indirect Access and Entry

ALTA Form 17.2-06 – Utility Access

ALTA Form 18-06 (Single Tax Parcel)

ALTA Form 18.1-06 (Multiple Tax Parcel)

ALTA Form 19-06 (Contiguity - Multiple Parcels)

ALTA Form 19.1-06 (Contiguity - Single Parcel)

ALTA Form 20-06 - First Loss - Multiple Parcel Transaction

ALTA Form 22-06 – Location

ALTA Form 22.1-06 – Location and Map

ALTA Form 24-06 – Doing Business

ALTA Form 25-06 – Same as Survey

ALTA Form 25.1-06 – Same as Portion of Survey

ALTA Form 26-06 – Subdivision

ALTA Form 28-06 – Easement – Damage or Enforced Removal

ALTA Form 28.1-06 – Encroachments – Boundaries and Easements

ALTA Form 28.2-06 – Encroachments – Boundaries and Easements – Described Improvements

ALTA Form 35-06 – Minerals and Other Subsurface Substances – Buildings

ALTA Form 35.1-06 – Minerals and Other Subsurface Substances – Improvements

ALTA Form 35.2-06 – Minerals and Other Subsurface Substances – Described Improvements

ALTA Form 35.3-06 – Minerals and Other Subsurface Substances – Land under Development

ALTA Form 36-06 – Energy Project –Leasehold, Easement - Owners

ALTA Form 36.1-06 – Energy Project –Leasehold, Easement – Loan

ALTA Form 36.2-06 – Energy Project –Leasehold, Owners

ALTA Form 36.3-06 – Energy Project –Leasehold, Loan

ALTA Form 36.4-06 – Energy Project – Covenants, Conditions and Restrictions, Land under Development –Owners

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ALTA Form 36.5-06 – Energy Project – Covenants, Conditions and  
 Restrictions, Land Under Development –Loan  
 ALTA Form 36.6-06 – Energy Project – Encroachments  
 ALTA Form 37-06 – Assignment of Rents or Leases  
 ALTA Form 38-06 – Mortgage Tax  
 ALTA Form 41-06 – Water, Buildings  
 ALTA Form 41.1-06 – Water, Improvements  
 ALTA Form 41.2-06 – Water, Described Improvements  
 ALTA Form 41.3-06 – Water, Land under Development  
 ALTA Form 42-06 – Commercial Lenders Group  
 Bondholder (Mod 119.4)  
 Bonds – Loss Payee  
 Bonds – Non Merger of Sub-Leasehold  
 CLTA Form 103.1 – Right of Use or Maintenance  
 CLTA Form 104.6 – Assignment of Rents and Leases  
 CLTA Form 107.9 – Additional Insured  
 CLTA Form 111 – Mortgage Priority, Partial Reconveyance  
 Effect of Tax Sale on Easement  
 Encroachment Endorsement 1  
 Encroachment Endorsement 2  
 Foundation – Survey Endorsement  
 Inflation Protection – One-to-Four Family  
 Installment Contract Purchaser  
 Large Mutual Note  
 Merger - Mortgage and Fee  
 Restrictions 4A (Violation of Building Line)  
 SE 198 - Wind Farm - Electrical Generation and Transmission  
 SE 201 - Wind Farm – Single Integrated Project Access and Entry  
 SE 248 - Wind Farm – Contiguity Endorsement  
 Successor Endorsement  
 USA Form Policy - Date Down  
 All other endorsement forms filed with the Kansas Insurance Commission  
 not otherwise listed in this Section

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### **Class K - \$75 - Residential Only**

ALTA Form 10-06 – Assignment  
 Assumption  
 Change of Name of Insured Endorsement  
 Post-Policy Transaction Modification [residential - no datedown]

### **Class L - \$50**

ALTA Form 32-06 – Construction Loan –Loss of Priority  
 ALTA Form 32.1-06 – Construction Loan –Loss of Priority – Direct



Payment

ALTA Form 32.2-06 – Construction Loan – Loss of Priority – Insured's  
Direct Payment

ALTA Form 33-06 – Disbursement

Installment Contract Purchaser (Residential Only)

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**Class M - \$25 - Residential Only**

ALTA Form 1-06 - Street Assessments

ALTA Form 2-06 - Truth in Lending

ALTA Form 17-06 (Access and Entry)

ALTA Form 17.1-06 – Indirect Access and Entry

ALTA Form 18-06 (Single Tax Parcel)

