



Escrow Fees and Charges (Arizona)

This Schedule of fees and Charges shall supersede all Schedules of Fees and Charges which have heretofore been displayed in our offices and filed with the Arizona Department of Financial Institutions pursuant to A.R.S. §6-846 et. Seq. On behalf of Clear Title Agency of Arizona, LLC, an Arizona limited Liability Company.

EFFECTIVE: October 1, 2017

Unless otherwise indicated.

Table of Contents

A. Introduction	1
Preface	1
B. General Rules & Definitions	1
Escrow.....	1
Escrow Agent	1
Fair Value	1
Basic Escrow Rate.....	2
Fee Calculation from Basic Escrow Rate	2
Minimum Escrow Rate	3
Payment of Escrow Charges	3
Multiple Sales, Purchases or Exchanges	3
Acquisitions of Undivided Interest	3
Additional Charges and Special Risks	3
Residential Escrow Transactions Defined.....	4
Commercial Escrow Transactions Defined	4
Rates, Fees and Charges in Effect Prior to Filing.....	4
C. Residential Escrow	4
Escrow Fee - Sale	4
Escrow Fee – Sale w/ Concurrent Loan	4
Escrow Fee - Refinance	4
Escrow Fee - New Loan – 1st.....	5
Escrow Fee - New Loan – 2nd’s/Home Equity.....	5
Escrow Fee - Construction Loans.....	5
Escrow Fee - Leasehold.....	5
Escrow Fee - Out of State and / or Escrow Only	5
Sub Escrow/Mini Escrow.....	6
D. Commercial Escrow Rate	6
Commercial Escrow Fee – Sale / Cash	6
Commercial Escrow Fee – Sale w/ Loan	6
Commercial Escrow Fee – Loan/Refinance/Construction Loan	7
Commercial Escrow Fee - Out of State and/or Escrow Only	7
Sub Escrow/Mini Escrow Commercial.....	7
E. Subdividers, Builders, and Commercial Developers.....	8
Sale to a Consumer Homebuyer or Lot Purchaser	8
Sale to a Non-Consumer Homebuyer or Lot Purchaser	8

F. Special Rates	8
Competitor Rate	8
Contractual Agreement / Negotiated Rate	8
Employee	9
Educator	9
First Responder / Veteran / Military	9
First Time Home Buyer	9
Governmental Agencies & Political Subdivisions	9
Investor Rate	10
Relocation Rate	10
Senior Citizen Rate	10
G. Miscellaneous Escrows	10
REO Escrow Rate	10
Short Sale Escrow Fee	11
H. Additional Fees & Charges	11
Additional Work Charge	11
Courier Fee/Overnight Delivery	11
Direct Escrow Documents	12
Direct Transaction Fees	12
Inspection Fee	12
Interest Bearing Account Set Up	12
Manufactured Homes/Mobile Homes/Affixture Processing Fees	12
Reconveyance Tracking	13
Recording Fee	13
File Maintenance and Dormant Funds	14
Signing Services (Outside)	14
I. Subdivision Trust Charges	14
Acceptance Rate	14
Annual Rate	14
J. Accounting and Administrative Services	15
Broker's Commission	15
Collateral Assignment of Beneficial Interest	15
Assignment of Collateral Assignment of Beneficial Interest	15
Assignment of Beneficial Interest	15
Assignment of Funds or Money Assignment	15

Savings Accounts, Impound Accounts, Time Certificates of Deposit, or Letters of Credit to be held by the Trustee for Depositories 16

Leases and Certificates of Purchase - State or Federal 16

Options to Purchase 16

Easement Fee or Execution of any other Miscellaneous Instrument 16

Additional Parcels of Property Added to Trust 16

Closing or Distribution Fee 16

Substitution of Trustee for purposes of non-judicial foreclosure 17

A. Introduction

1. Preface

- a) An escrow fee, settlement fee, closing fee or any specified rate included herein is the amount charged for the acceptance of an escrow transaction and the performance of the settlement agent duties by the escrow agent. The appropriate way to calculate a fee for each escrow transaction is the subject of this schedule of fees and charges.

