

DAKOTA HOMESTEAD TITLE INSURANCE COMPANY

BASIC RATE

ADAMS, ARAPAHOE, BROOMFIELD, BOULDER, CLEAR CREEK, DENVER, DOUGLAS, ELBERT, EL PASO, GILPIN, JEFFERSON, LARIMER, PARK, AND WELD COUNTIES:

Up to and including \$15,000	\$540.00
Up to and including \$50,000	\$3.00 per thousand
Up to and including \$100,000	\$2.50 per thousand
Up to and including \$500,000	\$1.85 per thousand
Up to and including \$1,000,000	\$1.70 per thousand
Up to and including \$5,000,000	\$1.60 per thousand
Up to and including \$10,000,000	\$1.35 per thousand
Up to and including \$50,000,000	\$1.20 per thousand
Over \$50,000,000.00	\$1.00 per thousand

ARCHULETA, EAGLE, JACKSON, LA PLATA, MESA, MONTEZUMA, PITKIN, PHILLIPS, SAN JUAN, SAN MIGUEL, SUMMIT AND TELLER COUNTIES:

Up to and including \$15,000	\$405.00
Up to and including \$50,000	\$3.00 per thousand
Up to and including \$100,000	\$2.50 per thousand
Up to and including \$500,000	\$1.85 per thousand
Up to and including \$1,000,000	\$1.70 per thousand
Up to and including \$5,000,000	\$1.60 per thousand
Up to and including \$10,000,000	\$1.35 per thousand
Up to and including \$50,000,000	\$1.20 per thousand
Over \$50,000,000.00	\$1.00 per thousand

GRAND, OURAY, PUEBLO, RIO BLANCO AND YUMA COUNTIES:

Up to and including \$15,000	\$345.00
Up to and including \$50,000	\$3.00 per thousand
Up to and including \$100,000	\$2.50 per thousand
Up to and including \$500,000	\$1.85 per thousand
Up to and including \$1,000,000	\$1.70 per thousand
Up to and including \$5,000,000	\$1.60 per thousand
Up to and including \$10,000,000	\$1.35 per thousand
Up to and including \$50,000,000	\$1.20 per thousand
Over \$50,000,000.00	\$1.00 per thousand

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DELTA, FREMONT, GARFIELD, HINSDALE, LAS ANIMAS, LINCOLN, LOGAN
MOFFAT, MONTROSE, ROUTT, AND WASHINGTON COUNTIES:

Up to and including \$15,000	\$315.00
Up to and including \$50,000	\$3.00 per thousand
Up to and including \$100,000	\$2.50 per thousand
Up to and including \$500,000	\$1.85 per thousand
Up to and including \$1,000,000	\$1.70 per thousand
Up to and including \$5,000,000	\$1.60 per thousand
Up to and including \$10,000,000	\$1.35 per thousand
Up to and including \$50,000,000	\$1.20 per thousand
Over \$50,000,000.00	\$1.00 per thousand

BENT, CHEYENNE, LAKE, MORGAN, OTERO, PROWERS AND SEDGWICK COUNTIES:

Up to and including \$15,000	\$300.00
Up to and including \$50,000	\$3.00 per thousand
Up to and including \$100,000	\$2.50 per thousand
Up to and including \$500,000	\$1.85 per thousand
Up to and including \$1,000,000	\$1.70 per thousand
Up to and including \$5,000,000	\$1.60 per thousand
Up to and including \$10,000,000	\$1.35 per thousand
Up to and including \$50,000,000	\$1.20 per thousand
Over \$50,000,000.00	\$1.00 per thousand

COSTILLA, CROWLEY, CUSTER AND GUNNISON COUNTIES:

Up to and including \$15,000	\$315.00
Up to and including \$50,000	\$3.00 per thousand
Up to and including \$100,000	\$2.50 per thousand
Up to and including \$500,000	\$1.85 per thousand
Up to and including \$1,000,000	\$1.70 per thousand
Up to and including \$5,000,000	\$1.60 per thousand
Up to and including \$10,000,000	\$1.35 per thousand
Up to and including \$50,000,000	\$1.20 per thousand
Over \$50,000,000.00	\$1.00 per thousand

ALAMOSA, BACA, CHAFFEE, CONEJOS, DOLORES, HUERFANO, KIOWA, KIT CARSON,
MINERAL, RIO GRANDE AND SAGUACHE COUNTIES:

Up to and including \$15,000	\$280.00
Up to and including \$50,000	\$3.00 per thousand
Up to and including \$100,000	\$2.50 per thousand
Up to and including \$500,000	\$1.85 per thousand
Up to and including \$1,000,000	\$1.70 per thousand
Up to and including \$5,000,000	\$1.60 per thousand
Up to and including \$10,000,000	\$1.35 per thousand
Up to and including \$50,000,000	\$1.20 per thousand
Over \$50,000,000.00	\$1.00 per thousand

SECTION 1

APPLICATION OF SCHEDULE OF RATES

1.1 CHARGES-COMPUTING:

All charges for title insurance are to be computed in accordance with these rules and the Basic Schedule of Rates shown herein. Rates specified herein shall be charged as of the effective date of the filing. The total Basic Charge shall be rounded off to the nearest dollar.

1.2 ADDITIONAL CHARGE PROVISIONS:

Additional charges will be made when unusual conditions of title are encountered, or when special risks are insured, or when special services are rendered, or if multiple legal descriptions are to be insured, or when physical inspections are required. The charge for an extraordinary title examination will be a minimum charge of \$50.00 in addition to the Basic Rate.

1.3 ADDITIONAL CHARGES-APPLICATION:

Except where otherwise designated, all charges for additional coverages shall be added to and become a part of the rate. When the schedule provides for the addition of a given percentage, each percentage is computed upon the charge in the application bracket set forth in the Basic Schedule of Rates.

1.4 PERCENTAGE CALCULATIONS:

All percentage calculations must be based on 100% of the rate for the applicable title policy as set forth in the Basic Schedule of Rates:

1.5 DEFINITIONS:

A. Inspections:

A physical inspection of the property by a representative or designee of the insuring company to determine facts that are not matters of record and which are insured against in policies or endorsements.

