



# ESCROW FEES AND CHARGES FOR THE STATE OF ARIZONA

**EFFECTIVE: July 13th, 2022**

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 Institution pursuant to A.R.S. §6-846 et. Seq. On behalf of Element Title LLC, DBA Element Title & Escrow. and it's subsidiary companies in the State of Arizona.

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**GENERAL RULES**

**A. DEFINITION OF ESCROW - ARS§6-801(4), as Amended**

"Escrow" means any transaction in which any escrow property 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 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 or nonperformance of a prescribed act, when it is then to be delivered by such person to a grantee, grantor, promisee, promisor, obligee, obligor, bailee or bailor, or any designated agent or employee of any of them. Escrow includes subdivision trusts and account servicing.

**B. EFFECTIVE DATE**

All rates set forth herein become effective when approved by the Arizona Department of Financial Institution or by operation of law.

**C. APPLICABILITY**

For purposes of rate application, is for all counties in Arizona.

All fees and charges shall be considered earned by the Company upon close of escrow and shall be non-refundable.

**D. MINIMUM CHARGES**

Unless otherwise set forth within a specific rate herein, the minimum charge for any escrow transaction shall be \$250.00.

Should any rate as set forth herein specify a higher or lower minimum than that shown above, then the minimum set forth in such rate shall prevail.

**E. COMPUTATION FROM BASIC RATE**

The applicable rates shall be computed on a per-unit of insurance basis in multiples of \$10,000, including any fraction thereof, in accordance with the division of such units as set forth in the applicable Basic Escrow Rate Table.

Whenever percentages of the Basic Escrow Rate are used, the charge arrived at shall be rounded up to the nearest dollar.

**F. PAYMENT OF ESCROW CHARGES**

Unless otherwise instructed in writing by the parties, the escrow charges and recording/filing fees shall be paid one-half by Buyer and one-half by Seller.

Unless otherwise instructed in writing by the parties, any charges incurred for miscellaneous or additional services provided or requested by the parties shall be charged to the person who requested such services(s) or who will benefit from such service(s).

**G. SEPARATE SALES OR EXCHANGES (DIFFERENT OWNERS)**

The Basic Sale Escrow Fee as set forth herein shall be charged on each separate sale, seller or exchanger involved.

The applicable charge applies to the amount of each individual sale or exchange even though there may be one common purchaser, and sales or exchanges are handled concurrently, and one or more separate escrows are involved.

**H. UNDIVIDED INTEREST SOLD SEPARATELY REMAINING INTEREST**

The Basic Sale Escrow Fee Charge as set forth herein shall be charged based upon the interest covered, the purchase price or, the fair value thereof, whichever is the higher.

**I. MISCELLANEOUS SERVICES**

Fees for services set forth in this Manual that are not listed as being included in a particular rate shall be charged to the party who has requested such service or who will benefit by such service and shall be in addition to that rate.

**CHAPTER 1 - ESCROW - BASIC CHARGES**

**1.1 SALE – BASIC CHARGE**

Cash Sale Transaction Without Payoff

The minimum charge of 100% of the Basic Escrow Rate shall be based upon the amount of insurance issued, purchase price, or fair value of the property subject to the escrow (Includes Overnight Delivery Fees, Courier Fees, and Wire Processing Fees). If additional charges are applicable, all such additional charges shall be added to the Basic Escrow Rate as applicable.

Bundled Sale –Sale Transaction with No Concurrent Loan with Payoff

The minimum charge of 100% of the Basic Escrow Rate shall be based upon the amount of insurance issued, purchase price, or fair value of the property subject to the escrow (includes Overnight Delivery Fees, Courier Fees, Payoff Tracking and Processing Fee, Electronic Document Fee, and Wire Processing Fees). If additional charges are applicable, all such additional charges shall be added to the Basic Escrow Rate as applicable.

Bundled Sale – Sale Transaction with Concurrent Loan(s) With or Without Payoff

The minimum charge of 100% of the Basic Escrow Rate shall be based upon the amount of insurance issued, purchase price, or fair value of the property subject to the escrow (includes Overnight Delivery Fees, Courier Fees, Loan Tie-In Fee, Payoff Tracking and Processing Fee, Electronic Document Fee, and Wire Processing Fees). If additional charges are applicable, all such additional charges shall be added to the Basic Escrow Rate as applicable.

**1.2 LOAN TIE-IN FEE – SALE ESCROW WITH NEW LOAN**

When a loan escrow is closed concurrently with a sale, there shall be an additional escrow fee charged per loan closed that is to be secured by the property subject to the escrow. \$150.00 for Commercial transactions.