B. General Rules & Definitions

1. Escrow

- a) 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 with or without transfer of legal or equitable title, or both, and respective of whether a debtor/creditor relationship is created 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, to be delivered or redelivered by that person upon the contingent happening or non-happening of a specified event or performance of non-performance of a prescribed act, when it is then to be delivered by such person to a grantee, grantor, promise, promisor, obligee, obligor, bailee, bailor, or a designated agent of employee or any of them. A.R.S. §6-801.

2. Escrow Agent

- a) Any person engaged in the business of accepting escrow. A.R.S. §6-801 unless otherwise specified herein, whenever there is a reference to "Escrow Agent", it shall mean Clear Title Agency of Arizona, LLC.

3. Fair Value

- a) When a sale is involved the "Fair Value" means the full amount of the consideration paid to the Seller, including any encumbrances being assumed by the Buyer and/or the "Fair Value" shall be determined from all available information, i.e., amount of encumbrances, assessed value, comparable sale data, etc. In no event shall the "Fair Value" be less than the sum of the unpaid principal balances of the mortgages, deed of trust and/or contracts to which the property is subject and is at the sole discretion of the Escrow Agent. When a sale is not involved, the "Fair Value" shall be the principal amount of the loan.

4. Basic Escrow Rate

- a) The Basic Escrow Rate is based on the “Fair Value” as described herein, derived in increments of \$10,000.

Liability Amount	Rate
Up to \$100,000	\$682
\$100,001 - \$200,000	\$16 per \$10,000
\$200,001 - \$1,000,000	\$12 per \$10,000
Over \$1,000,000	\$8 per \$10,000

5. Fee Calculation from Basic Escrow Rate

- a) The Basic Escrow Rate will always be applied on the on the fair value as defined herein in increments of \$10,000 including any fraction thereof.
- b) Whenever percentages are used to calculate an escrow fee, the fee charged will be rounded up to the next highest dollar.
- c) Other rates, such as special escrow rates or rates applicable to specific types of transactions as set forth in this manual will be extended at the discretion of the Escrow Agent or upon request and submission of sufficient documentation of qualifications.
- d) Certain projects may require services for which a pricing schedule is not provided for in this schedule of fees (i.e. non-typical projects). The company reserves the right to enter into contracts or agreements in writing outlining negotiated rates to be charged. Any such contract or agreement shall be approved by company management and maintained outside of this rate manual.
- e) Escrow Agent reserves the right to match escrow quotes received from a competing Escrow Agency and/or Title Insurer provided the rate is obtained in writing and is a filed and approved rate by the Department of Financial Institutions.
- f) Any special rate shall be applied only to that portion of the fees the qualifying party is customarily charged and is expected to pay in the transaction and as provided for in this filing.

6. Minimum Escrow Rate

- a) Unless otherwise set forth within a specific rate herein, the total minimum charge for any escrow transaction shall be:

Transaction Type	Residential	Commercial
i. Sale	\$358.00	\$358.00
ii. New Loan or Refinance	\$160.00	\$179.00
iii. Subdivision / Builder	\$179.00	\$179.00
iv. Special Rates	\$179.00	\$179.00
v. Misc Escrows	\$358.00	\$358.00

7. Payment of Escrow Charges

- a) Unless otherwise instructed in writing by the parties, the escrow fees and recording/filing fees to be charged one-half (1/2) to Buyer and one-half (1/2) to Seller as applicable. Unless otherwise instructed in writing by the parties, any charges incurred for miscellaneous or additional services provided or requested by the parties will be charged to the person who requested such services(s) or who will benefit by such service(s).

8. Multiple Sales, Purchases or Exchanges (Different Owners or Buyers)

- a) The Basic Escrow Rate as defined in this rate manual, will be applicable on each separate sale, exchange, or purchase.

9. Acquisitions of Undivided Interest

- a) When sold separately from remaining interest, the Basic Escrow Rate for a single escrow transaction that involves the same purchaser purchasing the undivided interest(s) in any single property or multiple properties, shall be based on the greater of consideration paid to the Seller, or the Fair Value thereof.