B. Fair Value:

The fair value shall be considered to be the full value of the property, including all encumbrances of record, which specifically affect the property, but excluding all blanket type of encumbrances. If no sale is involved, the fair value is determined from available information, but in no event shall it be less than the total of all encumbrances of record.

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C. Insured Owner:

- (1) The name insured, the vestee, or the parties as defined in a policy of title insurance.
- (2) A corporation acquiring title from its insured stockholders, or stockholders in an insured corporation acquiring title from the corporation.
- (3) A distributee in an estate of a deceased insured owner.
- (4) A principal acquiring title from an insured nominee or trustee, or a nominee or trustee acquiring title from an insured principal.
- (5) A grantee by gift from an insured owner.
- (6) A trustee acquiring title from an insured owner to establish a trust, or a beneficiary acquiring title from an insured trustee or terminate or change a trust.
- (7) A partnership acquiring title from insured owners who are members of a partnership acquiring title from an insured partnership.

NOTE: These definitions of “insured owner” are for the use only in connection with this schedule of fees and charges and are not applicable to the definition of “insureds” as defined under a title policy and reference is made to the definitions contained within the policy.

D. Parcel Definitions:

- (1) Property in the same tract, subdivision or section, title to which is vested in one ownership, is considered to be one parcel and the charge is the scheduled rate applicable.
- (2) Property in the same or different tract, subdivision or section, title to which is vested in separate ownerships, is considered to be separate parcels and the scheduled rate is charged on each separate ownership.
- (3) Property in different tracts, subdivisions or sections, title to which is vested in one ownership, is considered to be separate parcels and in addition to the schedule charge for the policy, a minimum charge of \$50.00 is made for each such separate parcel. This \$50.00 minimum charge does not apply if separate parcels in different tracts, subdivision, or sections are about to form one parcel.
- (4) Property divided by a county line is considered to be non-contiguous and the extra parcel charge will apply.
- (5) Any vacated portion of a street or alley or an easement or right-of-way not previously insured.

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1.6 COMMITMENTS:

A. Usage:

A commitment will be issued only as an incident to the issuance of a title policy for which a charge is made. If a commitment is canceled, refer to Section 1.6 C below. For issuance of a commitment to insure a resale, refer to Section 2.10 in this Schedule.

B. Endorsement Extending Term of Commitment:

An endorsement may be issued to the proposed insured of a title commitment extending the termination date for a period of six months for a service charge of \$25.00 per endorsement. Maximum number of times said endorsement may be issued is three.

C. Cancellation Charges:

Prior to commencement of search, charges may be waived. If a commitment is issued, and relied upon, the applicable schedule charge must be paid.

If the commitment is issued and if the order is canceled, the charge shall be fifty percent (50%) of the minimum basic rate for the applicable county, except that the cancellation fee need not be imposed where a title insurance commitment is furnished in good faith in furtherance of a bona fide sale, purchase or loan transaction which for good reason is not consummated. The fee need not be imposed if, through error, the customer has entered duplicate orders, either in the same or competing companies.

If unusual work has been performed an additional hourly fee on file by the title agent should be charged to compensate the agent for its time and expenses for work actually performed.

Whenever a commitment is issued ordering an ALTA or commensurate Owner's Policy in conjunction with a foreclosure action the following charges shall apply.

D. Credit for Cancellation Charges on Commitment:

- (1) Where no substantial change in the title has occurred subsequent to the original commitment, the order may be reopened within twelve (12) months and all of the cancellation charge for the commitment may be credited on a subsequent policy charge.
- (2) Where a substantial change in the title has occurred subsequent to the date of the commitment and a policy is to be issued covering additional documents, the insurance rate applicable shall be charged and no credit will be allowed for the cancellation charge.

1.7 ISSUANCE OF POLICIES:

The conditions of the title commitment require that the premium and charges paid prior to the issuance of the title policy. Therefore, no policy will be issued until the charges have been remitted to the issuing agent. Furthermore, the conditions of the title commitment state that the requirements under Schedule B-Section 1 be complied with before the final policy is issued or that those items not complied with be reflected as an exception on the final policy if said policy can be and is issued.

1.8 DUPLICATE POLICIES:

Duplicate policies in which no additional insurance is given may be furnished to the insured at the discretion of the issuing company for a service charge of \$50.00 each. The duplicate policy must contain a statement: "This policy is issued in lieu of lost policy number _____ which is hereby canceled."

1.9 CORRECTION DUE TO ERROR OR MISUNDERSTANDING:

The charge for a policy to correct an error or misunderstanding not the fault of the issuing company, by or between the parties to a transaction will be a minimum service charge of \$25.00 and a maximum service charge of \$250.00. Endorsement Form 110.3 is authorized for use to correct errors in commitments and/or policies and where no change in the effective date of the policy is required. In addition, this endorsement form is for use in extending the termination date of commitments as provided for in 1.7 B above. This endorsement is not authorized for use in providing affirmative coverage or for other coverages provided in specifically filed endorsements.

1.10 OUTSTANDING CONTRACTS:

Any order for title insurance or service placed prior to the effective date of this filing be governed by the then existing rates and procedures, even though the transaction may not be consummated until the amended filings are in effect. Any existing contract entered into between a title insurer or agent with a customer, i.e. developers, U.S. Government, Urban Renewal, etc., prior to the filing date, in which a specified rate or procedure is to be used through the duration of said contract, which rates and procedures are different from rates and procedures hereby filed, shall continue at the contract rate until the expiration of the contract.

1.11 CHURCHES OR CHARITABLE NON-PROFIT ORGANIZATIONS:

A charge of 50% of the Basic Rate may be charged as to owner's and/or lender's insurance properly paid for by insured churches, charitable or like non-profit organizations on property dedicated to church or charitable use within the normal activities for which such entities were intended. The Basic Rate, with one discount, applies on policies issued on all other property.

This page, at present, is being used only as a separator page between Part I and Part II of this pricing manual and may later be used as an expansion page for Part I.

