



*Sanctity of Contract*

**STEWART TITLE & TRUST OF PHOENIX, INC.**  
**244 West Osborn Road, Phoenix, Arizona 85013**

**SCHEDULE OF ESCROW RATES,  
SCHEDULE OF ESCROW SERVICES  
AND  
MANUAL OF CLASSIFICATIONS**

**ARIZONA**

6/99, 9/01, 2/02, 8/02, 1/03, 4/04, 10/04, 2/05, 5/05, 5/05, 11/06, 12/06, 3/08, 4/09, 2/11, 4/12,  
7/12, 7/14, 11/15

## **ESCROW GENERAL RULES**

### **A. DEFINITION OF ESCROW**

Escrow means any transaction wherein any property, money, written instrument, or evidence of title or possession to real or personal property or other thing of value is delivered to a grantee, grantor, promisee, promisor, obligee, obligor, bailee, bailor, or a designated agent or employee of any of them. Delivery may be with or without transfer of legal or equitable title, or both, and irrespective of whether a debtor/creditor relationship is created. The transfer to a person not otherwise having any right, title or interest therein in connection with the sale, transfer, encumbrance or lease of real or personal property shall occur upon the delivery or redelivery to that person upon the contingent happening or non-happening of a specified event or performance or non-performance of a prescribed act, pursuant to mutually agreeable instructions to a neutral third party.

### **B. COMPUTATION FROM BASIC ESCROW RATE**

1. The rate shall be applied on fair value (rounded up to the next nearest \$5,000 increment) as defined in D. below.
2. Whenever percentages of the Basic Escrow Rate are used herein, the charge shall be rounded off to the nearest dollar.

### **C. EMPLOYEE RATES**

There shall be no charge to employees of Stewart Title for the purchase, sale, or refinance of their primary residence. This rate is not applicable to employees of other title/escrow companies.

### **D. FAIR VALUE**

The fair value shall be construed as the full value of the property, including the encumbrances. When a sale is not involved, the fair value shall be determined from all available information, i.e., amount of encumbrances, assessed value, etc. In no event shall it be less than the sum of the unpaid principal balances of the mortgages and/or contracts to which the property is subject.

**E. SPECIAL SERVICES**

Additional charges will be made when unusual conditions are encountered or when special services are required in the escrow.

Escrow services may be required in some instances and under certain conditions for which no rating structure has been specifically provided.

The charges for special services shall not exceed twice the Basic Escrow Rate, with a minimum of \$25.00 per escrow transaction.

Special services shall be charged at the rate of \$100.00 per hour, in addition to the Basic Escrow Rate.

**F. SEPARATE SALES OR EXCHANGES (DIFFERENT OWNERS)**

The applicable Basic Escrow Rate shall apply to each individual sale or exchange, even though there may be one common purchaser, and the sales or exchanges are handled concurrently, and more than one escrow is involved.

**G. TRANSFER OF UNDIVIDED INTEREST (WHEN SOLD SEPARATELY FROM REMAINING INTEREST)**

The Basic Escrow Rate is applicable, based upon the interest covered, the purchase price or the fair market value thereof, whichever is higher.

**H. GOVERNMENTAL CONTRACTS**

The Company may enter into separate contracts with federal, state or local governmental agencies or their contractors for escrow services. Rates and fees will be based upon the volume of transactions and responsibilities and duties to be performed. Fees may range from the Basic Rate to 65% of the Basic Rate. The fee to be charged shall be included in the contract proposal.

**EXPLANATION OF CHARGES**

**A. BASIC CHARGE (SALE)**

The minimum charge of 100% of the Basic Escrow Rate shall be based upon the fair value of the property in the escrow. If additional charges are applicable, all such additional charges shall be added to the Basic Escrow Rate.