10. Additional Charges and Special Risks

- a) Additional charges will be made when unusual conditions are encountered or when special services are provided as deemed necessary by reason of terms and conditions set forth in the escrow transaction.
- b) In the event such charges are incurred, the deposit of final funds and the signing of final documents or the acceptance of the work performed will constitute approval of the charges made.

11. Residential Escrow Transactions Defined

- a) Whenever the term “Residential Escrow” is used herein, it shall mean a transaction relating to property improved with a 1 to 4 family residential dwelling or residential condominium unit.

12. Commercial Escrow Transactions Defined

- a) Whenever the term “Commercial Escrow” is used herein, it shall mean a transaction relating to all real property not categorized as improved with a 1 to 4 family residential dwelling or residential condominium units.

13. Rates, Fees and Charges in Effect Prior to Filing

- a) In the event that any fees or charges that appeared in a prior filing are inadvertently omitted from this filing, those previous rates and charges shall remain in effect until subsequently included or changed.
- b) All fees and charges are subject to change without prior notice.
- c) All fees and charges will be considered earned income by the Escrow Agent upon close of escrow and shall be non-refundable.

C. Residential Escrow

1. Escrow Fee - Sale

- a) Escrow fee will be based on the fair value of the property when there is a transfer of title.

100% of the Basic Escrow Rate

2. Escrow Fee – Sale w/ Concurrent Loan (Loan Tie-in Rate)

- a) There will be an additional fee for all sale escrow transactions closing simultaneously with a new loan. This fee will be in addition to the Basic Rate and will be charged ½ to the Buyer and ½ to the Seller unless otherwise instructed. The Loan Tie-in fee shall be collected per simultaneous loans closing.

100% of the Basic Escrow Rate + \$160 per loan

3. Escrow Fee - Refinance

- a) A loan escrow which does not involve the transfer of title, in which a new loan will be replacing or revamping an existing loan.

Bundled Rate = \$350.00 + \$160 per additional loan

Note: This rate includes Courier fees, Overnight Delivery fees, Reconveyance Tracking.

4. Escrow Fee - New Loan – 1st

- a) A loan escrow which does not involve the transfer of title, in which there are no existing liens or encumbrances.

Bundled Rate of 50% of the Basic Escrow Rate + \$160 per additional loan

Note: This rate includes Courier fees, Overnight Delivery fees.

5. Escrow Fee - New Loan – 2nd's/Home Equity

- a) A loan escrow which does not involve the transfer of title, in which a loan is closing subsequently in 2nd or greater position and we are not paying any existing encumbrance.

Bundled Rate of \$160 + \$160 per loan

Note: This rate includes Courier fees, Overnight Delivery fees.

6. Escrow Fee - Construction Loans

- a) If there are no existing liens or encumbrances: See Section C4 (Escrow Fee – New Loan) of this rate manual.
- b) If loan is used to pay off an existing lien or encumbrance in addition to construction costs: See Section C3 (Escrow Fee – Refinance) of this rate manual.

Note: If the new Lender requires additional services, such as lien waivers, acquisition of additional information needed to process the loan, an Additional Work Charge will apply as described herein.

7. Escrow Fee - Leasehold

- a) The escrow rate for leasehold shall be based upon the fair value of the property or the total amount of the lease payments, whichever is less.

i. Leasehold Basic Rate	100% of the Basic Escrow Rate
ii. Oil, Gas or Mineral Leases	200% of the Basic Escrow Rate

8. Escrow Fee - Out of State and / or Escrow Only

- a) The escrow fee for an escrow involving a transfer or encumbrance of real property, manufactured home, mobile home or factory-built building designed for use as a residential dwelling in which no title insurance is to be issued or title insurance is being issued by a company that is not located in the state of Arizona.

150% of the Basic Escrow Rate

Note: Escrow Agent, at their discretion, may combine the above rate with any applicable special rates described herein

9. Sub Escrow/Mini Escrow

- a) An abbreviated escrow will be provided at the rates indicated when any one or more of the following services are provided separately or in support of a primary escrow holder or institutional lender.