SECTION II

GENERAL RULES

OWNER'S INSURANCE

The charge for owner's insurance is applicable to title insurance insuring an owner, or the owner of a lesser estate or interest. The charge must be based upon the full value of the estate or interest covered.

Additional charges shall be for extra parcels as defined under "Parcel Definitions" and for such other insurance coverage as may be requested.

2.1 CHARGES:

100% of Basic Rate

2.2 ABSTRACT RETIREMENT RATE:

When an applicant for an owner's loan or leasehold policy surrenders to the insuring company, the ownership of the complete abstract(s) of title covering all or a portion of the premises to be insured, regardless of the number of abstracts surrendered, a credit against service charge equal to a maximum of 1/10 of 1% of the insured amount in the policy may be given. No credit will be given if the abstract is not surrendered prior to commitment of the title examination.

2.3 OWNER'S POLICIES:

A. ALTA Owner's Policy:

This policy may be issued insuring the interest of an owner, purchaser, lessee, or other party, other than a lender, for 100% of the amount set forth on the applicable schedule of rates. All of any of the printed exceptions in Schedule B may be omitted by deletion or endorsement(s) upon compliance with the underwriter's requirements and upon payment of the additional amounts as set forth in Section 7.2.

B. ALTA Plain Language (1 to 4 Family Residential):

Its coverage and other provisions are written in easily understandable language that uses as few technical and legal terms as possible for this kind of insurance. Because of the positive statements of coverage given by this policy and its easy readability, the character and extent of the coverage it provides are self-explanatory. The policy is to be used for one to four family residences. The charge will be the basic Schedule of Rates, plus and additional \$50.00.

C. American Land Title Association United States Policy 1963:

This policy will bear a rate of 100% of the amount set forth in the Basic Schedule of Rates. American Land Title Association United States Policy Date Down Endorsement: The charge for this endorsement will be a service charge of \$25.00 which is in addition to the rate charged for the policy as stated in this article.

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D. Owner's Policy for Optionee:

- (a) For an Owner's policy insuring the optionee in an option to purchase the charge is 100% of the Basic Charge based on the amount paid for the option.
- (b) If the option is exercised within two (2) years of the original policy, and the Deed to the Optionee is recorded a new Owner's policy will be issued to insure the Optionee only, for the amount of the original policy, for 50% of the Basic Insurance Rate (minimum \$40.00). If additional insurance is required, the charge is the Basic Rate for the amount of outstanding Owner's insurance and the Basic Rate for a policy for the amount of insurance issued.
- (c) The Short Term Rate (Section 2.4) is not applicable to 2.3 D.

NOTE: To issue a policy for the amount of the option, the option must either be recorded or copy held in the Company's file. Where an optionee requires an original policy (for the option) for the full value of the property, then a date down when the option is exercised and the Deed recorded, apply the same rate provided under 2.3 E below.

E. Insuring Vendee in Agreement for Sale:

- (1) The charge for an Owner's policy insuring the vendee in an agreement for sale is 100% of the Basic Charge for the sale price shown in the agreement for sale.
- (2) If the Deed is recorded in fulfillment of the agreement with two (2) years of the original policy, a new Owner's policy will be issued to insure the vendee only for the amount of the original policy, for 50% of Basic Insurance Rate (minimum \$40.00). If additional insurance is required, the charge is the difference between Basic Schedule of Rates for the amount of outstanding owner's insurance and Basic Rate for a policy for the amount of insurance issued. The "Short Term Rate" (Section 2.4) is not applicable to this Section.

2.4 SHORT TERM RATE:

When an Owner's policy is ordered with satisfactory evidence that a prior owners, loan or leasehold policy was issued **within TEN (10) years**, the charge will be 50% of the charge set forth in the Basic Schedule of Rates.

2.5 INCREASED LIABILITY:

The charge for increased liability on an existing policy shall be the difference between current schedule rate based upon the amount of the insurance shown in the initial policy and the current schedule rate based upon the ultimate amount of insurance issued at the appropriate rate for the type of insurance involved, with a minimum charge of \$25.00

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If the effective date of the policy is changed and provided there is no change in ownership of the interest being insured there will be an additional charge of 10% of Basic Rate (Minimum \$50.00, Maximum \$300.00), (See Note 1)

In addition to these charges, the regular schedule charge provided for lenders' insurance under the various Section 3 articles would apply if required.

NOTE 1: The charges provided under Section 2.4 and 2.5 are for ALTA Owner's Policy on the original issue and the reissue. Charges will be made for additional coverages or endorsements in accordance with Section 7.1 and 7.2.

2.6 CONSOLIDATION OF UNDIVIDED INTERESTS:

- (a) The charge for an Owner's policy insuring the transfer of an undivided interest, where no loan is involved in the order, is the Basic Schedule Rate for the fair value of such undivided interest. If all of the other undivided interests were previously insured in the party acquiring such interest and are also to be insured by the new policy, add to the above charge 25% of the Basic Schedule Rate for the difference between the sale price of the undivided interest and fair value of all the interests. This rate shall apply only in the consolidation of undivided interests.
- (b) If an Owner's policy is issued covering only the undivided interest conveyed and a separate loan policy is issued covering all of the undivided interests, the charge for the loan policy is the applicable insurance rate provided for the loan under Section 3.

2.7 OWNER'S POLICY FOLLOWING FORECLOSURE, TRUSTEE SALE OR DEED IN LIEU OF FORECLOSURE:

The minimum charge shall be based upon the amount of the defaulted loan plus the unpaid balance of any prior loan, which the property is to remain subject to Insurance in excess of said amount shall be charged for on an increased liability basis at the appropriate per unit rate for the type of insurance issued. The Short Term Rate (Section 2.4) is not applicable to this section.

(A) For a policy of title insurance covering the trustee's Deed, Sheriffs Deed, or Deed in Lieu ordered within two (2) years of a policy on property:

(1) Where the defaulted encumbrance has been insured:

60% of the Basic Rate shall be the charge (plus the appropriate charge for increased liability, if any), minimum \$40.00, when insuring an insured beneficiary (or the guarantor of the mortgage) as the grantee under the Trustee's Deed, Sheriffs Deed or Deed in Lieu.

