

**FIRST ARIZONA TITLE AGENCY, LLC**  
**ESCROW RATE SCHEDULE**  
**Effective December 20, 2011**

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## **PREFACE**

**An Escrow Fee is the amount charged for the acceptance of an escrow transaction and performance of the escrow duties by an Escrow Agent. The fee for a particular escrow transaction is based either on the “Fair Value” of the property or on a set flat charge, each of which are determinable at the sole discretion of the Escrow Agent.**

**When the fee is based on the “Fair Value” of the property, the appropriate fee is calculated from schedules of charges where fee amounts are listed coinciding with the “Fair Value” amounts in increments of \$50,000.00.**

**There are various sub-categories of these fees based on the terms and conditions specific to each escrow transaction. The appropriate way to calculate a fee for each escrow transaction is the subject of this Schedule and General Rules. Relative thereto, a thorough understanding of the escrow transaction, this Schedule and the General Rules herein is required in order to charge correctly.**

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**FIRST ARIZONA TITLE AGENCY LLC**  
**ESCROW**  
**SECTION I – GENERAL RULES**

**101. 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 of 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 of 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)

Unless otherwise specified herein, whenever there is a reference to “Escrow Agent”, Escrow Agent shall mean First Arizona Title Agency, LLC.

“Escrow Business” means a commercial activity characterized by the regular and continuous carrying on of escrow transactions. (A.R.S. 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 the “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.

**102. COMPUTATION OF THE BASIC ESCROW FEE:**

1. The Basic Escrow Fee is based on the “Fair Value” of the property as defined above. The minimum escrow fee for amounts up to \$100,000.00 is \$440.00. Thereafter, the Basic Escrow Fee is calculated in increments of \$50,000.00.

2. Whenever any fractional percentage of the "Fair Value" is used, the fee arrived at will be rounded up to the next higher fee increment. For example, if the "Fair Value" is \$189,010.00, the Escrow Service Fee will be based on \$200,000.00.

**103. ACQUISITIONS OF UNDIVIDED INTERESTS:**

The basic escrow fee for a single escrow transaction that involves the same purchaser purchasing the undivided interest(s) in a specific or multiple properties, shall be based on the amount of the interest conveyed, the consideration paid to the Seller or the "Fair Value" thereof, whichever is greater.

**104. MULTIPLE SALES OR EXCHANGES:**

The basic escrow fee is calculated on the "Fair Value" of each property being conveyed, even though there may be common parties involved in these multiple or single escrow transactions and/or concurrent recordings.

**105. MINIMUM FEES, CHARGES AND SPECIAL RISKS:**

The fees herein are minimum charges. 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.

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. In all other situations, acceptance by the customer of the work performed shall constitute approval of the charges made.

**106. RATES, FEES AND CHARGES IN EFFECT PRIOR TO FILING:**

All rates and fees contained herein become effective when approved by the Superintendent of Banking or by operation of law.

**107. RESIDENTIAL TRANSACTION DEFINED (11/08)**

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

**108. COMMERCIAL TRANSACTION DEFINED (11/08)**

Whenever the term "Commercial Transaction" is used herein it shall mean a transaction relating to property other than that improved with a 1-to-4 family residential dwelling or a residential condominium unit.

## SECTION II – SCHEDULE OF ESCROW FEES

### 201. BASIC ESCROW FEE (SALE):

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 added to the Basic Escrow Rate applicable.

**NOTE:** The Escrow Fee, Tracking Fee, Delivery Fee and Recording Fee may be aggregated and set forth on the escrow fee line of the HUD – 1 as a bundled rate.

### 202. BASIC ESCROW FEE (LOAN):

If no transfer of title is involved, the minimum charge of 100% of the Basic Escrow Fee shall be based upon the principal amount of the new loan(s).

### 203. BASIC ESCROW FEE (SALE AND LOAN):

When conducting a sale and loan escrow simultaneously, including seller carryback, covering identical property, the fee for escrow will be 100% of the Basic Escrow Fee plus \$100.00 for each loan.