## **B. BASIC CHARGE (LOAN)**

1. If no transfer if title is involved 100% of  
Basic Rate
2. If concurrent with a sale escrow for \$75.00 in addition to the  
the full value of the land improvement Basic Rate
3. The following charges are applicable for  
construction loans when the lender requests  
additional services such as obtaining lien  
waivers, architectural approval, etc.: One-half of 1% of  
Amount of Loan
4. A charge of \$50.00 may be made in the event of a VA refinance transaction  
wherein the lender is required to pay the escrow fee.
5. Since escrow functions for refinance transactions vary widely from lender to  
lender, the escrow fee shall be based upon the responsibilities and duties to  
be performed by the Escrow Agent. With minimal duties such as signatures  
only, the rate shall be \$50.00. Rates may increase in increments of \$25.00  
up to the Basic Escrow Rate, as additional duties and responsibilities are to  
be performed. The types of escrow services to be considered as criteria  
includes, but is not limited to, such services as (1) the receipt of funds and/or  
written instructions from a lender whose loan is to be insured, (2) the  
disbursement of such funds for the elimination of matters affecting title, and  
(3) the extent and duration of labor and/or services necessary to complete the  
refinance transaction. The above list, although not exhaustive, is illustrative  
of such factors needed in determining the service to be provided and the  
charges therein.
6. Bundled Escrow refinance/loan fee for volume accounts (100+ or more  
anticipated) shall be \$315 and includes: Wire, Document, Reconveyance  
(Payoff) Tracking, Delivery Charges, and Signing Service (1) . This fee  
does not include other special services as requested/required to close the  
escrow.

## **C. BASIC CHARGE (LEASEHOLD)**

1. The Leasehold Escrow Rate (other than oil, gas or mineral leases) shall be  
100% of the Basic Escrow Rate, based upon the fair value of the property  
leased or the total amount of the lease payments, whichever is less.
2. The charge for oil, gas or mineral lease estate escrows shall be 200% of the  
Basic Escrow Rate.

**D. BASIC CHARGE (COMMERCIAL, DEVELOPER AND INVESTOR)**

1. SUBDIVIDER, BUILDER, DEVELOPER RATE

This rate is available to builders, contractors, developers or subdividers customarily engaged in such business.

1 - 50 Units	65% of the Basic Escrow Rate
51- 200 Units	40% of the Basic Escrow Rate
201 or more Units	25% of the Basic Escrow Rate or with a minimum of \$25.00 which shall be also inclusive of the \$75.00 additional charge provided for in Basic Charge (Loan) 1.B. as well as the charges found in Section I.

The escrow rate charged shall be based upon the number of units. For example, if the unit number is less than 50 units, then a rate of 65% of the Basic Escrow rate should be charged against that portion charged to the builder, contractor, developer or subdivider. If the number of units is between 51 and 200 units, then a rate of 40% of the Basic Escrow Rate shall be charged, etc.

2. COMMERCIAL AND INVESTOR RATE

This rate is available to investors and commercial developers customarily engaged in such business.

Charge: 70% of the Basic Escrow Rate

On any transaction of One Million Dollars and over, escrow fees shall be charged, based upon the Basic Escrow Rate, or upon a mutually agreeable amount negotiated with the parties involved, not to exceed twice the Basic Escrow Rate. The quoted rate shall include the additional \$75.00 charge provided for in BASIC CHARGE (LOAN) 1.B.

**E. BASIC CHARGE (CORPORATE EMPLOYEE RELOCATION RATE)**

Rates under this section shall apply to transactions insuring the purchase and resale of a home of an employee transferred by a corporation or a governmental entity from one area to another.

1. The escrow fee shall be 50% of the Basic Escrow Rate.
2. For High Volume Relocation Companies, the rate shall be \$600 inclusive of miscellaneous fees.

**F. BASIC CHARGE (SUB-ESCROW AND ESCROW ONLY)**

**1. SUB-ESCROW SERVICE**

Sub-escrow service may be provided for a minimum of \$50.00 per sub-escrow. This type of escrow service includes, but is not limited to, such services as (1) the receipt of funds and written instructions from a primary holder of an escrow and from a lender whose loan is to be insured, (2) the disbursement of such funds for the elimination of matters affecting title, and (3) accommodation signings, but only to the extent authorized under such instructions. The above list, although not exhaustive, is illustrative of such factors needed in determining the service to be provided and the charges therein. The maximum escrow fee for sub-escrow services shall not exceed 75% of the basic escrow rate as determined by the amount involved in the sub-escrow transaction.

**2. ESCROW ONLY SERVICE**

Escrow service with no title insurance is provided at twice the Basic Escrow Rate.

