



Over 50 Years of Quality Service

NOTICE TO PROPOSED INSURED (NM Form 35)

Name of Purchasers:
Commitment No.: [] Commitment issue date: []
Short Description of Property:
Name and Telephone Number of Agency/Insurer ("Company"):
Closer:
File No.:

READ THIS NOTICE AND THE ATTACHED COMMITMENT TO FAMILIARIZE YOURSELF WITH THE ADDITIONAL COVERAGES AVAILABLE

The New Mexico Insurance Department requires that this Notice be given in connection with all commitments/binders issued for title insurance over policies of one to four residential family properties.

THIS NOTICE SHOULD BE RETURNED TO THE COMPANY AT THE EARLIEST POSSIBLE TIME. IT MUST BE SIGNED NOT LATER THAN CLOSING. FAILURE TO ACT IMMEDIATELY COULD DELAY CLOSING SINCE NO TITLE POLICY CAN BE ISSUED UNTIL THIS DOCUMENT IS SIGNED AND RETURNED TO THE COMPANY.

Standard title insurance policies do not cover certain risks. These risks include the standard exceptions shown on your commitment/binder schedule "B", which will also be part of your title policy. Standard Exceptions 1, 2, 3, 4, 5, 6, and part of 7 (like all the exceptions) limited the coverage under your title policy. However, some of this coverage can be reinstated as described below.

Standard Exception 1 (Parties in Possession) excludes coverage for certain claims of tenants, squatters or other persons who may claim possession of the property. Standard Exception 1 may be deleted and the coverage reinstated if you meet certain requirements. There is no extra premium charge for this coverage, but there may be a charge for inspection of the property.

Do you want this coverage? Yes ___ No ___

Standard Exception 2 (Unrecorded Easements) excludes coverage for easements not shown in the public records. Standard Exception 2 may be deleted and the coverage reinstated if you meet certain requirements. There is no extra premium charge for this coverage, but a survey meeting the insurer's requirements is required and there may be a charge for an inspection.

Do you want this coverage? Yes ___ No ___

Standard Exception 3 (Survey Protection) excludes coverage for any problem which an accurate survey would show. Without this coverage, your policy won't insure the accuracy of your survey. If your survey turns out to have inaccurately represented items such as boundaries, easements, location of improvements, etc., the standard policy won't cover any harm you suffer as a result of such inaccuracies. Standard Exception 3 may be deleted and the coverage reinstated if you meet certain requirements. The charge for this coverage is 15% of the Owner's Policy premium, and you must provide a survey meeting the insurer's requirements for insurability.

Do you want this coverage? Yes ___ No ___

Standard Exception 4 (Lien Coverage) excludes coverage for certain liens (i.e., claims filed for payment for services and materials provided in connection with the property) not filed in the public records on the policy date. Standard exception 4 may be deleted and the coverage reinstated if you satisfy certain requirements. The charge for this coverage is \$32.00 if the statutory time limit for filing a lien has expired. If the time limit has not expired, the charge is \$3.00 for each \$1,000 of insurance. In either case, you will have to provide information which the Company requires, and the Buyer or Seller will be responsible for any cost of providing such information.

Do you want this coverage? Yes ___ No ___

Standard Exception 6 (Any title to lands comprising the shores or bottoms of navigable streams, lakes, etc.) except coverage for title to land that is beneath navigable waters if there are any on the land you are acquiring. Standard Exception 6 may be deleted and the coverage reinstated if the title company is provided a satisfactory survey and upon review of the survey the deletion is authorized by the title insurance underwriter. The charge for this coverage is \$32.00

Do you want this coverage? Yes ___ No ___

Standard Exception 7 (Unpatented mining claims; water rights, claims or title to water Coverage) excepts coverage for unpatented mining claims; reservations, exceptions in patent or in acts authorizing the issuance thereof; water rights, claims or title to water. All of Standard Exception 7 may be deleted except "Water rights, claims or title to water" if the property is subject to such coverage, and certain underwriter requirements are met. The charge for this coverage is \$32.00

Do you want this coverage? Yes ___ No ___

PLEASE ACKNOWLEDGE YOU HAVE BEEN MADE AWARE THAT YOU MAY INCREASE YOUR TITLE POLICY AMOUNT IF YOU ADD IMPROVEMENTS, OR IF THE VALUE OF YOUR PROPERTY INCREASES OVER TIME, BY REQUESTING AN INCREASE IN COVERAGE AND PAYING THE APPLICABLE PREMIUMS. THIS WILL NOT CHANGE THE TERMS OF THE POLICY OTHER THAN THE AMOUNT. [_____] initial here

Upon the Company's receipt of this signed Notice, it may require that certain information and documents be produced. For example, a survey, inspection, lien wavers, affidavits financial statements, etc. may be requested. The information requested will vary depending upon what additional coverage you have requested, the Insurer's guidelines for issuing such coverage and particular transaction involved. Providing this information and examining it may extend the length of time needed to close and to prepare your title policy. **TO AVOID DELAYS YOU ARE REQUESTED TO FILL OUT, SIGN AND RETURN THIS NOTICE TO THE COMPANY AS SOON AS POSSIBLE (PRIOR TO CLOSING), ESPECIALLY IF YOU WANT ANY OF THE ADDITIONAL COVERAGES.**

If you need further information concerning cost or requirements for obtaining the coverages only, you should call the Company a the telephone number given at the beginning of this Notice. **IF YOU DO NOT UNDERSTAND THE ADDITIONAL COVERAGES, OR WANT TO KNOW IF YOU NEED THESE COVERAGES, YOU ARE ENCOURAGED TO SEEK AN ATTORNEY'S ADVICE. THE CLOSING OFFICER AND THE COMPANY'S PERSONNEL ARE NOT REQUIRED AND MAY NOT BE QUALIFIED TO ANSWER SUCH QUESTIONS.**

Date: _____