### 204. BASIC ESCROW FEE (LEASEHOLD):

1. The minimum charge on the sale of the Leasehold Interest (excepting there from Oil, Gas or Mineral Leases) shall be 100% of the Basic Escrow Fee computed upon the “Fair Value” of the property leased.
2. The Basic Escrow Fee on an escrow transaction involving the sale of a Oil, Gas or Mineral Lease Estate, shall be as negotiated, based on services rendered.

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## SECTION III – SPECIAL RATES

### 301. CONTRACTURAL RATE:

Separate contracts may 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 the Company and the parties to the escrow. The minimum escrow charge under this Section shall be \$100.00.

### 302. EMPLOYEE RATE:

This rate is available to all employees of this company, its subsidiaries and agents for escrow handled by the Company in connection with the financing, refinancing, sale or purchase of property, as follows:

1. There shall be no charge to the employee if the escrow transaction involves the employee’s primary residence.
2. For all other transactions involving an employee, the charge will be 50% of the basic escrow fee:

These rates are only applicable in connection with those costs which the employee would normally pay by established custom, as a party to the transaction.

### 303. GOVERNMENTAL RATES:

Separate contracts may be entered into with governmental, state or municipal agencies for the performing of escrow services, for such charges as may be agreed upon by and between the Company and the agency.

### 304. INVESTOR/REALTOR/LENDER RATE:

This rate is available upon request to a person who in the ordinary course of their business invests money in real estate so that it may produce a revenue, income or profit from its employment. The rate shall also be available to real estate brokers, real estate agents and mortgage lenders licensed by the State of Arizona.

The rate is only applicable to those fees which are being paid by the investor/realtor/lender.

The escrow fee to an investor shall be 70% of the applicable rate.

**305. RELOCATION RATE:**

The Relocation ‘Rate is available to “individual relocates” who, by the terms and conditions of his/her employment, is forced to relocate within to, or from Arizona and is acquiring or disposing of a single family residential unit used as their primary residence.

The escrow fee for an “individual relocatee”, as describe herein, shall be 70% of the applicable escrow rate.

This rate is only applicable in connection with those costs, which the “relocatee” would normally pay by established custom as a party to the transaction.

**306. REFINANCE RATE – RESIDENTIAL : (11/08)**

The Refinance rate shall be a “Flat Fee” of \$195.00, which shall include two (2) demands and the issuance of up to ten (10) checks. Any transaction requiring the issuance of more than ten (10) checks may be subject to an additional fee of \$10.00 per check and \$25.00 for each demand over two (2).

There will be an additional charge made of \$100.00 for each loan over one (1).

**NOTE:** The Loan Escrow Fee, Tracking Fee, Delivery Fee and Recording Fee may be aggregated and set forth on the escrow fee line of the HUD-1 as a bundle rate.

**307. REFINANCE RATE – COMMERCIAL: (11/08)**

The escrow fee for an escrow involving a commercial mortgage loan transaction is:

- 1. \$300 for loans \$2,000,000 – \$5,000,000.
- 2. \$500 for loans \$5,000,001 and over.

**308. REO (REAL ESTATE OWNED) (11/08)**

**(Special Note:** To qualify for rates under this section, Sellers must provide current title report service during course of escrow, including issuance of owner’s title insurance policy to buyer at closing. Otherwise the Basic Escrow Rates set forth in this manual will apply.)

- 1. \*BASIC ESCROW SERVICE \$1,000.00
- 2. \*\*PREMIUM ESCROW SERVICE \$1,250.00
- 3. \*\*\*Premium PLUS ESCROW SERVICE \$1,400.00

**\*Does Not Include:**

Delivery fees, Recording fees, Express mail, outside Notary fees, Reconveyance, Tracking or any other such charges filed separately in this escrow rate manual are NOT INCLUDED.

**\*\*Includes:**

Delivery fees, Recording fees, Express mail, in house Notary fees. Any other such charges filed separately in this escrow rate manual.