ALTA Form 18.1-06 – Multiple Tax Parcel

ALTA Form 19-06 – Contiguity – Multiple Parcels

ALTA Form 19.1-06 – Contiguity – Single Parcel

ALTA Form 22-06 – Location

ALTA Form 22.1-06 – Location and Map

ALTA Form 24-06 – Doing Business

ALTA Form 25-06 – Same as Survey

ALTA Form 25.1-06 – Same as Portion of Survey

ALTA Form 26-06 – Subdivision

ALTA Form 37-06 – Assignment of Rents or Leases

ALTA JR Loan Endorsement 1

ALTA JR Loan Endorsement 2

CLTA Form 103.1 – Right of Use or Maintenance

CLTA Form 104.6 – Assignment of Rents and Leases

CLTA Form 107.9 – Additional Insured

CLTA Form 111 – Mortgage Priority, Partial Reconveyance

Foundation – Survey Endorsement

Merger - Mortgage and Fee

**Class N - No Charge if ordered prior to policy issuance;  
\$25 if ordered subsequently - Residential Only**

ALTA Form 4-06 – Condominium

ALTA Form 4.1-06 – Condominium

ALTA Form 5-06 - Planned Unit Development

ALTA Form 5.1-06 – Planned Unit Development

ALTA Form 6.2-06 - Variable Rate Mortgage - Negative Amortization  
Same, with Convertible Modification

ALTA Form 6-06 - Variable Rate Mortgage

ALTA Form 7-06 - Manufactured Housing Unit

ALTA Form 7.1-06 – Manufactured Housing  
 ALTA Form 7.2-06 – Manufactured Housing  
 ALTA Form 8.1-06 - Environmental Protection Lien  
 ALTA Form 9-06 - Restrictions, Encroachments, Minerals  
 ALTA Form 9.1-06 – Covenants, Conditions, Restrictions - Unimproved Land –Owners  
 ALTA Form 9.2-06 – Covenants, Conditions, Restrictions - Improved Land –Owners  
 ALTA Form 9.3-06 – Covenants, Conditions, Restrictions – Lender  
 ALTA Form 9.7-06 – Restrictions, Encroachments, Minerals – Land under Development – Lender  
 ALTA Form 9.8-06 – Covenants, Conditions, Restrictions - Land under Development–Owners  
 ALTA Form 9.10-06 – Restrictions, Encroachments, Minerals – Current Violations - Lender  
 ALTA Form 14-06 – Future Advance – Priority  
 ALTA Form 14.1-06 – Future Advance – Knowledge  
 ALTA Form 14.2-06 – Future Advance – Letter of Credit  
 ALTA Form 14.3-06 – Future Advance – Reverse Mortgage  
 ALTA Form 22-06 – Location  
 ALTA Form 44-06 – Insured Mortgage Recording  
 Bi-weekly  
 FNMA Balloon Mortgage Endorsement  
 Large Mutual Note  
 Restrictions 4A (Violation of Building Line)

#### **Class O – Price based on Risk Assumed**

ALTA Form 34-06 – Identified Risk Coverage  
 Blank Endorsement

#### **Class P – No Charge**

ALTA Form 13-06 - Leasehold –Owners  
 ALTA Form 13.1-06 - Leasehold – Loan  
 ALTA Form 23-06 – Co-Insurance Single Policy  
 ALTA Form 39-06 – Policy Authentication  
 Lack of Signatures – Loan  
 Lack of Signatures –Owner  
 Facilities Endorsement  
 SE 200 Wind Farm - Leasehold and Easement Endorsement (ALTA 13.06 MOD)  
 Waiver of Arbitration

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#### 5.14 Endorsements Subsequent to Policy Issuance

For Class A endorsements on post-policy transactions, ("PPT"<sup>2</sup> endorsements), the charge is the greater of:

1. 25% of the whole premium applicable to the policy; or
2. \$50 per hour with a minimum charge of \$250

[This charge is not divided with agents. Agent charges, if applicable, are in addition to the charge so determined.]

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<sup>2</sup>Any endorsement issued in conjunction with a transaction involving the land or the insured mortgage subsequent to the issuance of the policy, in connection with which any of the following occur: (1) the name of the insured is changed; (2) we are asked to amend the description of the insured mortgage to include another instrument; (3) the description of the land is changing by either addition or deletion of land; (4) we are asked to redate the policy to a current date; or (5) we are asked to insure against instruments appearing of record between the policy date and the current date.



