

ESCROW FEES AND CHARGES OF
BAY NATIONAL TITLE AGENCY, INC.
FOR THE STATE OF ARIZONA



EFFECTIVE 5/21/2018

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FORWARD

The rules and procedures contained herein are in no manner, either express or implied, to be construed as establishing or changing the rules and procedures pertaining to the escrow practices followed by the Company, but are shown in order to properly apply the applicable Escrow Rate Table(s). The rates shown are for the processing of the various types of escrows as required by Arizona Revised Statute, Article 4, Sections 20-375 and 20-377, and do not include any additional service(s) unless otherwise noted or provided for in this schedule of fees and charges.

The fees are charged on a per- transaction basis and may be apportioned among the parties to the transaction in accordance with the instructions of the parties.

All fees and charges contemplated by this Schedule shall be rounded up to the next dollar at each calculation except as otherwise expressly provided. Any reference to “per \$1,000 of liability” shall mean and include “per \$1,000 of liability and any portion thereof.”

DEFINITIONS

GENERAL DEFINITIONS

“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 with or without transfer of legal or equitable title, or both, and irrespective 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 of 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 or non-performance of a prescribed act, when it is then to be delivered by such person to a grantee, grantor, promisee, promisor, obligee, obligor, bailee, bailor, or a designated agent or employee or any of them. (A.R.S. 6-801)

“Escrow Agent” means any person engaged in the business of accepting escrow. (A.R.S. 6-801)

“Escrow Business” means a commercial activity characterized by the regular and continuous carrying on of escrow transactions. (ARS 6-801)

“Fair Value”

(1) 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 date, etc.), and this optional selection for determining “fair value” is at the sole discretion of the Escrow Agent.

(2) When a sale is not involved, the “fair value” shall be the principal amount of the loan.

“Commercial” means any property that is not Residential.

“Residential” means improved one-to-four family residential property, or unimproved property that is intended for use as one-to-four family residential property.

MINIMUM FEES, CHARGES AND SPECIAL RISKS

The fees herein are minimum charges. Additional charges shall 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.

In the even such charges are made, the deposit of final funds and the signing of final documents or the acceptance of the work performed shall constitute approval of the charges. In all other situations, acceptance by the customer of the work performed shall constitute approval of the charges made.

FEES FOR UNUSUAL SERVICES / SERVICES NOT SCHEDULED HEREIN

When escrow services are requested under conditions for which no charge has been provided in this Schedule, a charge shall be made which in the opinion of the Company appears to be consistent with the

general pricing procedures as set forth herein. Additional or different fees will be charged when unusual conditions are encountered and for special services requested, subject to agreement by the customer and the Company. The fee for additional escrow work when unusual conditions are encountered, or special services are rendered is \$100 per hour or any fraction thereof.

Schedule of Residential Escrow Fees

The minimum charge of 100% of the Basic Escrow Fee shall be based upon the “fair value” of the property being conveyed in the escrow transaction. If additional charges are applicable, all such additional charges shall be identified and described separately on the final settlement statement/closing disclosure.

RESIDENTIAL SALE ESCROW FEE

The fee for Basic Escrow Services for a sale transaction is 100% of the Basic Escrow Fee based upon the Fair Value of the property being conveyed in the escrow transaction, subject to modification as expressly provided in this Schedule.

Basic Escrow Services shall include payoff demand processing, electronic document downloads and delivery, two (2) Overnight deliveries, receipt of incoming funds and issuance of disbursements, recon tracking of payoffs. If additional charges are applicable, all such additional charges shall be added to the Basic Escrow Rate as applicable

Transaction Amount - Up to and Including	Rate
\$0 - \$100,000	\$750
\$100,001 - \$200,000	\$950
\$200,001 - \$300,000	\$1,150
\$300,001-\$1,000,000	\$1,500
Over \$1M	Add \$4 per \$5,000

When a sale escrow and a loan are conducted simultaneously covering identical property, an additional fee of \$130 per loan will apply.

REO SALE TRANSACTIONS

For residential purchase transactions where the seller foreclosed or acquired the property as a result of holding a prior loan on the property. The term seller shall include Government entitles or Government Sponsored Enterprises insuring such loans.