Service	Fee
i. Receipt / Disbursement of Funds	\$100.00
ii. Acceptance / recordation of documents	\$125.00
iii. Additional Services Requested	\$100.00 / hr.

The minimum charge for this rate is \$100.00

Note: This rate does not include recording fees due the County Recorder as set forth in this rate manual.

D. Commercial Escrow Rate

Escrow services performed in conjunction with title services shall be charged based upon the dollar amount of the transaction, at the following rates for properties defined herein as Commercial.

1. Commercial Escrow Fee – Sale / Cash

Sales Price	Rate
a) Up to \$3 million	70% of the Basic Escrow Rate
b) Over \$3 million - \$10 million	60% of the Basic Escrow Rate
c) Over \$10 million - \$20 million	50% of the Basic Escrow Rate
d) Over \$20 million	40% of the Basic Escrow Rate

2. Commercial Escrow Fee – Sale w/ Loan

- a) A Loan Tie-in Fee will be added to the below rate and charged ½ to the Buyer and ½ to the Seller unless otherwise instructed.

\$160.00 per each additional loan

Sales Price	Rate
a) Up to \$3 million	70% of the Basic Escrow Rate
b) Over \$3 million - \$10 million	60% of the Basic Escrow Rate
c) Over \$10 million - \$20 million	50% of the Basic Escrow Rate
d) Over \$20 million	40% of the Basic Escrow Rate

3. **Commercial Escrow Fee – Loan/Refinance/Construction Loan**

- a) This rate shall be applicable to any Commercial Loan escrow transactions, where there is no transfer of title, and regardless of whether or not there are any existing loans or encumbrances to be paid. If there are additional fees incurred during the course of escrow, they will be added to the below rate accordingly.

35% of the Basic Escrow Rate

4. **Commercial Escrow Fee - Out of State and/or Escrow Only**

- a) The escrow fee for an escrow involving a transfer or encumbrance of real property, designated as commercial property located out of state.

180% of the Basic Escrow Rate

Note: Escrow Agent, at their discretion, may combine the above rate with any applicable special rates described herein.

5. **Sub Escrow/Mini Escrow Commercial**

Service	Fee
a) Receipt / Disbursement of Funds	\$150.00
b) Acceptance / recordation of documents	\$125.00
c) Ordering Payoffs	\$75.00
d) Additional Services Requested	\$100.00 per hour

Note: The minimum charge for this rate is \$100.00

E. Subdividers, Builders, and Commercial Developers

This rate is available to a builder, contractor, developer or subdivider customarily engaged in such business.

1. **Sale to a Consumer Homebuyer or Lot Purchaser**
 - a) 30% of the Basic Escrow Rate
2. **Sale to a Non-Consumer Homebuyer or Lot Purchaser**

Sales Price	Rate
a) Up to \$5 million	70% of the Basic Escrow Rate
b) Over \$5 million - \$15 million	60% of the Basic Escrow Rate
c) Over \$15 million	50% of the Basic Escrow Rate

Note: If applicable, a Loan Tie-in Fee will be added to the below rate and charged ½ to the Buyer and ½ to the Seller unless otherwise instructed.

\$160.00 per loan

F. Special Rates

The rates contained within this section are considered reduced rates. No other rate shall be applied or combined with these rates unless otherwise noted and will only apply to fees customarily paid by the benefiting party.

1. **Competitor Rate**
 - a) Clear Title Agency of Arizona, LLC may choose to match written escrow quotes received from a competing escrow and/or title company.

Note: Competitor rates must be filed and approved by Arizona Department of Financial Institutions and copy of the quote must be retained in file.

2. **Contractual Agreement / Negotiated Rate**
 - a) Separate contracts can be entered into under specific conditions for which no compensatory escrow service charge has been provided for in this rate manual. In any such event, an escrow charge shall be made as may be "contractually" agreed upon by and between Clear Title Agency of Arizona and the party to the escrow.