(2) Where the defaulted encumbrance has not been insured:

The full Owner's Rate applicable under Section 2.1 shall be charged, based upon the amount of insurance issued. In addition to the foregoing, additional charges will be made for coverages afforded under Section 7.2, if applicable.

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(B) Where the defaulted encumbrance has not been insured and the grantee of the Trustee's Deed, the Sheriffs Deed or Deed in Lieu of Foreclosure desires to cover a resale to an ultimate purchaser, a commitment to cover such a resale by the grantee may be issued under the terms of Section 2.10. This section permits the recordation of the Trustee's Deed, Sheriffs Deed or Deed in Lieu, and recordation of the subsequent conveyance to the Federal Agency, at which time a commitment in Lieu of policy is issued to the Agency to insure the conveyance to its ultimate resale purchaser within 24 months' period as provided in said Section. The charges shall be the same as the provided under Section 2.10.

(C) For a commitment to insure a resale ("REO Rate"):

Where the defaulted encumbrance has been insured and the grantee of the Public Trustee's Deed, the Sheriffs Deed or Deed in Lieu of Foreclosure desires to cover a resale to an ultimate purchaser, a commitment to cover such resale by the grantee may be issued for 50% of the Basic Rate. The charge for the ultimate resale purchaser's policy shall be 10% (ten percent) of the Basic Rate for the amount of the original loan plus Basic Rate for any additional amount of insurance.

2.8 SALE OF ONE PARCEL WITH A LOAN ON MORE THAN ONE PARCEL:

If a purchaser obtains a loan secured by the property being acquired and also by other property owned by him, an Owner's policy will be issued on the property being acquired at Basic Schedule Rate (Section 2.1) for the sale price and a separate loan policy issued covering all of the property. The charge for the loan policy is lender's rate applicable under Lender's insurance "Section 3", plus \$50.00 for each parcel.

2.9 INSURING OVER EXCEPTIONS IN OWNER'S POLICY:

When the Company determines it may insure against loss by reason of encumbrances or defects, affirmative issuance may be given by the issuance of the appropriate or by the deletion of the printed exceptions at the filed date. (See Section 7)

2.10 SALE WITH COMMITMENT TO INSURE A RESALE:

This section is applied only if the following two conditions exist:

- (a) Non-Foreclosure: When a commitment to insure the form as filed is issued upon recording the initial conveyance.

Rate: 110% of the Basic Schedule of Rate applicable based on the full value of the estate or interest covered, payable prior to issuing the commitment. Upon consummation of the resale within one (1) year, an ALTA Owner's Policy will be issued without additional except increased liability charge, if any, based on the per unit rate applicable for each unit of insurance issued in excess of the amount originally committed. Any requests for additional coverages and/or endorsements, the charges applicable under Section 7.2 will apply.

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If resale to the ultimate purchase is not recorded within one (1) year from the date of the commitment, the policy of title insurance will automatically be issued insuring the grantee in the initial sale in the amount originally committed at no additional charge.

If separate lender's insurance is requested concurrently with the issuance of the commitment the charge therefore shall be the rate applicable under Section 3.1.

- (b) Foreclosure: When a commitment is ordered by a mortgagee requesting an owner's policy in conjunction with a foreclosure action wherein title to the subject property will vest in one ultimate purchaser other than the mortgagee taking title upon Public Trustee sale:

Rate: 110% of the Basic Schedule Rate applicable based on the full value of the estate or interest covered, payable upon consummation of Public Trustee's sale, an ALTA Owner's policy will be issued. Any requests for additional coverages and/or endorsements, the charges applicable under Section 7.2 will apply.

If separate lender's insurance is requested concurrently with the issuance of the final policy, the additional charge therefore shall be the rate applicable under Section 3.1.

NOTE 1: In the event the foreclosure action is not concluded within two (2) years of the date set forth in the original commitment will expire and the appropriate cancellation charges must be applied in accordance with rule 1.6 (E) contained herein.

NOTE 2: Following the initial sale by Public Trustee, if the resale to the ultimate purchaser is not recorded with 30 months from the date of the commitment, the policy of title insurance automatically will be issued insuring the grantee in the trustee sale in the amount originally committed at no additional charge.

2.11 CONVERSION OF INSURED LEASEHOLD ESTATE TO FEE ESTATE:

Outstanding policies covering individual leasehold estate insuring a lessee of his assignee, may be reissued to cover the conversion into a fee title estate where the terms of the lease so provide, or contain an option to purchase, for the following charge:

25% of the Basic Schedule Rates, based upon the same type and amount of outstanding insurance, minimum \$40.00, plus the rate applicable for each \$1,000 or fraction thereof of insurance issued in excess of the original amount. If separate lenders' insurance is required in connection with the reissue policy, the appropriate additional charge, Section 3.1, for the type of lenders' insurance issued should be added to the other charges.

The "Short Term Rate" is not applicable to this Section.

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Any outstanding policies covering individual leasehold estates, insuring a lessee or his assignee, may be reissued to cover the conversion into a fee simple estate provided the liability under said policy, as reissued, does not exceed the total of the original policy amount and the land value of the fee title conveyed, where the terms of said lease so provide, or contain an option to purchase, or such is agreed upon by the parties thereto, for the following charge:

The Basic Schedule Rate applicable to the land value of the fee title conveyed, based upon the same type of outstanding insurance to which is added an increased liability charge, if any, based upon the rate applicable for each unit of insurance issued in excess of the total of the original policy amount and land value of the fee conveyed. If separate lenders insurance is requested concurrently with the issuance of the policy, an additional charge therefore shall be made at the rate applicable under Section 3.1 for the type of insurance issued.

The "Short Term Rate" is not applicable to this Section.

NOTE: The ALTA Form Leasehold Owner's policy has been withdrawn and replaced by the ALTA Form 13 Endorsement. The endorsement will only be added to the appropriate owner's policy in order to insure a lessee's interest under an insurable lease. If required, the withdrawn policy form may be issued, but it must be marked "Formerly" on the jacket next to the policy revision date.