**G. DELIVERY SERVICE CHARGE.....\$30.00**

**H. TRACKING SERVICE CHARGE.....\$25.00 per each item tracked but not reflected by Section I below. This fee includes the release/recording charge.**

**I. RELEASE/RECONVEYANCE CHARGE.....\$85.00 per item**

Release/reconveyance charge of eighty-five and no/100 dollars (\$85.00) shall be charged in all instances where it is necessary, in the administration of an escrow involving residential real property, to pay in full a secured obligation and to obtain/record a release and reconveyance of a deed of trust, a satisfaction of a realty mortgage, or a payoff deed of an agreement for sale, with certain exceptions. This charge shall not apply to escrow transactions wherein the cost of obtaining the release is already known, the party requiring the release is either a builder, subdivider, developer or contractor, or to a loan refinance wherein the lender has agreed to pay all or a portion of the escrow and/or title insurance fees and premiums associated with the transaction. If more than one \$85 charge is to be charged in a particular escrow, only the first shall be charged at \$85 with the remaining charged at \$25. These charges are non-refundable.

**J. Omitted**

**K. LICENSED REAL ESTATE AND LENDING PROFESSIONALS**

All Arizona licensed real estate brokers and salespersons shall be charged an escrow rate equal to 80% of the applicable escrow rate in connection with an escrow transaction wherein they are a principal and not acting in an agency capacity.

Employees of mortgage brokerage, banking, and real estate lending institutions and entities shall be charged an escrow rate equal to 80% of the applicable rate in connection with an escrow transaction in which they are a principal.

**L. INTEREST BEARING ACCOUNTS SETUP**

A charge of \$50 shall be charged to set up an interest bearing account.

**M. RECORD PROCESSING FEE**

For commercial transactions in Maricopa County, a record processing fee of \$15 for the first five pages shall be charged with an additional \$1 for each additional page thereafter with a maximum charge of \$250

**N. UCC FILINGS.....\$12.00**

A charge of \$12.00 shall be charged for the filing of UCC documents in the office of the Secretary of State.

**O GOVERNMENT EMPLOYEES**

All government employees (i.e. police, fire etc.) shall be charged an escrow rate equal to 80% of the applicable rate in connection with an escrow transaction wherein they are a principal.

**P. EMPLOYEE BENEFIT PROGRAMS**

Employees of participating employers with an approved benefit program shall be charged an escrow rate equal to 70% of the applicable rate in connection with an escrow transaction wherein they are a principal.

**Q. SENIOR CITIZENS**

Escrow customers sixty (60) years of age and older shall be charged an escrow rate equal to 80% of the applicable rate in connection with an escrow wherein they are a principal (i.e. buyer or seller.)

**R. INTERVAL INTEREST TRANSACTIONS**

Escrow services will be provided for \$75 per transaction, up to 2 intervals per transaction. For transactions that include more than 2 intervals, an additional fee of \$25 per interval will be added.

**S. SHORT SALE TRANSACTIONS.**

A processing charge of \$395, (if contracted to a third party vendor then the charge will be \$999-2,000 based upon written contract) shall be charged to perform specialized escrow processing services in a transaction involving a lender accepting less than the full amount owed under its loan agreement with its borrower (commonly known as a short sale) as a payoff and/or release of property. This charge (or a portion thereof) shall not apply if the lender declines to pay all (or a portion thereof) of the processing charge.

**T. NATIONAL EDUCATION ASSOCIATION MEMBERSHIP**

A member of the National Education Association shall be charged an escrow rate equal to 80% of the applicable rate in connection with an escrow transaction wherein they are a principal.

**SUBDIVISION TRUST CHARGES**

**A. ACCEPTANCE FEES**

- |    |                          |          |
|----|--------------------------|----------|
| 1. | Single Beneficiary Trust | \$150.00 |
| 2. | Double Beneficiary Trust | \$250.00 |

**B. ANNUAL FEES**

- |    |                          |          |
|----|--------------------------|----------|
| 1. | Single Beneficiary Trust | \$200.00 |
| 2. | Double Beneficiary Trust | \$250.00 |
| 3. | Junior Beneficiary Trust | \$250.00 |

NOTE: 1. An additional charge of \$50.00 is to be added for each additional Beneficiary in excess of the defined number as it applies to the above acceptance and annual fees.

2. "Beneficiary" as referred to herein is defined as follows: One married couple, one party as his/her sole and separate property, one partnership (general, limited, limited liability partnership or joint venture) or one corporation (including limited liability company).