**\*\*\*Includes:**

All Delivery fees, All Recording fees, All Express Mail fees, in house Notary Services, All Reconveyance fees, All Tracking Fees, and any Document Preparation Services.

**309. SUBDIVIDERS AND BUILDERS RATES RELATING TO SALE TO A CONSUMER HOME BUYER OR LOT PURCHASER:**

These rates are available to a builder, contractor, developer or subdivider, hereinafter referred to as builder/developer, customarily engaged in such a business and shall apply only when the transaction involves the sale to a consumer home buyer or lot purchaser.

These rates are applicable only to the Basic Escrow Fees (Sale, Loan, Sale and Loan and Leasehold), set forth above.

The amount of the adjustment to the basic escrow fee is dependent upon the number of units being developed in recorded subdivisions and the number of proposed units in additional parcels, all of which are owned by the builder/developer.

The ultimate rate charged the builder/developer is calculated as follows:

1 – 15 units	70% of Basic Rate
16 – 30 units	60% of Basic Rate
31 – 70 units	50% of Basic Rate
71 – 200 units	40% of Basic Rate
201 – 300 units	30% of Basic Rate
301 – or more units	25% of Basic Rate
Minimum Rate - \$50.00	

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**310. HIGH VOLUME USER RATE:**

These rates are available to Lenders, Builders, Developer and Investors engaged in such business and at a significant volume of transactions with Escrow Agent.

These rates are applicable to basic Escrow fees, Refinance rate, Reconveyance fees, Delivery and Express Mail charges, Tracking fees and Recording fees. This charge is 65% of the applicable rate.

**311. SUBDIVIDERS AND BUILDERS RATES NOT RELATING TO SALE TO A CONSUMER HOME BUYER OR LOT PURCHASER:**

These rates are available to a builder, contractor, developer or subdivider, hereinafter referred to as builder/developer, customarily engaged in such a business when the transaction is other than a sale to a consumer home buyer or lot purchaser.

This rate is applicable only to the Basic Escrow Fee (Sale, Loan, Sale and Loan Fee and Leasehold), set forth above.

The amount of the adjustment to the basic escrow fee is dependent upon the dollar amount of the transaction. The ultimate rate charged the builder/developer is calculated as follows:

\$0.00 to \$1 million transaction	65% of Basic Escrow Rate
\$1 million to \$2.5 million transaction	60% of Basic Escrow Rate
Over \$2.5 million transaction	Based on quotation – Minimum \$1,500.

**312. SUB-ESCROW SERVICE**

If sub-escrow service is required, it will be provided in support of a primary escrow holder for a charge of \$75.00 per escrow. Services available under this section are restricted to:

1. The receipt of funds and written instructions from the escrow holder and from a lender whose loan will be insured.
2. The disbursement of such funds for the elimination of matters affecting title, but only to the extent authorized under such instructions.

**NOTE:** This sub-escrow service does not include procuring demands not disbursements of funds to persons other than the escrow holder for purposes except elimination of matters affecting title to the land to be insured.

**313. ABBREVIATED ESCROW:**

An abbreviated escrow will be provided if a transaction involves the following escrow duties for a charge of \$100.

1. Receipt and disbursement of funds and/or
2. Acceptance and Recordation of documents

A \$75 charge will be assessed for taking signatures. If this task is combined with the duties as shown directly above, the combined charge will be \$125.

A \$25.00 charge will be assessed for ordering payoffs. If combined with those services shown above in paragraph A, the combined charge will be \$150.

**314. SPECIAL ESCROW REQUIREMENTS:**

Escrow service may be required in some cases and under conditions for which no rating structure has been specifically provided. In any such event, a charge shall be made which, in the opinion of the Company, appears to be consistent with its general pricing procedures, as set forth herein.

In certain instances, due to unusual requirements, with respect to the acquisition, selling, financing or development of a major project or the acquisition, selling or refinancing of several properties, it may be necessary to enter into agreements or contacts as to the various services to be rendered and the charges made thereon. Such financing/re-financing, or developments are many times put out for bidding at rates to give the consumer savings whenever possible and to allow the Company to maintain a reasonable profit from such transactions.