2.12 EFFECTIVE DATE CHANGE - ENDORSEMENT:

An endorsement changing the effective date of the policy, provided there is no change in ownership of the interest insured by said policy, may be issued for the charges set forth under Section 7.

2.13 COMMERCIAL/INDUSTRIAL RATE:

When an owner's policy is ordered on commercial/industrial property the rate shall be the full Basic Rate.

The "Short Term Rate" applies to this Section

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SECTION III

GENERAL RULES

LENDER'S INSURANCE

This Section provides title insurance insuring a lender or an assignee:

3.1 CHARGES:

- A. When no transfer of title is involved requiring owner's insurance:

100% of Basic Schedule of Rates

- B. When concurrent with Owner's or Lender's Insurance on the same estate in land issued at full value, the charge shall be \$100.00; EXCEPT:

For: Adams, Arapahoe, Boulder, Broomfield, Clear Creek, Denver, Douglas, Eagle, Elbert, El Paso, Gilpin, Jackson, Jefferson, Larimer, Mesa, Park, Phillips, Pitkin, Summit, San Juan, San Miguel, Teller, and Weld Counties, the charge will be \$125.00.

- C. When insuring a construction loan to an owner of real property:

50% of Basic Schedule of Rates.

(Construction loan is defined as a loan for which at least sixty-five percent (65%) of the funds are to be used for construction purposes AND the term of the loan is no longer than twenty-four (24) months. Both requirements must be met for a loan to qualify for a construction loan rate.)

3.2 ABSTRACT RETIREMENT RATE:

See Section 2.2.

3.3 LOAN POLICIES:

- A. ALTA LOAN POLICY

These policies may be issued insuring the interest of a lender for the amount set forth in Section 3.1. All or any of the printed standard exceptions in Section B-Part 1 may be omitted by deletion or endorsement(s), upon compliance with the underwriter's requirements and the payment of the additional amounts as set forth in Section 7.2.

- B. ALTA CONSTRUCTION LOAN POLICY

These policies may be issued insuring the interest of a lender in the same manner as the ALTA Loan Policy under Section 3.3A and for the amount as set forth in Section 3.1C.

- C. ALTA SHORT FORM RESIDENTIAL LOAN POLICY

This policy is intended for residential (1 to 4 family dwellings only) lenders who need a standardized loan policy for immediate acceptance in the secondary market, with extended coverage, for the rate set forth in Section 3.1.

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3.4 SHORT TERM RATE:

When a loan policy is ordered on Residential or Commercial Property with satisfactory evidence that a prior owner's, loan or leasehold policy was issued within **TEN (10) Years** the charge will be 50% of the charge set forth in the Basic Schedule of Rates.

3.5 MINIMUM LIABILITY:

Loan policies cannot be issued for an amount less than the full principal debt, except, when the land covered in the policy represents only part of the security of the loan(s), then the policy shall be written in the amount of the value of such land or the amount of the loan, whichever is the lesser. A policy however, can be issued for a reasonable amount in excess of the principal debt to cover interest, foreclosure costs, etc., not to exceed 150% of the principal debt.

3.6 MULTIPLE PARCELS AS SECURITY:

In the event that two or more parcels of real estate secure a loan, a mortgage policy may be issued as to one or more of such parcels provided that the policy is not issued for less than the amount of the debt allocated to such parcel or parcels.

3.7 ADDITIONAL COVERAGES AND REISSUES OF CONSTRUCTION LOAN POLICIES:

Additional Charges shall be added to the appropriate loan rate (Section 3.1) for added coverages to and/or reissue of the initial construction loan policy. The time for reissue on a construction loan is:

Within twenty-four (24) months from the date of the initial policy; however, this time limit may be extended for an additional twenty-four (24) months for an additional charge of 10% of the Basic Schedule of Rates. The additional charge for reissue of a construction loan policy to the permanent lender is 50% of the Basic Schedule Rate, plus increase in liability charges, if any.

3.8 SIMULTANEOUS ISSUE:

When two or more policies covering land are to be issued simultaneously, the rate applicable for the first policy shall be the Basic Schedule of Rates. The rate for the additional policies so simultaneously issued will be in accordance with Section 3.1 B, for the amount of insurance not in excess of the first policy. The premium on the amount of the additional policies exceeding the first policy shall be computed in accordance with the charge set forth in the Basic Schedule of Rates in the applicable bracket(s).

NOTE: The Short Term Rate or the Lender All-Inclusive Refinance Rate may be applied to the first policy under this Section.

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3.9 LOAN ON LEASEHOLD:

The charge applicable to Lender's Insurance (Section 3.1) shall apply.

NOTE: The ALTA Form Leasehold Lender's policy has been withdrawn and replaced by the ALTA Form 13.1 Endorsement. This endorsement will only be added to the appropriate owner's policy in order to insure a lessee's interest under an insurable lease. If required, the withdrawn policy form may be issued, but it must be marked "Formerly" on the jacket next to the policy revision date.

3.10 BONDHOLDER'S POLICY:

Same as Section 3.9.

3.11 LENDER'S ALL-INCLUSIVE REFINANCE RATE:

When a policy has been issued insuring the lien of a Mortgage, Deed of Trust or other security instrument and a substitution loan is made to the same borrower, secured by the same premises, the charge will be as set forth below and will include a tax certificate an (if applicable) the Endorsement Forms 100, 8.1, 115.1 or 115.2, 110.7 or 110.8, 111.9, 116, and ALTA 7.

All Inclusive Rate less than \$100,001	\$475.00
All Inclusive Rate \$100,001 to \$150,000	\$500.00
All Inclusive Rate \$150,001 to \$200,000	\$550.00
All Inclusive Rate \$200,001 to \$300,000	\$625.00
All Inclusive Rate \$300,001 to \$400,000	\$725.00
All Inclusive Rate \$400,001 to \$500,000	\$825.00
All Inclusive Rate \$500,001 to \$750,000	\$975.00
All Inclusive Rate \$750,001 to \$1,000,000	\$1,250.00
All Inclusive Rate \$1,000,001 to \$1,500,000	\$1,750.00
All Inclusive Rate \$1,500,001 to \$2,000,000	\$2,350.00

If any additional coverages and/or endorsements are requested, the charges applicable under Section 7.2 apply.