## 5.15 Centralized Refinance Rates

### A. Centralized Refinance Rate I

The charge for a loan policy issued in connection with loan transactions which meet the criteria set forth below shall be as follows:

Amount of Insurance	Centralized Refinance Rate I
\$1 - \$250,000	\$360
\$250,001 - \$500,000	\$540
\$500,001 - \$750,000	\$660
\$750,001 - \$1,000,000	\$800
\$1,000,001 - \$1,250,000	\$925
\$1,250,001 - \$1,500,000	\$1,000
\$1,500,001 - \$2,000,000	\$1,075
\$2,000,001 - \$3,000,000	\$1,300

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The Centralized Refinance Rate I applies only to loan transactions which meet the following criteria:

1. The loan is not in excess of \$3,000,000.00;
2. The loan is secured by a mortgage or deed of trust encumbering real property improved with a one-to-four family residential dwelling unit or residential condominium unit;
3. The loan proceeds must be used to refinance an existing loan secured by the same property;
4. Electronic and paperless order opening and electronic and paperless delivery of the preliminary report or commitment; and;
5. The new policy coverage is ALTA in form (including an ALTA Loan Policy or ALTA Short Form Residential Loan Policy) with streamlined searching providing for generic exceptions for CC&Rs, easements, minerals, mineral rights or survey matters.

**Note 1:** Not applicable to construction loans or loan policies issued concurrently with owner's policies.

**Note 2:** Where the applicable rate(s) and form(s) is filed, or otherwise authorized to be issued, coverages provided under the following endorsements will be included at no additional charge upon request of the lender at the time of policy issuance: ALTA 4-06, ALTA 5-06, ALTA 6-06, ALTA 6.2-06, and ALTA 9-06, ALTA 22-06 and ALTA 28-06. All other endorsements shall be charged in accordance with this manual.

**Note 3:** No agent or underwritten title company may offer this rate unless expressly authorized in writing by the Company's management to do so for each lender.



B. Centralized Refinance Rate II

The charge for a loan policy issued in connection with loan transactions which meet the criteria set forth below shall be as follows:

Amount of Insurance	Centralized Refinance Rate II
\$1 - \$250,000	\$320
\$250,001 - \$500,000	\$400
\$500,001 - \$750,000	\$460
\$750,001 - \$1,000,000	\$520
\$1,000,001 - \$1,250,000	\$630
\$1,250,001 - \$1,500,000	\$750

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The Centralized Refinance Rate II applies only to loan transactions which meet the following criteria:

1. The lender must enter into an agreement with either the Company's centralized processing units or with an agent or underwritten title company authorized by the Company in writing to offer this rate which specifies, among other matters, a maximum cancellation rate and the methods of order opening and tracking;
2. Electronic and paperless order opening and electronic and paperless delivery of the preliminary report or commitment;
3. The loan is not in excess of \$1,500,000.00;
4. The loan is secured by a mortgage or deed of trust encumbering real property improved with a one-to-four family residential dwelling unit or residential condominium unit;
5. The loan proceeds must be used to refinance an existing loan secured by the same property;
6. The loan transaction must be initiated and coordinated through a centralized point of contact with the originating lender;
7. Orders must be opened with the Company's centralized processing units or with an agent or underwritten title company authorized by the Company to offer this rate;
8. Cancelled orders must not exceed the maximum cancellation rate established by the Company's centralized processing units or by an agent or underwritten title company authorized by the Company to offer this rate; and
9. ALTA Short Form Residential Loan Policy must be issued.

**Note 1:** Not applicable to construction loans or loan policies issued concurrently with owner's policies.

**Note 2:** There is no additional charge for any endorsements customarily issued concurrently with a policy priced pursuant to this Section when requested at the time of policy issuance.

**Note 3:** In order to offer this rate, an agent or underwritten title company, and any office thereof offering this rate, must have a multi-state presence, must process transactions in a centralized electronic environment, and must perform the management functions otherwise required of the Company's centralized processing divisions under the provisions of this Section. In addition, no agent or underwritten title company may offer this rate unless expressly authorized in writing by the Company's management to do so for each lender.

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#### 5.16 A.I.R. Rates

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For residential refinance transaction where FNAS is to be provided by electronic transmission all necessary information for order placement with reduced manual data entry, with use of a short form policy or master policy and certificate generally in the form of an ALTA Short Form Residential Loan Policy Format of ALTA Master Residential Loan Policy, with standardized exceptions in summary format and order processing and delivery through a centralized platform. Standard endorsements will be included at no additional charge upon request of the lender at the time of policy issuance.