**C. ASSIGNMENTS**

- |   |          |
|---|----------|
| 1. Assignments (including Collateral Assignments) | \$150.00 |
| 2. Annual fee for Collateral Assignment           | \$150.00 |
| 3. Change of Payee                                | \$100.00 |

**D. AMENDMENTS TO TRUST**

- |                  |          |
|------------------|----------|
| 1. Per Amendment | \$150.00 |
|------------------|----------|

**E. MISCELLANEOUS SERVICES**

- |                             |          |
|-----------------------------|----------|
| 1. Deed Fee                 | \$10.00  |
| 2. Close-out Fees           |          |
| A. Single Beneficiary Trust | \$100.00 |
| B. Double Beneficiary Trust | \$200.00 |

STEWART TITLE & TRUST OF PHOENIX, INC.  
BASIC ESCROW RATES

**A. BASIC ESCROW RATES**

1. Up to \$100,000.00.....  
*Maricopa/Pinal/Apache/Cochise/Gila/La Paz/Navajo County.....\$560.00*  
*For Yavapai/Coconino County...\$510.00*  
*For Mohave County.....\$315.00*  
*For Santa Cruz County.....\$460.00*  
*For Graham/Greenlee County.....\$420.00*  
*For Yuma County.....\$400.00*
  
2. From \$100,001.00 to \$150,000.00.....  
*Maricopa/Pinal/Apache/Cochise/Gila/La Paz/Navajo County.....\$600.00*  
*For Yavapai/Coconino County...\$550.00*  
*For Mohave County.....\$370.00*  
*For Santa Cruz County.....\$500.00*  
*For Graham/Greenlee County...\$480.00*  
*For Yuma County.....\$450.00*
  
3. From \$150,001.00 to \$200,000.00.....  
*Maricopa/Pinal/Apache/Cochise/Gila/La Paz/Navajo County.....\$675.00*  
*For Yavapai/Coconino County...\$625.00*  
*For Mohave County.....\$420.00*  
*For Santa Cruz County.....\$575.00*  
*For Graham/Greenlee County...\$540.00*  
*For Yuma County.....\$500.00*
  
4. From \$200,001.00 to \$400,000.00 add per \$5,000.00  
.....\$6.00
  
5. From \$400,001.00 to \$1,000,000.00 add per \$5,000.00  
.....\$5.00
  
6. Over \$1,000,000.00 add per \$5,000.00  
.....\$3.85

## **B. COMPETITOR RATE**

We may choose to match a written escrow fee quote from a competing escrow and/or title company, provided that:

- Said competing rate must be filed with the Arizona Department of Financial Institutions;
- Copy of said quote must be retained in escrow file;
- Issuance of this matching rate must be approved by Escrow Administration.

## **C. NEGOTIATED RATE**

We reserve the right to negotiate fees. Any such negotiated rate agreement must be approved by management, a copy of the rate agreement is to be placed in each escrow file for which the rate applies.

**EXHIBIT "A"**  
**STEWART TITLE & TRUST OF PHOENIX, INC.**  
**ESCROW\*/ACCOUNT SERVICING FEE SCHEDULE**

<b>A.</b>	<b>ACCEPTANCE FEE</b> for Account Servicing Agreement arising from an escrow closing in-house	\$ 100.00
<b>B.</b>	<b>ADDITION OF IMPOUND ACCOUNT</b> to new or existing account (one time charge) in addition to the regular amount	\$100.00
<b>B.1</b>	<b>TAX SERVICE FEE</b> to set-up the real property tax notification to Account Servicing Agent	\$75.00
<b>C.</b>	<b>ACCEPTANCE FEE</b> for an Account Servicing Agreement Arising outside of an in-house escrow	\$150.00
<b>D.</b>	<b>Monthly Service Fee</b>	\$13.00
1.	Monthly fee for impound account (in addition to the regular fee)  (\$ 3.00per each additional tax parcel and/or insurance policy per account)	\$10.00
2.	Additional fee for multiple changes in terms	\$60.00
3.	Monthly fee for each additional payee \$3.00	
4.	Additional monthly fee for holding accounts	\$5.00
5.	Annual fee for dormant accounts	\$100.00
6.	Monthly fee for special handling (requires manual calculations and postage)	\$12.00
7.	Monthly fee for unusual late charge provisions	\$5.00
8.	Monthly fee for automatic late notice	5.00
<b>E.</b>	<b>ADD AND DEMAND</b> (taxes, insurance, assessments)	\$75.00
<b>F.</b>	<b>CLOSING FEE</b> or termination of account	\$75.00