NOTE: This rate does not apply to commitments/policies issued in excess of \$2 million.

NOTE: This rate applies to residential properties only.

NOTE: The "Short Term Rate" does not apply to this section.

NOTE: The issuance of an additional mortgagee policy the charge shall be as set forth in Section 3.8.

3.12 ADDITIONAL ADVANCE LOAN:

An endorsement may be issued to a lender when the company issuing the endorsement previously issued the loan policy and which endorsement would increase the insured amount from the current unpaid principal balance of a loan as evidenced by an additional notice. The charge for this endorsement will be a service charge of \$25.00, plus the premium in the applicable brackets, immediately above the unpaid principal balance for the increased insurance.

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3.13 ENDORSEMENT OR POLICY INSURING MODIFICATION OR EXTENSION OF AN INSURED DEED OF TRUST:

An endorsement or new policy covering the modification or extension of an insured Deed of Trust may be issued to a lender when the company issuing the endorsement or new policy previously issued the loan policy.

The charge for the endorsement covering the modification or extension of the Deed of Trust will be based upon the unpaid balance of the encumbrance at the date of the endorsement as specified under Endorsement Nos. 110.4 and 110.5.

The charge for the policy covering the modification or extension of the Deed of Trust will be 40% based upon the unpaid balance of the encumbrance at the date of the policy.

3.14 ASSIGNMENT OF LOAN - ENDORSEMENT:

Endorsement No. 104 - No change in effective date, insures only validity of assignment. Charge is \$35.00.

Endorsement No. 104.1 - Insures validity of assignment and no release, modification or subordination. Charge is 10% of Basic Rate based upon balance of encumbrance. (Minimum \$35.00)

Endorsement No. 104.3 - Insures validity of collateral assignment. Charge is \$35.00

Endorsement No. 104.4 - Insures validity of collateral assignment and no release, modification or subordination. Charge is \$35.00

3.15 LOAN POLICIES INSURING ASSIGNMENTS OF INSURED DEED OF TRUST:

The charge for a policy covering the assignment of an insured Deed of Trust of Mortgage is 10% of the Basic Rate (Minimum \$35.00) based upon the assignment is for collateral purposes, it is based upon the amount of the collateral.

When multiple assignments are recorded concurrently covering assignments by the same assignor or insured Deeds of Trust or Mortgages, the charge is based upon the aggregate unpaid balance of the loans at the rate provided for above, plus \$25.00 for each policy of title insurance or loan insured over one.

3.16 INSURING OVER OBJECTIONS IN LENDER'S POLICY:

When the Company determines it may insure against loss by reason of encumbrances or defects (other than printed exceptions), affirmative insurance may be given by the issuance of specifically filed endorsements at the appropriate rate for each endorsement. (See Section 7)

Irrespective of the charges set forth under Section 7.3 for the issuance of Endorsement Form 101.1 and/or 101.2, the following practices will apply if the conditions set forth herein exist:

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- A. When a lender has acquired an interest in a construction project, either legal or equitable, in the work-out or settlement of a defaulted or delinquent construction loan, the Company, upon compliance with the underwriter's requirements, will upon application by the lender, issue endorsement 101.2 insuring over filed mechanic's liens or individual property in the project furtherance of the settlement or work-out of the construction loan for a minimum charge of \$100.00, without regard to the number of individual liens which may have been filed.
- B. When the Company has previously insured a lender against unfilled mechanic's liens during the course of construction by appropriate endorsement and the company now has acquired liability by virtue of mechanic's liens now being filed, the Company will, upon application, issue Endorsement No. 101.1 on Owner's and 101.2 on Mortgagee's policies issued to subsequent purchasers insuring over those mechanic's liens for which the Company is, in fact, liable without any charge for such endorsement.

3.17 LOAN POLICY INSURING DEED OF TRUST WITH LOAN AMOUNT IN EXCESS OF LAND VALUE:

Title Insurance may be required in some cases and under conditions for which no charge has been provided for in this manual, such as where specific land is not the primary security, but is, in fact, additional security in connection with other primary security. The total loan amount may be in excess of the value of the land upon which a Deed of Trust is so placed. In such situations, upon a letter request (which states the circumstances) from the lender, the policy may be written for an amount based on the value of the real property. The charge for the policy shall be the rate applicable to the type of policy and the amount of Insurance.

3.18 EFFECTIVE DATE CHANGE - ENDORSEMENT:

An endorsement changing the effective date of the policy, provided there are documents affecting the insured mortgage or Deed of Trust recorded subsequent to the date of the policy and provided there is no change in ownership of the interest being insured, may be issued in accordance with the charges for Endorsements 107.11 and 107.12 set forth under Section 7.

3.19 LOAN POLICY - MODIFICATION OF SCHEDULE B-PART I:

Upon compliance with the underwriter's requirements, Endorsement 110.2 may be used to modify specific exceptions in Schedule B-Part I in accordance with the charges set forth in Section 7.

3.20 LOAN POLICY INSURING SECONDARY FINANCING:

When Title Insurance is issued for the purpose of insuring secondary financing, i.e. home equity or home improvement loans (but not limited to these specific types), the charge shall be 40% of the amount set forth in the Basic Schedule of Rates.

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SECTION III

GENERAL RULES

LEASEHOLD INSURANCE

This Section is applicable to title insurance insuring a leasehold estate or interest created for a held by a lessee or a lender.

4.1 CHARGES: 100% of Basic Schedule of Rates.

The minimum charges may be computed on either the full value of the land and existing improvements or on a lesser amount relating to term of the lease as follows:

- A. Less than twenty-five (25) years - ten (10) times the annual rental.
- B. Twenty-five (25) years or more but less than fifty (50) years - twenty (20) times the annual rental.
- C. Fifty (50) years or more but less than ninety-nine (99) years - the full value of the land and existing improvements.
- D. Insurance in excess of the minimum amount may be issued at the appropriate insurance rate.

If a loan is involved, the minimum charge will be computed upon the amount of the loan or the amount produced by the formulae, whichever is greater.