<u>Policy Amount</u>	<u>Rate</u>
\$0 to \$250,000.....	\$600
\$250,001 to \$500,000.....	\$750
\$500,001 to \$750,000.....	\$850
\$750,001 to \$1,000,000.....	\$960
\$1,000,001 to \$1,250,000.....	\$1,060
\$1,250,001 to \$1,500,000.....	\$1,160

#### 5.17 Mortgage Modification Guarantee

Assures that the validity, priority and enforceability of a recorded mortgage has not been diminished or lost by reason of a modification or amendment.

\$125.00 Flat Fee. Amount of Liability is the unpaid principal balance of the loan not to exceed \$250,000 liability.

## SECTION 6 OWNERSHIP INFORMATION SERVICES AND FEES

### 6.01 Ownership and Encumbrance Certificate - One to Four Family Residential Property - \$125.00

This product is offered when the customer requests written, verified ownership and encumbrance information but does not require insurance.

It includes:

- Name(s) in which Title is currently held
- Legal Description
- All unreleased mortgages, liens, judgments, cases
- Real estate tax amounts, paid or unpaid

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The amount of this fee can be applied toward a Fidelity National Title insurance product if requested within 6 months of the certificate issue date.

### 6.02 Ownership and encumbrance report - Commercial Property - \$200.00

Copy charges are in addition to the report fee at \$25 for up to 25 pages, and \$1 for each additional page

### 6.03 Complete Property Information Report - One to Four Family Residential Property - No insurance \$250.00, Updates \$125 each.

This product is offered when there is no expectation of producing an insurance product within the next six months.

It Includes:

- Name(s) in which Title is currently held
- Legal Description
- All unreleased mortgages, liens, judgments, cases
- Real estate tax amounts, paid or unpaid
- Easements and restrictions affecting the property

The amount of this fee can be applied toward a Fidelity National Title insurance product if requested within 6 months of the certificate issue date.

### 6.04 Complete Property Information Report - Commercial Property -\$350.00

Copy charges are in addition to the report fee at \$25 for up to 25 pages, and \$1 for each additional page.



## SECTION 7 REAL ESTATE SETTLEMENT PROCEDURES ACT OF 1974

Section 8(b) of the Real Estate Settlement Procedures Act of 1974, (Title 12 U.S.C., Sec. 2607) prohibits the giving or acceptance of "...any fee, kickback, or thing of value pursuant to any agreement or understanding, oral or otherwise, that business incident to or a part of a real estate settlement service involving a federally related mortgage loan shall be referred to any person."

Violation of this section is a felony. Employees are warned that discriminatory or favorable pricing practices offered to a particular customer, which are not available to all customers similarly situated, may be considered a "kickback" or "thing of value" if the customer in question is in a position to direct future RESPA-covered orders to us, even though the transaction in question may not be a RESPA-covered transaction.

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## SECTION 8 KANSAS RATE REGULATION

Kansas law requires that each agent and insurer file all charges and rates made in connection with the issuance of a title insurance policy.

Once filed, these are the rates that must be charged. No deviations can be permitted unless a special rate is filed in accordance with the "Unique and Unusual Rule". This rule has been filed with our rates and is to be followed wherever a rate is to be quoted that varies from those filed with the Kansas Department of Insurance.

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8.01 The "U and U" Rule :

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### TITLE INSURANCE

#### SPECIAL RULE FOR RATING UNIQUE OR UNUSUAL CONDITIONS

IF IT CAN BE CLEARLY DEMONSTRATED THAT A RISK PRESENTS UNIQUE OR UNUSUAL CONDITIONS OF EXPOSURE OR HAZARD SUCH THAT THE APPLICATION OF THE NORMAL RATING PROCEDURE DOES NOT PRODUCE A REASONABLE AND EQUITABLE RATE FOR THE RISK, SUCH RISK MAY BE TREATED ON AN INDIVIDUAL RATE BASIS.

REQUESTS FOR TREATMENT UNDER THIS RULE SHALL BE SUBMITTED TO THE INSURANCE COMMISSIONER AND SHALL BE ACCOMPANIED BY EVIDENCE SPECIFICALLY SETTING FORTH THE REASONS FOR THE REQUEST ALONG WITH FULL SUPPORTING INFORMATION EVIDENCING THAT THE SPECIAL TREATMENT IS NOT A VIOLATION OF K.S.A. 40-2404(14) RELATING TO REBATES AND OTHER INDUCEMENTS IN TITLE INSURANCE. SUCH RATES MUST BE FILED WITH THE COMMISSIONER OF INSURANCE PRIOR TO QUOTATION OR BEING MADE EFFECTIVE.

## SECTION 9 APPLICABILITY OF RATES

The rates and charges set forth in this manual apply to each and every county in the State of Kansas when the policy is written directly through a Company owned office.

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