REO Sale Escrow Services include payoff demand processing, electronic document downloads and delivery, two (2) Overnight deliveries, receipt of incoming funds and issuance of disbursements, recon tracking of payoffs. If additional charges are applicable, all such additional charges shall be added to the Basic Escrow Rate as applicable:

Transaction Amount - Up to and Including	Rate
\$0 - \$100,000	\$750
\$100,001 - \$200,000	\$950
\$200,001 - \$300,000	\$1,150
\$300,001-\$1,000,000	\$1,500
Over \$1M	Add \$4 per \$5,000

When a REO sale escrow and a loan are conducted simultaneously covering identical property, an additional fee of \$130 per loan will apply.

RESIDENTIAL NEW LOAN AND REFINANCE TRANSACTIONS

The fee for Basic Escrow Services for a loan/refinance transaction is 100% of the Basic Escrow Fee based upon the loan amount in the escrow transaction, subject to modification as expressly provided in this Schedule.

Basic Escrow Services include one (1) reconveyance tracking fee, two (2) courier/delivery or express mail fee, two (2) wire fees, and one (1) loan tie-in fee.

Transaction Amount - Up to and Including	Rate
\$0 - \$100,000	\$350
\$100,001 - \$200,000	\$400
\$200,001 - \$300,000	\$500
\$300,000 - \$1,000,000	\$650
Over \$1,000,000	Add \$2 per \$5,000

When a 2nd loan is conducted in conjunction with the first, an additional loan tie in fee of \$100 will apply.

Schedule of Commercial Escrow Fees

The minimum charge of 100% of the Basic Escrow Fee shall be based upon the “fair value” of the property being conveyed in the escrow transaction. If additional charges are applicable, all such additional charges shall be identified and described separately on the final settlement statement/closing disclosure.

COMMERCIAL SALE ESCROW FEE

The fee for Basic Escrow Services for a sale transaction is 100% of the Basic Escrow Fee based upon the Fair Value of the property being conveyed in the escrow transaction, subject to modification as expressly provided in this Schedule.

Basic Escrow Services shall include payoff demand processing, electronic document download and delivery, two (2) Overnight deliveries, receipt of incoming funds and issuance of disbursements, recon tracking of payoffs. If additional charges are applicable, all such additional charges shall be added to the Basic Escrow Rate as applicable

Transaction Amount - Up to and Including	Rate
\$0 - \$100,000	\$850
\$100,001 - \$200,000	\$950
\$200,001 - \$300,000	\$1,050
\$300,001-\$1,000,000	\$1,350
Over \$1M	Add \$3 per \$5,000

When a sale escrow and a loan are conducted simultaneously covering identical property, an additional fee of \$130 per loan will apply.

REO SALE TRANSACTIONS

For commercial purchase transactions where the seller foreclosed or acquired the property as a result of holding a prior loan on the property. The term seller shall include Government entities or Government Sponsored Enterprises insuring such loans.

REO Sale Escrow Services include payoff demand processing, electronic document download and delivery, two (2) Overnight deliveries, receipt of incoming funds and issuance of disbursements, recon tracking of payoffs. If additional charges are applicable, all such additional charges shall be added to the Basic Escrow Rate as applicable

Transaction Amount - Up to and Including	Rate
\$0 - \$100,000	\$850
\$100,001 - \$200,000	\$950
\$200,001 - \$300,000	\$1,050
\$300,001-\$1,000,000	\$1,350
Over \$1M	Add \$3 per \$5,000

When a REO sale escrow and a loan are conducted simultaneously covering identical property, an additional fee of \$130 per loan will apply.

COMMERCIAL NEW LOAN AND REFINANCE TRANSACTIONS

The fee for Basic Escrow Services for a loan/refinance transaction is 100% of the Basic Escrow Fee based upon the loan amount in the escrow transaction, subject to modification as expressly provided in this Schedule.

Basic Escrow Services include one (1) reconveyance tracking fee, two (2) courier/delivery or express mail fee, two (2) wire fees, and one (1) loan tie-in fee.

Basic Escrow Services include:

Transaction Amount - Up to and Including	Rate
\$0 - \$100,000	\$450
\$100,001 - \$200,000	\$600
\$200,001 - \$300,000	\$750
\$300,001 - \$1,000,000	\$900
Over \$1,000,000	Add \$2 per \$5,000

When a 2nd loan is conducted in conjunction with the first, an additional loan tie in fee of \$150 will apply.