3. Employee

- a) This rate is available to all employees of Clear Title Agency of Arizona, its subsidiaries and agents for escrows handled by the company in connection with financing, refinancing, sale or purchase of real property.

i. Primary Residence	No Charge
ii. Secondary/Investment Properties	50% of the Basic Rate

Note: The above rate is only applicable to those fees employee would be obligated to pay by established custom. In addition, employee must be employed with the company for a minimum of 90 days to qualify for the above rate.

4. Educator

- a) This rate is available to any Educator employed as a teacher for an accredited educational institute either public or private. Benefiting party must provide proof of employment.

80% of the Basic Escrow Rate

5. First Responder / Veteran / Military

- a) This rate is available to any First Responder/Veteran/or Military person party to an Escrow. A First Responder includes police officers, firefighters, emergency personnel, active or retired military, National Guard and Red Cross employees. Benefiting party must present proof of employment or active duty status.

70% of the Basic Escrow Rate

6. First Time Home Buyer

- a) This rate is available to any Buyer that is purchasing their first home.

80% of the Basic Escrow Rate

7. Governmental Agencies & Political Subdivisions

- a) Separate contract bids may be solicited and entered into with any federal, state, county or municipal governmental entity, agent or political subdivision, which is a buyer, borrower, seller or exchanger of real property for the furnishing of escrow services. All bids will reflect and be based upon the complexity of the transaction. A copy of said contract bid is to be scanned into the file.

8. Investor Rate

- a) This rate is available to licensed real estate agents or brokers, licensed mortgage brokers, loan officers or other individuals, groups of individuals or entities customarily engaged in real estate investments for the production of income and profit, wherein they are the buyer, borrower or seller. This rate is applicable only to the escrow fees which are being paid by the investor.

70% of the Basic Escrow Rate

9. Relocation Rate

- a) This rate is available to individual who, by the terms and conditions of his/her employment, is forced to relocate within to, or from Arizona and acquiring or disposing of a single family residential unit used as their primary residence. This rate is only applicable in connection with those costs, which the "relocatee" would customarily pay.

50% of the Basic Escrow Rate

10. Senior Citizen Rate

- a) This rate is available to all persons of the age 65 years or older on or before the close of escrow date. The person requesting this rate must present proof of age.

80% of the Basic Escrow Rate

G. Miscellaneous Escrows

1. REO Escrow Rate

- a) This rate shall be applied to an escrow transaction involving an REO resale (bank owned property).

Escrow Agent is issuing Title Ins.	Escrow Agent is NOT issuing Title Ins.
i. 120% of the Basic Rate	ii. 150% of the Basic Rate

This rate shall be the sale escrow rate applicable to this type of transaction and unless otherwise instructed in writing by the Seller (bank owning the property) and will be charged one-half (1/2) to buyer and one-half (1/2) to seller.

Note: If applicable, a Loan Tie-in Fee will be added to the above rate and paid by the Buyer unless otherwise instructed.

\$160.00 per loan

Note: No other rate shall be applied to this rate.

2. Short Sale Escrow Fee

- a) When the transaction results in one or more existing lenders accepting less than the actual amount owed under its encumbrance (“short-payoff” or “short sale”).

Sales Price	Bundled Rate
i. Up to \$100,000	\$1200
ii. \$100,001 - \$250,000	\$1400
iii. \$250,001 - \$500,000	\$1600
iv. \$500,001 - \$750,000	\$1800
v. \$750,001 - \$1,000,000	\$2000
vi. Over \$1,000,000	100% of the Basic Escrow Rate + \$1000

Note: This rate includes Courier fees, Overnight Delivery fees, Reconveyance Tracking and Recording Services.

H. Additional Fees & Charges

1. Additional Work Charge

- a) An hourly work charge will be made when special services or additional work is requested or required that is over and above the normal services provided in the type of escrow to be closed. The customer will be notified of the charges before they are incurred. In the event such charges are made, the deposit of final funds and the signing of final documents or the acceptance of the work performed will constitute approval of the charges.