<b>G.</b>	<b>ACCEPTANCE</b> of Assignment of funds	\$75.00
<b>H.</b>	<b>MODIFICATION</b> of terms of account	\$100.00
<b>I.</b>	<b>CHANGE OF PAYOR/PAYEE</b> (name change only)	\$35.00
<b>J.</b>	<b>STATEMENT FEE</b> (assumption, payoff or status)	\$100.00
<b>K.</b>	<b>TRANSFER FEE</b> (assignment/assumption)	\$75.00
<b>L.</b>	<b>PARTIAL RELEASE</b> of property from an agreement, mortgage or deed of trust	\$100.00
<b>M.</b>	<b>DEED OF RELEASE AND RECONVEYANCE</b>	\$100.00
<b>N.</b>	<b>NSF</b> and/or dishonored checks	\$25.00*
	*Plus any charge assessed by the financial institution as a result of the dishonored check	
<b>O.</b>	<b>PAYMENT</b> Reminder Notice	\$15.00
<b>P.</b>	<b>COPIES</b> of documents (per page)	\$.50
<b>Q.</b>	<b>AMORTIZATION</b> Schedules	\$25.00
<b>R.</b>	<b>CHECK</b> Replacement Fee	\$15.00
<b>S.</b>	<b>DUPLICATE</b> copies of Year-end Statements	\$5.00
<b>T.</b>	<b>VERIFICATION</b> of Account	\$15.00
<b>U.</b>	<b>SPECIAL SERVICES</b> required (per hour)	\$100.00
<b>V.</b>	<b>DIRECT PAYMENT APPLICATION</b> (will be charged each time a payment requires manual updating due to payments being paid direct to payee or lender)	\$5.00
<b>W.</b>	<b>NOTICE</b> requiring strict performance of agreement (Plus \$5.00 for each notice mailed)	\$75.00
<b>X.</b>	<b>TEN DAY DEFAULT NOTICE</b>	\$50.00

**Y. 1 FORFEITURE FEE (Reinstated/Cancelled Forfeiture)**

One-half of 1% of the unpaid principle balance of Agreement for Sale or \$600.00, whichever is greater. \*

**Y. 2 FORFEITURE FEE (Completed Forfeiture)**

Forfeiture fee is computed on the unpaid principle balance of the Agreement for Sale. \*

The fee is computed below:

For the first \$50,000-	\$750.00
For \$51,000 up to \$100,000-	Add \$6.00 for each \$1000 over \$50,000
For \$101,000 up to \$300,000-	Add \$4.00 for each \$1,000 over \$100,000
For \$301,000 up to \$500,000-	Add \$3.00 for each \$1,000 over \$300,000
For \$501,000 up to 1,000,000	Add \$1.50 for each \$1,000 over \$500,000
For over one million-	Add \$1.00 for each \$1,000 over one million.

**A MINIMUM DEPOSIT WILL BE REQUIRED TO INITIATE THE FORFEITURE**

**Z. 1 TRUSTEE'S FEES (Reinstated/Cancelled Trustee Sale)**

One-half of 1% of the unpaid principle balance of Note Secured by the Deed of Trust or \$600.00, whichever is greater. \*

**Z. 2 TRUSTEE'S SALE FEES (Completed Trustee Sale)**

Trustee fee is computed on the unpaid principle balance of the Note secured by the Deed of Trust and is exclusive of posting publishing, title and other charges. \* The fee is computed below:

For the first \$50,000-	\$750.00
For \$51,000 up to \$100,000-	Add \$6.00 for each \$1000 over \$50,000
For \$101,000 up to \$300,000-	Add \$4.00 for each \$1,000 over \$100,000
For \$301,000 up to \$500,000-	Add \$3.00 for each \$1,000 over \$300,000
For \$501,000 up to 1,000,000	Add \$1.50 for each \$1,000 over \$500,000
For over one million-	Add \$1.00 for each \$1,000 over one million

\* Other expenses may include but are not limited to such things as the following:

- (a) Trustee's Sale/ Forfeiture Guarantee
- (b) Recordings, posting, publication
- (b) Certified Mailing of Notice \$7.50 per mailing
- (c) Document Preparation \$100.00 (to be charged if forfeiture/trustee sale is began but prior to recording of notice.)
- (d) Postponement fee \$75.00 per postponement

**A MINIMUM DEPOSIT WILL BE REQUIRED TO INITIATE THE TRUSTEE SALE**

**NOTE:** Multi-Account Rate: Account holders of more than 25 or more accounts will be charged 50% of the rate normally charged.

(Annual servicing fee, Trustee's sale fees and forfeiture fees shall not be discounted)