

ALTA ENDORSEMENTS
(As of 02/10/21)

Title insurance is issued using standardized policy forms created by the American Land Title Association (“ALTA”). An endorsement is an addition to or limitation of title insurance coverage that is attached to a title insurance policy. Endorsements are subject to underwriter guidelines and approval, and may not be available for the subject transaction. Requirements may be added to the commitment for issuance of the endorsement. Some endorsements require payment of an additional fee. Endorsements are subject to all of the terms and provisions of the policy unless otherwise stated.

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Summary of Endorsements:

Title insurance is issued using standardized policy forms created by the American Land Title Association (“ALTA”). An endorsement is an addition to or limitation of title insurance coverage that is attached to a title insurance policy. Endorsements are subject to underwriter guidelines and approval, and may not be available for the subject transaction. Requirements may be added to the commitment for issuance of the endorsement. Some endorsements require payment of an additional fee. Endorsements are subject to all of the terms and provisions of the policy unless otherwise stated.

ALTA 1 Series – Street Assessments

Insures against loss or damage sustained by the insured by reason of the lack of priority of the lien of the insured mortgage over the lien of any assessments for street improvements under construction or completed at date of policy.

ALTA 3 Series – Zoning

Insures against an adverse final court decree which prohibits the use or uses specified as allowed under the applicable zoning ordinances.

ALTA 4 Series – Condominium

Insures against risks with respect to the condominium formation and documentation, including the priority of any lien for charges and assessments provided in the condominium statutes.

ALTA 5 Series – Planned Unit Development

This endorsement can be issued only if the land is located in a Planned Unit Development, and affords coverage for present violations of restrictive covenants and the priority of any lien for charges and assessments in favor of any association of owners.

ALTA 6 Series – Variable Rate Mortgage

Insures the invalidity or unenforceability of the insured mortgage resulting from the changes in the rate of interest.

ALTA 7 Series – Manufactured Housing Unit

These endorsements may be issued in connection with an owner’s or loan policy of title insurance where the land described in the policy is improved with a manufactured housing unit, which has been affixed to the land pursuant to Michigan law.

ALTA 8 Series – Environmental Protection Lien

Insures the priority of the mortgage lien against federal or state environmental protection liens, except with respect to environmental protection provided for by certain statutes identified in the endorsement.

ALTA 9 Series – Restrictions, Encroachments, Minerals, Private Rights

Affords coverage relating to private property restrictions, building setback lines, encroachments and excepted minerals.

ALTA 10 Series – Assignment

Insures a mortgage assignee against loss or damage resulting from the failure of the referenced assignment to vest title of the insured mortgage in the insured assignee, or from any modification or release of the mortgage recorded prior to date of endorsement.

ALTA 11 Series – Mortgage Modification

Insures against loss or damage arising from the invalidity of a lien of the insured mortgage resulting from modification of the mortgage.

ALTA 12 Series – Aggregation

Amends certain sections of the conditions of the title insurance policy to provide that the amount of insurance available to cover liability for loss or damage shall be the aggregate of the amount of insurance under the policies identified in the endorsement.

ALTA 13 Series – Leasehold

Modifies and supplements the conditions of the title insurance policy when the estate insured is a leasehold estate.

ALTA 14 Series – Future Advance

Affords coverage to a lender for loss sustained in the event a future advance does not have the same priority as the original mortgage.

ALTA 15 Series – Non-Imputation

The underwriter agrees not to assert certain exclusions to the title insurance policy by reason of knowledge imputed from one person or entity to another.

ALTA 16 Series – Mezzanine Financing

Assigns to the mezzanine lender the right to receive payments otherwise payable to the insured under the title insurance policy.

ALTA 17 Series – Access & Entry

Provides coverage for loss or damage if the insured lacks both actual vehicular and pedestrian access to and from a specifically identified street or road, if the street is not physically open and publicly maintained or if the insured has no right to use the existing curb cuts or entries off of the street or road onto the land.

ALTA 18 Series – Single/Multiple Tax Parcel

Insures against loss or damage sustained by reason of the land being taxed as part of a larger parcel or failing to constitute a separate tax parcel, or by reason that the land is not assessed for real estate taxes under the listed tax identification number(s).

ALTA 19 Series – Contiguity

Insures against loss or damage if the boundaries to multiple parcels are not contiguous as described or if there are any strips, gaps or gores separating the contiguous boundaries described in the endorsement.

ALTA 20 Series – First Loss

Modifies the conditions of the title insurance policy relating to payment of loss to a lender when there are at least two parcels of real property as collateral.

ALTA 22 Series – Location

Insures against loss or damage sustained by reason of the failure of an improvement identified with a street address to be located on the land at the date of policy.

