

ENDORSEMENT TO TITLE POLICY

Attached to and forming part of Policy No(s). M 7762 SAMPLE

ISSUED BY
STEWART TITLE GUARANTY COMPANY
HEREIN CALLED THE COMPANY

POST DATE OF POLICY COMMERCIAL LENDER ENDORSEMENT

1. The insurance provided by this endorsement is subject to the Exclusions from Coverage (except Exclusion 3(d)), the Exceptions from Coverage contained in Schedule B, and the Conditions in the policy.
2. For the purposes of this endorsement only:
 - a. "Covenant" means a covenant, condition, limitation or restriction in a document or instrument registered in the Public Records at Date of Policy. A Covenant does not include a covenant, condition, limitation or restriction in a lease.
 - b. "Improvement" means an improvement, including any lawn, shrubbery, or trees, affixed to the Land that by law constitutes real property.
 - c. "Affirmative Assurance" means a statement outlined in Schedule B that provides some coverage for a matter that is otherwise excepted in Schedule B.
 - d. "Governmental or Quasi-governmental Authority" shall mean any department or division of the Government of Canada or of the town, city, county, regional municipality or province in which the Land is located, and over which such department or division has jurisdiction over the matters in paragraphs 3(e) and (f) below.
 - e. "Work Order(s) or Deficiency Notice(s)" shall mean explicit written work orders, orders to comply, unsafe orders, deficiency notices, notices of violation, or notifications of failure of the Land to comply with fire, health and safety regulations, regulations of a conservation authority, municipal building and zoning regulations, and regulations concerning the use and operation of elevating devices. An open permit is not a Work Order or Deficiency Notice.

This endorsement is issued as part of the policy is subject to the exclusions from coverage, the exceptions from coverage contained in Schedule B, and the conditions in the policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the policy or a previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the policy and of any prior endorsements. Signed under seal for the Company, but this endorsement is to be valid only when it bears an authorized countersignature.

Countersigned by:



Authorized Countersignature

Stewart Title Guaranty Company
Toronto, Ontario, Canada



Frederick H. Eppinger
President and CEO



David Hisey
Secretary

December 2021

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3. The Company insures against loss or damage sustained by the Insured by reason of the following matters arising after the Date of Policy:
- a) An Improvement is constructed by, or on behalf of, the owner or tenant of an adjoining parcel of land that encroaches onto the Land;
 - b) An Improvement is constructed on the Land that encroaches onto adjoining land or onto an easement to which the Land is subject;
 - c) An Improvement is constructed on the Land that violates the building setback requirements that were in effect as at the Date of Policy;
 - d) A violation on the Land of an enforceable Covenant, unless a Schedule B exception that does not include an Affirmative Assurance identifies the document or instrument containing the Covenant;
 - e) Any Work Order or Deficiency Notice issued by a Governmental or Quasi-governmental Authority against the Land; and
 - f) An Improvement is constructed on the Land without a valid building permit from the appropriate Governmental or Quasi-Governmental issuing office or without obtaining an occupancy certificate from the appropriate Governmental or Quasi-Governmental issuing office, provided that a building permit and/or occupancy certificate would have been required by such office at time of construction or completion of the Improvement.

Nothing herein provides coverage for environmental matters as described in Exclusions of the policy.

This endorsement is issued as part of the policy is subject to the exclusions from coverage, the exceptions from coverage contained in Schedule B, and the conditions in the policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the policy or a previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the policy and of any prior endorsements. Signed under seal for the Company, but this endorsement is to be valid only when it bears an authorized countersignature.

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President and CEO



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December 2021