When the same entity is both lessee or a fee owner of estates or interests covered by the policy and it is required that one policy be used to insure all such estates or interests for full value and without any segregation of liability, the Basic Rate based upon one policy amount is charged.

If concurrently with an owner's policy a separate leasehold policy is issued, the charges for the larger policy shall be 100% of the amount as set forth in the filed rates and the charge for the smaller policy shall be in accordance with Section 3.1 B.

NOTE: The ALTA Form. Leasehold Owner's and Lender's policies has been withdrawn and replaced by the ALTA Form 13 (Owner's) and ALTA Form 13.1 (Lender's) Endorsement. These endorsements will be added at no additional charge to the appropriate policy in order to insure a lessee or lender's interest under an insurable lease. If required, the withdrawn policy form may be issued, but it must be marked "FORMERLY" on the jacket next to the policy revision date.

4.2 ABSTRACT RETIREMENT RATE:

See Section 2.2.

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4.3 LEASEHOLD POLICES:

A. ALTA Leasehold Owner's Policy:

This policy may be issued insuring the interest of an owner purchaser of a lease, for 100% of the amount set forth in the Basic Schedule of Rates. All or any of the printed exceptions in Schedule B may be omitted by deletion or endorsement(s) upon compliance with the underwriter's requirement and upon payment of the additional amounts set forth in Sections 7.2 and 7.3.

B. ALTA Leasehold Loan Policy:

This policy may be issued insuring the interest of a leasehold lender, for the amount set forth in 3.1 based on the amount allocated to the property. All or any of the printed exceptions in Schedule B may be omitted by deletion or endorsement(s) upon compliance with the underwriter's requirement and upon payment of the additional amounts set forth in Sections 7.2 and 7.3.

NOTE: The ALTA Form Leasehold Owner's and Lender's policy has been withdrawn and replaced by the ALTA Form 13 (Owner's) and ALTA Form 13.1 (Lender's) Endorsement. These endorsements will be added at no additional charge to the appropriate policy in order to insure a lessee or lender's interest under an insurable lease. If required, the withdrawn policy form may be issued, but it must be marked "FORMERLY" on the jacket next to the policy revision date.

4.4 SHORT TERM RATE:

When an Owner's policy for leasehold coverage is ordered with satisfactory evidence that a prior owners, loan or leaseholder policy was issued within TEN (10) Years, the charge will be 50% of the charge set forth in the Basic Schedule of Rates.

Additional charges will be made for additional coverages or endorsements, the charges for which are set forth in Section 7.

4.5 LEASEHOLD IN LAND AND FEE IN IMPROVEMENTS:

When an owner's policy insuring a fee simple estate in land only and an owner's policy insuring a leasehold estate in the land and a fee in the improvements (where the ownership of the improvements is separated from ownership of the land), the charge shall be computed on the total of the two policies added together and shall be 100% of the amount set forth in the Basic Schedule of Rates. If omission and/or additional coverage endorsements are requested, the charge for the endorsements will be computed based on the amount of the policy on which endorsements are required.

Where ownership of the improvements is not separates from ownership of the land, the policy written on the fee simple estate shall be for the total value of the land and the improvements and the Basic Rate shall apply.

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4.6 CONVERSION OF LEASEHOLD ESTATES TO FEE TITLE ESTATES:

See Section 2.11.

4.7 EFFECTIVE DATE CHANGE - ENDORSEMENT:

An endorsement changing the effective date of the policy, provided there is no change in ownership of the interest insured by said policy, may be issued in accordance with the charges set forth for endorsements 107.11 and 107.12 set forth in Section 7.

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SECTION V

GENERAL RULES

SUBDIVISION RATES

This section is applicable to title insurance insuring purchasers from owners of three or more parcels of commercial, industrial and/or residential properties including, but not limited to, condominium or planned unit development projects.

The Subdivision Rate is applicable to an owner of land within a single subdivision or tract that has been divided into three (3) or more lots or units of occupancy, all of which are being developed for sale as separate lots or separate individual units of occupancy.

The charges set forth herein are in addition to the charges for the policy insuring the owner upon acquisition of his estate or interest in the land if such policy was issued or is to be issued.

The "Short Term Rate" shall **not** be applicable to any of the policies charges contained in this Section.

5.1 CHARGE:

50% of the Basic Schedule of Rates.

These rates are applicable only when three or more policies are to be issued insuring three or more different purchasers. The rate per unit is based upon the full value of each separate sale. When two or more lots or units of occupancy are sold to a common purchaser the rate is based upon the aggregate value of the lots or units being conveyed, and such purchaser of three or more lots or units of occupancy is entitled to the Subdivision Rate upon a sale of the lots or units of occupancy previously insured.

5.2 ADDITIONAL COVERAGES:

Endorsements and extended coverage on policies issued under the terms 5.1 above may be added for the appropriate charge as set forth in Section 7.

5.3 SUBDIVISION GUARANTEE:

Guarantees for map filing, including the examination of the map, letter or dedication and necessary tax letter may be issued covering a proposed subdivision for a \$50.00 base charge plus \$20.00 minimum additional charge for each ownership easement, right-of-way, or interest searched or reported on.

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SECTION VI

GENERAL RULES

MISCELLANEOUS REPORTS AND SERVICES

**6.1 VACATED STREET OR ALLEY, EASEMENT OR RIGHT-OF-WAY COVERED
IN CONNECTION WITH THE ISSUANCE OF A POLICY:**

The vacated portion of a street or alley or an easement or right-of-way appurtenant to or adjoining the land under search, is considered as non-contiguous to the abutting parcel unless it has been previously insured in the same ownership with the abutting parcel. If it has not been previously insured, the minimum additional charge is \$25.00

6.2 EASEMENTS AND/OR RIGHT-OF-WAY:

The charge is the minimum Basic Rate charge per parcel for a commitment to insure title including the issuance of a policy of title insurance with insurance up to \$5,000.00.

