

# COMMITMENT FOR TITLE



The Commitment for Title Insurance reports the findings of an initial title search. It will contain the terms, conditions, and exclusions covered in the policy.

## COMMITMENT:

**SCHEDULE A** reflects information provided to the Title Department as a result of the purchase contract and a preliminary search of the public records. Information such as the

legal description of the property, sales price, loan amount, lender, name, and marital status of Buyer and Seller is reflected.

**SCHEDULE B** is broken down into two sections. Requirements and Exceptions. Requirements are items that Yavapai Title Agency needs to eliminate from the title in order to provide a clear, unencumbered title to the Buyer. A few examples of items that must be cleared are:

- Payment of property taxes
- Assessments owed of record
- Any encumbrances (or liens) on the property

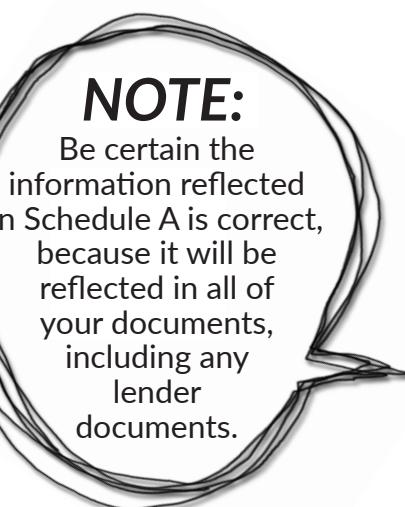
Often encumbrances show up because another individual has a name similar to one of the parties in the escrow. Yavapai Title Agency may ask for a Statement of Identification in order to determine whether items that show up are related to our parties and whether they can be removed.

**Exceptions** are items which run with the land. They are called "exceptions" because the Buyer will receive clear title *except* the Buyer's rights to use the property will be subject to the exceptions described in this section. Exceptions include Covenants, Conditions and Restrictions (CC&Rs), easements,

homeowner's association rules, mineral rights as reserved in patents, leasehold interests, and other items which will remain of record following transfer of the property.

### NOTE:

Read Schedule B carefully, because it defines your use of the property. There may be restrictions that will cause you to reconsider your purchase (i.e. discovering the HOA has CC&R's and upon their review you find out farm animals are not sanctioned, so your family goat is not allowed.) If anything in this section concerns you, ask for clarification.



### NOTE:

Be certain the information reflected in Schedule A is correct, because it will be reflected in all of your documents, including any lender documents.



## GENERAL POLICY COVERAGE:

Title insurance provides assurance you can access and use your land. In summary, this coverage will minimize risk and can protect you against:

- The possibility that someone else owns or has claim to your property
- Defects caused by fraud, forgery, or incompetence
- Defective recording of any document
- Unmarketability of title
- Lack of legal access to and from the property

For all covered risks see a copy of the title policy.

# REVIEWING THE COMMITMENT FOR TITLE



Monument Valley, Arizona  
Photograph by: LaSota

## ITEMS AND ISSUES NOT COVERED:

Some rights are not protected by your title insurance policy. Examples may include:

- Land trusts
- Life estates
- Air rights above the property
- Mineral, water right, and timber reservations
- Matters that a physical inspection would disclose