\$100.00 per hour

2. Courier Fee/Overnight Delivery

- a) There will be a fee charged on all transactions for costs incurred by Clear Title Agency of Arizona for the delivery / courier / overnight services used to deliver documents and/or funds to and from Escrow Agent.

\$25.00 per delivery/overnight occurrence

3. Direct Escrow Documents

- a) A fee per document created and provided by escrow agent will be charged to the benefiting party. This does not include the standard documents used to close escrow or documents required to issue title insurance.

\$100.00 per additional document

4. Direct Transaction Fees

- a) When Escrow Agent is required to prepare escrow instructions in lieu of a contract or lenders instructions, Escrow Agent will impose an additional charge to the applicable Escrow Rate.

i. Lender Escrow Instructions	\$150.00
ii. Contract Escrow Instructions	\$150.00

5. Inspection Fee

- a) When an inspection of the subject property is required as a condition for the issuance of title insurance or other matters relative to the consummation of a transaction, the fee for said inspection shall be:

\$100.00 per request

6. Interest Bearing Account Set Up

- a) In connection with an escrow, all funds in escrow may be placed into an interest bearing account upon the written request from the depositor of said funds. The depositor of such funds shall complete and sign an IRS W9 form and an Interest Bearing Account Authorization as provided by the Company before such an account can be opened. The charge for opening, servicing and closing out of such an account shall be:

\$35 per account

7. Manufactured Homes/Mobile Homes/Affixture Processing Fees

- a) For purposes of this section, the term UNIT shall mean a single manufactured dwelling, trailer or other modular or manufactured structure used for residential purposes and whether or not comprised of one or more sections, which requires the processing of Manufacturer’s Certificate(s) of Origin, Certificate(s) of Title and/or Affidavit(s) of Affixture.

The applicable processing fee set forth below shall be in addition to the escrow rate charged for closing the transaction and is considered earned income at close of escrow and shall be non-refundable. Any and all fees due any local State Motor Vehicle Department or a third party vendor processing the vehicle title.

\$200.00 per title transfer

Note: The above fees include any and all fees charged by the Motor Vehicle Department and/or third party vehicular title processing service.

8. Reconveyance Tracking

- a) When any existing encumbrance is paid through Escrow, on a residential transaction and the release is not available at the time of recordation, a fee per encumbrance will be charged for the adherence of following A.R.S. §33-707E. Note this fee does not insure that a release will be filed and recorded. This charge shall not apply to commercial transactions or transactions where there is no encumbrance with an original principal balance less than the maximum amount specified has been paid in escrow pursuant to A.R.S. §33-707E.

\$100 per payoff

9. Recording Fee

- a) Fee to record all documents with the applicable county recorder electronically or otherwise. This fee also includes the delivery of said recorded original documents to the benefiting party and will be charged one-half (1/2) to buyer and one-half (1/2) to seller.

Transaction Type	Fee per File
i. Refinance/Loan	\$45.00
ii. Sale/Cash	\$50.00
iii. Sale/Loan	\$60.00
iv. Commercial Sale	\$100.00
v. Commercial Loan/Refi	\$75.00

- b) If an institutional lender requires that the recording fee itemized, Escrow Agent will comply with those written instructions, and the recording fees will be charged in accordance with the actual county recorder pursuant to A.R.S. §11-475.
- i. Buyer/Borrower will be charged for documents relating to the transfer of title, deeds, as well as any security instruments (i.e. Deeds of Trust, Mortgages).
- ii. Seller will be charged for any documents recorded for Seller’s benefit or required by Escrow Agent, in addition to the Affidavit of Property Value.

10. File Maintenance and Dormant Funds

- a) Pursuant to A.R.S. §44-317, Escrow Agent will charge a service fee for the processing and administration coincidental with any unclaimed funds. This one-time charge will be earned by the Escrow Agent after the Escrow Agent has made a diligent effort to locate the party which includes written notice.