Special Rates

LIMITED ESCROW / SUB-ESCROW FEE

Sub-escrow services may be provided in support of a primary holder of an escrow transaction or an institution lender. The escrow fee shall be \$150.00 for the following sub-escrow services: 1) the receipt of funds and written instructions from the primary holder of the escrow or from a lender whose loan is to be insured, 2) the disbursement of such funds for the elimination of matters affecting title. This \$150.00 sub-escrow fee shall be earned and nonrefundable upon payment. Any additional or different services shall be charged as Additional Work.

INVESTOR RATE-PURCHASE TRANSACTIONS

This rate is available to a person who in the ordinary course of business invests in real estate so that the real estate may produce a revenue, income or profit and who has provided a certification to that effect to the Company (an "Investor"). This discount cannot be used in conjunction with any other discount, does not apply to any flat fee, and cannot be applied to reduce the total fee to an amount less than any minimum fee expressly specified herein. The fee for Basic Escrow Services purchased by an Investor under this Section is 70% of the Basic Escrow Fee.

NEGOTIATED RATE

Under certain circumstances, the Company reserves the right to negotiate fees. Any such negotiated rate agreement must be approved in writing by the appropriate Executive Vice President or higher position. A copy of said agreement is to be retained in the legal department.

CONTRACT RATE - GOVERNMENTAL AGENCIES & POLITICAL SUBDIVISIONS

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 as may be agreed upon by and between the Companies. Any such contracted bids must be approved in writing by the appropriate Executive Vice President or higher position. A copy of said contract bid is to be retained in the legal department.

VOLUME PRICING – RESIDENTIAL LOAN TRANSACTIONS

When handling a refinance escrow where no sale of real property is involved, the escrow fee charged shall be a “Flat Fee” as described below. Volume pricing must be approved in writing by the appropriate Executive Vice President or higher position. A copy of said approval is to be retained in the legal department. The Volume fee shall include

- a) Two (2) Courier
- b) Two (2) Wire fees
- c) One (1) Loan Tie in Fee

Transaction Amount - Up to and Including	Rate
\$0 - \$100,000	\$300
\$100,001 - \$200,000	\$350
\$200,001 - \$300,000	\$450
\$300,001 - \$1,000,000	\$500
Over \$1,000,000	QUOTE

HOME EQUITY ESCROW SERVICES

For the purposes of this section only, “Home Equity Limited Escrow Services” shall mean the following services: ordering demands and making payoffs on up to two (2) previous loans and disburse balance of proceeds, by either check or wire transfer, to up to three (3) payees. A Flat Fee charge of \$145.00 shall be applicable for Home Equity Limited Escrow Service in connection with a home equity loan transaction up to a \$500,000 loan amount.

COMPETITORS’ RATES

The Company reserves the right to match any written escrow rate quote from a State of Arizona licensed title/escrow company. All such agreements must be approved in writing by the appropriate Executive Vice President or higher position of the company. A copy of said agreement is to be placed in each escrow file for which the rate applies.

Miscellaneous Services and Charges

Service	Fee
Notary Fee and Signing Services	Actual Charge
Document Preparation (for transactions requiring documents to complete an insured transaction)	\$50 per document
Check Returned for Insufficient funds	\$25
Additional Wire Fee	\$25
Overnight Delivery Fee	\$25
Replacement or Loss Check	\$25
Reconveyance Tracking	\$50
Interest Bearing Account Set up	\$50 + \$10 per month accruing after 180 days
Dormancy Fee when funds remain in escrow for more than 180 days after close	\$25 for a period of 90 days, \$25 for each additional 90 days, after 180 days, \$10/mo
Escrow Holdback	\$75 set up; \$25 per month
Fees for services, including but not limited to signing services, obtained from a third party (other than the Company) or otherwise imposed by a governmental entity and for which a specific fee or charge is not assigned for the individual service in this Schedule of Escrow Fees	Actual charge by the third-party provider or governmental entity, other than recording fees in Residential transactions
Recording Service Fee – This fee may be assessed on escrow transactions involving the recordation of documents and includes costs for items processed for recording, packaging, and the mailing/delivery of original documents electronically recorded. The Company will charge actual recorded fees as assessed by the government agencies, and this fee may be collected in addition for services rendered.	\$30