ALTA 23 Series – Coinsurance

This endorsement is used where the total liability in a transaction is assumed by two or more co-insurers.

ALTA 24 Series – Doing Business

Insures a lender against loss or damage sustained by reason of the invalidity or unenforceability of the lien of the insured mortgage on the ground that making the loan secured by the insured mortgage constituted a violation of the “doing business” laws of the state, because of the failure of the insured to qualify to do business under those laws.

ALTA 25 Series – Same As Survey

Insures against loss or damage sustained by reason of the failure of the Land to be the same as that delineated on the survey identified by reference in the endorsement.

ALTA 26 Series – Subdivision

Insures that the land constitutes a lawfully created parcel pursuant to subdivision statutes and local subdivision ordinances.

ALTA 27 Series – Usury

Insures against loss or damage sustained by reason of the invalidity or unenforceability of the lien of the insured mortgage as security for the indebtedness, because the loan secured by the insured mortgage violates the usury law.

ALTA 28 Series – Easements/Encroachments

Insures against loss or damage relating to enforced removal of improvements on the land due to certain encroachments or exercise of rights to use an easement.

ALTA 29 Series – Interest Rate Swap

Insures against loss by reason of the invalidity, unenforceability or lack of priority of the lien of the insured mortgage as security for the Swap Obligation at the date of endorsement.

ALTA 30 Series – Shared Appreciation Mortgage/Commercial Participation Interest

Insures against loss, damage or loss of priority by reason of the invalidity or unenforceability of the lien of the insured mortgage as security for the indebtedness caused by the provisions for Shared Appreciation/Participation Interest contained in the insured mortgage.

ALTA 31 Series – Severable Improvements

Modifies the conditions of the title insurance policy determining loss in relation to severable improvements.

ALTA 32 Series – Construction Loan

These endorsements are used in connection with construction loan advances to modify the covered risk in the title insurance policy providing coverage for construction liens.

ALTA 33 Series – Disbursement Endorsement

Insures a disbursement of mortgage loan proceeds, which is intended to finance the construction of improvements to the land.

ALTA 34 Series – Identified Risk Coverage

Insures against loss or damage sustained by the insured by reason of a final order or decree enforcing the risk identified in the endorsement in favor of an adverse party.

ALTA 35 Series – Minerals and Other Subsurface Substances

Insures against loss or damage by reason of the enforced removal or alteration of a specified improvement resulting from the future exercise of any right to use the surface of the land for the extraction or development of minerals or any other subsurface substances.

ALTA 36 Series – Energy Project

These endorsements modify certain definitions and conditions of a title insurance policy in connection with an “energy project,” including those designed to harvest wind and solar energy.

ALTA 37 Series – Assignment of Rents or Leases

Insures against loss or damage sustained by the insured by reason of any defect in the execution of an assignment of rents or leases, or any assignment of a lessor’s interest in any lease or assignment of rents affecting the title and recorded in the public records at the date of policy, unless otherwise excepted from coverage.

ALTA 38 Series – Mortgage Tax

Insures against loss or damage sustained by the insured by reason of the invalidity, unenforceability or lack of priority of the lien of the insured mortgage as security for the indebtedness resulting from the failure to pay the mortgage tax at the time of recording.

ALTA 39 Series – Policy Authentication

Insures that the title insurance underwriter will not deny liability under the policy or any endorsements issued with the policy solely on the grounds that the policy or endorsements were issued electronically or lack signatures in accordance with the conditions of the title insurance policy.

ALTA 40 Series – Tax Credit

Modifies the conditions of the title insurance policy to include certain losses related to a “Tax Credit” in the calculation of loss under the policy.

ALTA 41 Series – Water

Insures against loss or damage sustained by the insured by reason of the enforced removal or alteration of an improvement resulting from the future exercise of a right to use the surface of the land for the extraction or development of water excepted from the description of the land or the policy.

ALTA 42 Series – Commercial Lender Group

This endorsement is used when there is a group of lenders owning portions of the indebtedness secured by the insured mortgage.

ALTA 43 Series – Anti-Taint

Insures against loss or damage by reason of the loss of priority of the insured mortgage as security for the amount of the indebtedness advanced as the “Term Loan,” resulting from reductions and subsequent increases of the outstanding principal amount of the indebtedness payable as the “Revolving Credit Loan.”

ALTA 44 Series – Insured Mortgage Recording

Insures against loss or damage sustained by the insured by reason of the failure of the insured mortgage to have been recorded in the public records.

ALTA 45 Series – Pari Passu Mortgage

This endorsement is used when the insured mortgage is a “Pari Passu Mortgage.”

ALTA 46 Series – Option

Insures against loss or damage sustained by reason of certain defects in the insured “Option.”