\$75 per check

11. Signing Services (Outside)

- a) Escrow Agent may employ vendors to perform outside signing services to accommodate a customer request. This service, if requested, will be charged to the benefiting party to escrow. If signatures are taken by an outside signing service and obtained at any location of the Escrow Agent, there will be no charge. If signatures are obtained outside of Escrow Agent’s place of business, the fee will be determined by the vendor.

Employees of Escrow Agent do not charge signing or notary fees.

I. Subdivision Trust Charges

The following charges are the rates applicable for accounting and other services rendered in connection with subdivision trust escrows pursuant to the instructions of the parties hereto.

1. Acceptance Rate

a) Single Beneficiary Trust	\$200.00
b) Double Beneficiary Trust	\$250.00
c) Junior Beneficiary Trust	\$250.00
d) Additional Charge for Excess Beneficiary	\$25.00 each

2. Annual Rate

a) Single Beneficiary Trust	\$200.00
b) Double Beneficiary Trust	\$250.00
c) Junior Beneficiary Trust	\$250.00
d) Additional Charge for Excess Beneficiary	\$25.00 each

"Beneficiary" as referred to herein is defined as follows:

- One married couple
- One party as his sole and separate
- One partnership (general, limited or joint venture)
- One corporation

J. Accounting and Administrative Services

1. Broker's Commission

a) Acceptance Fee	\$75.00
b) Annual Fee	\$50.00
c) Additional Broker Fee	\$25.00 each

Note: An additional Broker Fee is charged for each additional broker in excess of one.

2. Collateral Assignment of Beneficial Interest

a) Acceptance Fee	\$75.00
b) Annual Fee	\$50.00
c) Release, Administrative, Accounting	\$25.00

Note: Additional Services Fees will be charged in the event any Collateral Assignment contains release provisions and/or additional administrative or accounting services.

3. Assignment of Collateral Assignment of Beneficial Interest

\$75.00

4. Assignment of Beneficial Interest

\$75.00

5. Assignment of Funds or Money Assignment

Note: An Additional Payee fee will be added for every payee added over one.

a) Acceptance Fee	\$75.00
b) Annual Fee	\$50.00
c) Change of Payee	\$50.00

d) Additional Payee	\$25.00
e) Change of Payee under Trust Obligation	\$50.00

6. **Savings Accounts, Impound Accounts, Time Certificates of Deposit, or Letters of Credit to be held by the Trustee for Depositories**

a) Acceptance Fee	\$50.00
b) Review and Analysis of Trust Accounts	\$50.00 per hour / per employee
c) Acceptance of Amendment to Trust Agreement	\$75.00

7. **Leases and Certificates of Purchase - State or Federal**

a) Acceptance Fee	\$75.00
b) Annual Fee	\$50.00

8. **Options to Purchase**

a) Acceptance Fee	\$75.00
b) Annual Fee	\$50.00

9. **Easement Fee or Execution of any other Miscellaneous Instrument**

\$15.00

10. **Additional Parcels of Property Added to Trust**

a) Per Parcel	\$50.00
b) Deed Fee	\$15.00 per deed
c) Additional Lot or Parcel Fee	\$1.50
d) Maximum additional Deed Fee	\$15.00

11. **Closing or Distribution Fee**

a) Single Beneficiary Trust, Minimum	\$ 100.00
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b) Double Beneficiary Trust, Minimum	\$ 200.00
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Note: If all the property in the trust is sold or conveyed by the Trustee in the normal course of handling the subdivision, there will be no closing or distribution charge.

The rates for collection services for transactions creating deferred obligation payable to a trustee of a subdivision trust wherein the subject property of a said transaction is an unimproved lot or parcel as defined in A.R.S. § 32-2101 are as follows:

i. Acceptance Charge	\$ 50.00	ii. Annual Charge	\$ 75.00
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Note: This rate applies only to collection services established after the effective date of this filing.

12. **Substitution of Trustee for purposes of non-judicial foreclosure**

- a) This fee will be charges for Trustee's Sales conducted outside of the county in which the trust is being administered and the new Trustee has requested copies of documents, accounting records, execution of Trustee's Sale, Substitution of Trustee, etc.

\$100.00