

**PRELIMINARY OPINION**

(To be submitted prior to closing when a commitment is desired for closing.)

|                              |  |
|------------------------------|--|
| <b>Insurance Information</b> | Current Owner(s): _____  |
|                              | Buyer(s) / Borrower(s): _____  |
|                              | Address of Property to be Insured: _____   |
|                              | County: _____ Purchase Price \$ _____ Owner's Coverage Amount \$ _____   |
|                              | Type of Owner's Policy Requested: <input type="checkbox"/> Owner's Policy <input type="checkbox"/> Leasehold Owner's Policy <input type="checkbox"/> Other: _____  |
|                              | Type of Title: <input type="checkbox"/> Fee Simple <input type="checkbox"/> Leasehold <input type="checkbox"/> Other: _____  |
|                              | Lender / Mortgagee Name: _____   |
|                              | Type of Loan: <input type="checkbox"/> Conventional <input type="checkbox"/> FHA <input type="checkbox"/> VA <input type="checkbox"/> Temporary Construction <input type="checkbox"/> Permanent Construction |
|                              | Lender Loan Number: _____ Loan Amount \$ _____ Variable Loan Coverage \$ _____   |
|                              | Type of Loan Policy Requested: <input type="checkbox"/> ALTA Loan Policy <input type="checkbox"/> Short Form Policy <input type="checkbox"/> Leasehold Loan Policy <input type="checkbox"/> Other: _____     |
|                              | Insured Closing Letter Requested: <input type="checkbox"/> Yes <input type="checkbox"/> No ALTA Endorsement(s) Required: _____   |

**ATTACH COPY OF DESCRIPTION or COPY OF DEED OR DEED OF TRUST**

1. **TAXES AND SPECIAL ASSESSMENTS:**
  - (a) Taxes have been paid through and including those for the year: \_\_\_\_\_
  - (b) Special levies or assessments now due or payable in future installments: \_\_\_\_\_
2. **MORTGAGES, DEEDS OF TRUST AND LIENS** – omit security instrument to be insured. Give complete information and indicate if lien is to be:  cancelled,  subordinated,  remain of record, or  released.
  
3. **ARE THERE RESTRICTIVE COVENANTS AND CONDITIONS?**  Yes  No [If yes, complete (a) through (c).]
  - (a) Recorded in Book \_\_\_\_\_ Page \_\_\_\_\_, front setback line of \_\_\_\_\_ feet, side setback line of \_\_\_\_\_ feet, side street setback line of \_\_\_\_\_ feet, rear setback line of \_\_\_\_\_ feet.
  - (b) Are restrictions violated?  Yes  No If yes, explain: \_\_\_\_\_
  - (c) Do restrictions contain reversionary or forfeiture clause?  Yes  No
4. **IF RECORDED PLAT OF SUBDIVISION SHOWS BUILDING SETBACK LINE(S), PROVIDE DETAILS:** front setback line of \_\_\_\_\_ feet, side setback line of \_\_\_\_\_ feet, side street setback line of \_\_\_\_\_ feet, rear setback line of \_\_\_\_\_ feet. Other matters shown on plat: \_\_\_\_\_
5. **DOES LAND ABUT A PUBLICLY DEDICATED RIGHT OF WAY OR HAVE ACCESS THERETO OVER A VALID RECORDED EASEMENT?**  Yes  No. List matters affecting title to land over which valid recorded easement is located: \_\_\_\_\_
6. **UPDATING FROM PREVIOUS TITLE INSURANCE POLICY?**  Yes  No. Prior policy information: \_\_\_\_\_
7. **LIST ALL OTHER LIENS, OBJECTIONS, AND DEFECTS:**
  
8. **IS A MOBILE OR MANUFACTURED HOME LOCATED ON THE PROPERTY?**  Yes  No. If yes, do you request that the policy give affirmative coverage that the mobile or manufactured home is "real estate?"  Yes  No. If yes, a Declaration of Intent or MVR-46G should be recorded at the Register of Deeds.
9. **PROPERTY IS OCCUPIED BY:**  Owner  Tenant [Provide lease information, if applicable.]  Unimproved
10. **IS CONSTRUCTION ON THE PROPERTY IN PROGRESS OR IMMEDIATELY CONTEMPLATED OR HAS CONSTRUCTION ON THE PROPERTY BEEN RECENTLY COMPLETED?**  Yes  No  Unknown. If "Yes," has a Mechanics' Lien Agent been appointed?  Yes  No  Unknown.  
If "Yes," identify the Mechanics' Lien Agent appointed: \_\_\_\_\_
11. **IS INSURANCE AS TO MATTERS OF SURVEY REQUIRED?**  Lender  Owner
12. **USE OF PROPERTY:**  One-to-four family residential  Commercial  Other: \_\_\_\_\_