Minimum Rate: \$50.00  
 Maximum Rate: 100% of Basic Rate

**315. AFFINITY GROUPS & DEFINED BENEFIT GROUPS**

This rate is available to groups that offer packaged, bulk or bundled real estate services to specified groups of buyers and/or sellers.

Minimum Rate: \$75.00  
 Maximum Rate: 80% of Basic Rate

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## **SECTION IV – MISCELLANEOUS CHARGES**

### **401. ESCHEAT SERVICING FEE PURSUANT TO A.R.S. 44-317 AND ESCROW ACCOUNTING FEE:**

All opened accounts with balances which contain dormant funds, as evidenced by stale-dated checks (6 months or older), outstanding checks, inactive escrow accounts, and builder services accounts will be maintained at a charge of \$25 per month, beginning no less than six months from the date the initial check was disbursed or the date funds became available for disbursement. Maintenance service will include one or any combination of the following: one written letter within 90 days before implementation of this charge, three telephone calls (local or long distance) not to exceed a \$5.00 expense, and a general index name search. Any additional service(s) shall be charged at the rate of \$75 per hour (half hour minimum), plus pass-through charges i.e., research, skip/trace and private investigators up to such time as any remaining funds are property escheat, by law to the State of Arizona.

### **402. RECONVEYANCE FEE**

The charge for reconveyance services will be \$75.

### **403. DELIVERY AND EXPRESS MAIL CHARGE: (11/08)**

The charge for this special handling, which may include Federal Express, Airborne, UPS, Express Mail and special couriers, shall be as follows:

Residential Transaction	\$70.00
Commercial Transaction	\$140.00

If the actual costs exceed amounts specified above, then the actual costs incurred will be charged.

### **404. TRACKING FEE**

This charge shall be made where the Company does not have at close of escrow necessary satisfactions or releases of encumbrances, i.e., Deeds of Trust or Mortgages, and assumes responsibility for securing said releases, including, if necessary, the processing and recording of statutory releases. This fee is non-refundable. Charge: \$75.00 per encumbrance.

### **405. MOBILE HOMES: (11/08)**

An additional fee of \$250 shall be charged in escrows involving Residential Transactions with a mobile home where no Affidavit of Affixture has been recorded for the mobile home involved.

**406. PURCHASE CONTACT:**

A fee of \$100 shall be charged for a sale/purchase escrow in which the parties have not deposited into escrow a written purchase contract with complete instructions to escrow agent.

**407. RECORDING SERVICES:**

This rate is the minimum for recording documents with the applicable County Recorder. If the actual charge by the Recorder’s office exceeds amounts specified below, the actual charge will be that which is charged by the Recorder’s Office.

Charge:

Residential:

Sales Transaction - \$60.00

Refinance Transaction - \$40.00

Commercial:

Sales Transaction - \$150.00

Refinance Transaction - \$100.00

**408. INSPECTION FEE:**

When an inspection of the subject property is required, the fee for said inspection shall be \$60 per inspection.

**409. STOP PAYMENT AND CHECK RE-ISSUE FEE: (11/08)**

If, at the request of a party to a transaction, it is necessary to place a Stop Payment order on any check previously issued and re-issue the check, a Stop Payment charge of \$20.00 will be assessed to the requesting party.

**410. ESCROW HOLDBACK FEE:**

If, at close of escrow on a Residential transaction, Escrow Agent is required to withhold funds pending a future occurrence, then a Holdback Fee will be assessed as follows:

\$50.00 if the holdback totals \$2,500 or less;

\$150.00 if the holdback totals \$2,500.01 to \$50,000.00;

\$300.00 if the holdback exceeds \$50,000.00.