**6.3 RECORDINGS AT ONE MINUTE INTERVALS CONCURRENT
TRANSACTIONS:**

If, because of the customer's requirements, it is necessary for certain documents to be recorded at one minute intervals from other documents on the same day and the policies issued as of the respective times, the charges for the policies are computed as though the documents had been recorded at the same time and the policies issued at the same time.

6.4 TAX AND ASSESSMENT EXAMINATION:

Such charge shall be made for the examination of taxes and assessments that are imposed by the taxing authority in connection with the examination.

6.5 LITIGATION GUARANTEES:

A Litigation Guarantee is a report showing the state of title and encumbrances as of a specific date for purposes of litigation. This guarantee also provides the mailing addresses of all creditors with an interest in the property. The rate is as follows:

Residential and commercial rate:	
Up to \$100,000.00	\$300.00
\$100,001.00 up to \$200,000.00	\$350.00
\$200,001.00 up to \$300,000.00	\$400.00
\$300,001.00 up to \$1,000,000.00	\$650.00
\$1,000,001.00 up to \$5,000,000.00	\$750.00
\$5,000,001.00 and above	\$900.00
Date Down Endorsement	\$25.00

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6.6 FORECLOSURE GUARANTEE:

A Foreclosure Guarantee is a report showing the state of title and encumbrances as of a specific date for purposes of a foreclosure. The rate is as follows:

Residential and commercial Rate:

Up to \$100,000.00	\$200.00
\$100,001.00 up to \$200,000.00	\$250.00
\$200,001.00 up to \$300,000.00	\$300.00
\$300,001.00 up to \$1,000,000.00	\$550.00
\$1,000,001.00 up to \$5,000,000.00	\$650.00
\$5,000,001.00 and above	\$800.00
Date Down Endorsement	\$25.00

6.7 TITLE GUARANTEE:

A Title Guarantee is a report showing current vesting and encumbrances of a property. This guarantee provides coverage for mortgages and deeds of trust only. The rate is as follows:

Residential and commercial rate:

Up to \$100,000.00	\$75.00
\$100,001.00 up to \$150,000.00	\$125.00
\$150,001.00 up to \$250,000.00	\$175.00
Date Down Endorsement	\$25.00

6.8 MORTGAGE GUARANTEE:

A Mortgage Guarantee is a report showing current vesting, encumbrances and a name check of a property for the purposes of a new loan. This guarantee provides coverage for mortgages and deeds of trust, as well as all other encumbrances. The rate is as follows:

Residential and Commercial rate:

Up to \$50,000.00	\$120.00
\$50,001.00 up to \$100,000.00	\$150.00
\$100,001.00 up to \$150,000.00	\$175.00
\$150,001.00 up to \$250,000.00	\$200.00
Date Down Endorsement	\$25.00

6.9 COMMITMENT (TO BE DETERMINED: NO CONCURRENT TRANSACTIONS):

The charge will be the Basic Rate filed for each county.

This service provides assurance in the form of a commitment for a period of not to exceed six (6) months to cover a future sale, lease or loan transaction by the vested owner's provided no documents are recorded subsequent to the effective date of the commitment.

If, within the six (6) month period, the sale, lease or loan is consummated, the charge for a policy of title insurance thereon shall be the policy charge applicable for the type of insurance issued.

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NOTE: If a transfer of title or loan is recoded concurrently with the issuance of the Commitment, then the charges and procedure under this Section are not applicable. The proper charges and procedures will then be governed by the appropriate section applicable to the type of transaction.

6.10 ADDITIONAL CHARGE PROVISION:

The fees set forth in this manual are minimum fees. Additional fees may be charged when unusual conditions of title are encountered or when special or unusual risks are insured against and special charges made for special services rendered in connection with the issuance of a title policy or in providing the closing and settlement services.

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SECTION VII
GENERAL RULES
ENDORSEMENTS

Endorsements providing additional coverages or insurance may be issued upon compliance with underwriter's requirements for the appropriate charges.

7.1 CHARGES:

Where a charge is not shown for a particular endorsement, it indicates that normally such endorsement is not available for the form of policy to be issued. Where percentage figures are listed, the percentage is computed on 100% of the rate for the applicable title policy as set forth in the Basic Schedule of Rates.

7.2 DELETION OF STANDARD PRINTED EXCEPTIONS:

A. All standard printed exceptions other than mechanic's liens:

An endorsement, either by separate instrument or in the schedule of commitment or policy, deleting the standard printed exceptions as contained in Schedule B, other than mechanic's liens, may be issued upon compliance with underwriter's requirements for the following charges:

Owner's Policy: \$50.00 and ALTA survey
Lender's Policy: No Charge

B. Mechanics Lien Exception - Printed Exception 4:

An endorsement, either by separate instrument or in the Schedules of the commitment or policy, deleting the printed exception contained in Schedule B, Item 4 of an Owner's Policy, or Loan Policy may be issued only upon compliance with underwriter's requirements and will bear the following charges for the type of policy indicated:

(a) Owner's Policy

Vacant, Unimproved Property And No Construction Is Contemplated	\$10.00
Improved Property - No Construction Within The Statutory Lien Period and No New Construction Is Contemplated	\$10.00
Improved Property - Completed Construction Within The Statutory Lien Period And No New Construction Is Contemplated	Residential \$10.00 Commercial - 20% of the Basic Schedule of Rates (Minimum \$100.00)
Vacant, Unimproved Property Or Improved Property - Contemplated Construction	Residential - \$3.00 per \$1,000.00 of coverage (Minimum \$50.00) Commercial - \$3.00 per \$1,000.00 of coverage (Minimum \$100.00)

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(b) Loan Policy

Vacant, Unimproved Property And No Construction Is Contemplated	\$10.00
Improved Property - No Construction Within The Statutory Lien Period and No New Construction Is Contemplated	\$10.00
Improved Property - Completed Construction Within Past 6 Months And No New Construction Is Contemplated	Residential \$10.00 Commercial - 20% of the Basic Schedule of Rates (Minimum \$100.00)
Vacant, Unimproved Property Or Improved Property - Contemplated Construction	Residential - \$3.00 per \$1,000.00 of coverage (Minimum \$50.00) Commercial - \$3.00 per \$1,000.00 of coverage (Minimum \$100.00)