

AZ Form 200

Alternative Estates (Leasehold And Owners)

Provides coverage under alternative policies issued in Mezzanine Loan transaction.

ENDORSEMENT

Attached to Policy No. SAMPLE

Issued by _____

1. This policy insures alternative estates in the land described in Schedule A of this policy. It does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of any assertion that the title to the property is one of the alternatives, but not the other.
2. If the title is determined to be vested as one of the two insured alternatives, and the Company
 - (i) removes any alleged defect, lien or encumbrance;
 - (ii) cures any lack of a right of access to or from the land"
 - (iii) cures any claim of unmarketability of title which does not arise by reason of any provision in the documents of the transaction creating the interest of the insured, and all as insured by that policy, in a reasonably diligent manner, including litigation and the completion of any appeals therefrom, it shall have fully performed its obligations with respect to that matter and shall not be liable under either policy for any loss or damage caused thereby.
3. This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of a claim that the title to the land is unmarketable by reason of any provision in the documents of the transaction creating the interest of the insured.

This endorsement is made a part of the policy and is subject to all the terms and provisions thereof and of any prior endorsements thereto. Except to the extent expressly stated, it neither modifies any of the terms and provisions of the policy and prior endorsements, if any, nor does it extend the effective date of the policy and prior endorsements or increase the face amount.