**CERTIFICATION**

This certification to Investors Title Insurance Company by the undersigned is based upon a personal examination of all public records affecting the title to real estate described in the attached Deed or Deed of Trust. Said personal examination covers a period of not less than thirty (30) years unless indicated otherwise below. The undersigned further certifies (a) that, so far as known to the undersigned, there is no dispute among attorneys of the local bar as to the validity of the title to the real estate covered by this report, and (b) that the title is in no way dependent upon the validity of a sale of the property for delinquent taxes or assessments. Note: See Standard Exceptions on reverse hereof.

The title is certified from \_\_\_\_\_ at \_\_\_\_\_ m. to \_\_\_\_\_ at \_\_\_\_\_ m.

Send Original Commitment to: \_\_\_\_\_

Additional Comments:

\_\_\_\_\_  
Approved Attorney's Signature

Member of Firm:  
Address:

Telephone:  
Fax:

## STANDARD EXCEPTIONS

The attorney should initial any exceptions that are to be eliminated on the line to the left of the exception.

1. Interest or claims not disclosed by public records, including but not limited to:
  - (a) Unrecorded Mechanics' or Materialmen's liens. (Liens may be filed by persons or entities furnishing labor or materials to any improvements of real property within 120 days from the last day of performance and will upon perfection relate in priority to the first day of performance as a valid lien on real property.)
  - (b) Unrecorded leases. (Under North Carolina law, parties in possession of the premises under a verbal or unrecorded lease of three years or less duration may remain in possession under terms of tenancy.)
  - (c) Matters that may defeat or impair title which do not appear on the record. (Evidence revealing missing heirs, forgeries, etc. may not be on the public records, but such facts if properly established may impair or defeat what appears to be a good title on the record.)
  - (d) Taxes, special assessments and other governmental charges that are not shown as existing liens by the public records. (Governmental charges may be made for acreage fees, tap-on fees, cost of weed cutting, demolition of condemned buildings and other matters that are not shown as existing liens on the property by the public records.)
  - (e) Unlisted personal property taxes. (If discovered, such taxes and any penalties may be assessed as a lien on the subject property.)
- \_\_\_\_\_ 2. Matters occurring prior to and subsequent to the inclusive dates of examination.
- \_\_\_\_\_ 3. Matters which would be revealed by a review of the public records regarding the proposed purchaser/borrower, who is not a current owner of the property.
- \_\_\_\_\_ 4. Any inaccuracies and discrepancies which an accurate survey of the property may disclose. (A survey, if procured from a competent surveyor or civil engineer, will normally determine whether improvements lie within the boundaries of the property, whether existing utility lines, roads or other easements cross the premises, and whether there are any encroachments.)
- \_\_\_\_\_ 5. Security interests that may have attached to fixtures on the subject property as provided in Article 9 of the Uniform Commercial Code of North Carolina.
- \_\_\_\_\_ 6. Compliance with any local, county, state or federal government law or regulation relative to environment, zoning, subdivision, occupancy, use, construction or development of the subject property.
- \_\_\_\_\_ 7. Federal judgments, liens, and proceedings filed only in the Federal Court. (Upon the filing of a petition in Bankruptcy, title to real property vests in the Trustee in Bankruptcy and notice thereof is not always required to be filed in the County in which the Bankrupt owns property; federal condemnation proceedings may vest property in the federal government and notice thereof is not required to be recorded among the County records.)
- \_\_\_\_\_ 8. Civil Actions where no notice of lis pendens against subject property appears of record.

Note: The matters included in Standard Exceptions Number One (1) above set forth are items that cannot be checked. Standard Exceptions numbered 2, 3, 4, 5, 6, 7 and 8 are not included in a normal search of the County records during examination of title. Upon special request, additional investigation may be made, and Standard Exceptions numbered 2, 3, 4, 5, 6, 7 and 8 can be eliminated. Any such elimination is evidenced by the initialing of such exception in the left margin by the attorney.