

ALTA 11 MORTGAGE MODIFICATION ENDORSEMENT

Attached to Policy Number:
Issued by
TITLE INSURANCE COMPANY

The Company insures the owner of the indebtedness secured by the insured mortgage against loss or damage sustained by reason of:

1. The invalidity or unenforceability of the lien of the insured mortgage upon the title at Date of Endorsement as a result of the agreement dated _____, recorded _____ ("Modification"); and
2. The lack of priority of the lien of the insured mortgage at Date of Endorsement, over defects in, or liens or encumbrances on the title, except for those shown in the Policy or any prior endorsement and except:.

This endorsement does not insure against loss or damage, and the Company will not pay costs, attorney's fees or expenses, by reason of any claim which arises out of the transaction creating the Modification, by reason of the operation of federal bankruptcy, state insolvency, or similar creditor's rights laws, that is based on:

- a. the Modification being deemed a fraudulent conveyance or fraudulent transfer; or
- b. the subordination of the interest of the insured mortgagee as a result of the application of the doctrine or equitable subordination because of the Modification; or
- c. the Modification being deemed a preferential transfer except where the preferential transfer results from the failure:
 - i. to timely record the instrument of transfer; or
 - ii. of such recordation to impart notice to a purchaser for value or a judgement or lien creditor.

This endorsement is made a part of the policy and is subject to all of the terms and provisions thereof and of any prior endorsements thereto. Except to the extent expressly stated, it neither modifies any of the terms and provisions of the policy and any prior endorsements, nor does it extend the effective date of the policy and any prior endorsements, nor does it increase the face amount thereof.

TITLE INSURANCE COMPANY

Dated: _____ By: _____