**411. PROCESSING FEE (SALE/RESALE/PURCHASE TRANSACTIONS)**

This fee will be charged as a flat rate to a buyer or seller or ½ to each party. Included in tis fee are the following:

Courier Charges; Express Mail Charges; E-Doc Charges (Printing and/or Receiving)

(When charging this fee individual line item charges for the same costs may not be charged)

Charge: \$150.00

#### **412. SHORT SALE ESCROW FEE**

This rate will be charged to a buyer and/or seller and will be available on all residential short sale transactions.

<u>Purchase Price</u>	<u>Escrow Fee</u>
Up to \$200,000	\$1,250.00
\$200,001 to \$500,000	\$1,600.00
\$500,001 to \$750,000	\$1,900.00
\$750,001 to \$1,000,000	\$2,150.00
Over \$1,000,000	Call For Quote

The following costs are included in this rate and will be unlimited:

- Courier and Express Mail
- Reconveyance Tracking
- Electronic Documents (E-Doc)
- Recording and Filing Fees
- Wire Transfers

When this rate is utilized, additional charges for the above items may not be charged separately

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#### **413. SHORT SALE TRANSACTION COORDINATOR ESCROW FEE**

Upon request First Arizona Title Agency of Arizona will provide escrow services for processing short sale transactions. These services will include the following:

- ◆ Coordination of documentation provided by seller for submission
- ◆ to short sale lender and loss mitigation specialists.
- ◆ Ongoing follow up between negotiation specialist and seller.
- ◆ Facilitate communication between lenders and realtors.
- ◆ Review and process lenders acceptance of sale and coordination of forwarding approval to all parties.
- ◆ Preparation of pre-audit closing statements for each offer submitted by realtor.

The fee for this service will be \$850.00 and will be added to our “basic escrow rate”.

The following costs are included in this rate and will be unlimited:

- Courier and Express Mail
- Reconveyance Tracking
- Electronic Documents (E-Doc)
- Recording and Filing Fees
- Wire Transfers

When this rate is utilized, additional charges for the above items may not be charged separately

#### **414. ELECTRONIC DOCUMENTS- “E-DOCS”**

Electronic documents received by the Company shall entitle the Company to an additional charge, whenever accommodation the electronic transmission requires the Company to undertake additional work, including printing, reformatting or editing. The charge shall be as follows:

Charge: \$25.00 for each download.

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**FIRST ARIZONA TITLE AGENCY LLC**

**ESCROW FEE SCHEDULE  
(Effective November 1, 2008)**

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<b>Amount</b>	<b>Escrow Services Fees</b>
<b>Up to \$100,000</b>	<b>\$440.00</b>
<b>100,001 – 150,000</b>	<b>\$490.00</b>
<b>150,001 – 200,000</b>	<b>\$540.00</b>
<b>200,001 – 250,000</b>	<b>\$590.00</b>
<b>250,001 – 300,000</b>	<b>\$640.00</b>
<b>300,001 – 350,000</b>	<b>\$690.00</b>
<b>350,001 – 400,000</b>	<b>\$740.00</b>
<b>400,001 – 450,000</b>	<b>\$790.00</b>
<b>450,001 – 500,000</b>	<b>\$840.00</b>
<b>500,001 – 550,000</b>	<b>\$885.00</b> <small>Changed to \$45/50K</small>
<b>550,001 – 600,000</b>	<b>\$930.00</b>
<b>600,001 – 650,000</b>	<b>\$975.00</b>
<b>650,001 – 700,000</b>	<b>\$1,020.00</b>
<b>700,001 – 750,000</b>	<b>\$1,065.00</b>
<b>750,001 – 800,000</b>	<b>\$1,110.00</b>
<b>800,001 – 850,000</b>	<b>\$1,155.00</b>
<b>850,001 – 900,000</b>	<b>\$1,200.00</b>
<b>900,001 – 950,000</b>	<b>\$1,245.00</b>
<b>950,001 – 1,000,000</b>	<b>\$1,290.00</b>
<b>1,000,001 – 2,500,000</b>	<b>\$1,290 plus \$35/50K</b>
<b>Over \$2,500,000 – Escrow Services Based on Quotation</b>	<b>Minimum \$1,500</b>