For residential sale transactions, the fee is included in Section 1.1/C

The rate is in addition to the escrow fee charged for closing the sale escrow and shall be applicable regardless of the type of lender (i.e., institutional, or private lender, seller carry-back, etc.) or loan program.

**1.3 LOAN ESCROW RATES**

Refer to Chapter V of this Manual for escrow rates for loan rates for the financing, refinancing, or revamping a loan, construction loans, and other loan rates.

**1.4 LEASEHOLD – BASIC CHARGE**

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.

Leasehold Basic Charge (except for oil, gas, or mineral leases)	100% of the Basic Rate
2. Oil, Gas, or Mineral Leases	200% of the Basic Rate

### **1.5 ESCROW ONLY – BASIC CHARGE**

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 part of Fidelity National Title Group shall be 200% of the Basic Escrow Rate. This rate does not preclude the application of charges under Sections E307 and E410. No other rate shall be applied to this rate. Approval of the Escrow Administrator must be obtained prior to acceptance of such a transaction.

**CHAPTER 2 – SUBDIVISION AND COMMERCIAL RATES**

**2.1 SUBDIVIDERS, BUILDERS, AND COMMERCIAL DEVELOPERS**

This rate is available to a builder, contractor, developer, or subdivider customarily engaged in such business for the units to be developed. The amount of the adjustment to the charge is dependent upon the number of units.

The total number of units may be located within one or more subdivisions situated within the State of Arizona to determine the rate to be given.

No other rate shall be applied to these rates.

**ALL COUNTIES**

<b>Number of Units</b>	<b>Rate Calculated From Basic Escrow Rate</b>
1 to 15	70%
16 to 30	60%
31 to 70	55%
71 to 100	50%
101 to 200	40%
201 to 600	30%
601 to 1,200	25%
1,201 or more	\$50 Regardless of the liability amount
The minimum rate shall be \$50.	



## 2.2 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:

<b>Liability Amount</b>	<b>Rate</b>
Up to \$1,000,000	Seventy percent of the Basic Escrow Rate
\$1,000,001 - \$3,000,000	Sixty-five percent of the Basic Escrow Rate
\$3,000,001 - \$5,000,000	Sixty percent of the Basic Escrow Rate
\$5,000,001 - \$10,000,000	\$3,500.00
\$10,000,001 - \$15,000,000	\$4,000.00
\$15,000,001 - \$20,000,000	\$4,500.00
\$20,000,001 and above	\$5,000.00

The following services shall be included in the above rate:

Unlimited incoming and outgoing wire transfers  
Unlimited payoff tracking and processing fees  
Electronic document fee  
Courier and overnight delivery fees

No other discounts set forth in any other section of this manual shall be applied to the charges in this section, except that Sections E306 and E309 may apply.

## 2.3 ABBREVIATED ESCROW - COMMERCIAL

An abbreviated escrow will be provided at the rates indicated when any one or more of the following services are provided in conjunction with the issuance of title insurance product(s):

Receipt and disbursement of funds	\$250.00
Acceptance and recordation of documents	\$250.00
Ordering Payoffs	\$75.00
Incoming and Outgoing Wire Transfers	No Charge

When more than one service is provided in an escrow, then the charge for each service provided shall be accumulated and combined as a total charge for the escrow.

This rate does not include recording and filing service fees due to the County Recorder or filing office as set forth in this manual.

When additional services are requested, there shall be an additional charge of \$100 per hour, with a minimum charge of \$100 plus \$50 per each additional half-hour or fraction thereof.

## **2.4 ABBREVIATED ESCROW – COMMERCIAL – MULTIPLE SITES**

When there are multiple commercial properties in multiple sites, an abbreviated escrow will be provided at a rate of \$1,000 per site, when any one or more of the following services are provided in conjunction with the issuance of the title insurance product(s):

Receipt and disbursement of funds  
Incoming and Outgoing Wire Transfers  
Acceptance and recordation of documents  
Ordering payoffs

This rate does not include recording and filing service fees due to the County Recorder or filing office as set forth in this manual.

When additional services are requested, there shall be an additional charge of \$100 per hour, with a minimum charge of \$100 plus \$50 per each additional half-hour or fraction thereof.

## **2.5 LOAN RATE - COMMERCIAL**

Refer to Chapter 5 - Loan Escrow Rates.

### **CHAPTER 3 - SPECIAL RATES**

The rates contained within this section are considered reduced rates. No other rate shall be applied to these rates.

#### **3.1. INVESTOR RATE**

This rate is available to builders, contractors, developers, subdividers, 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 to produce 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.

The charge will be 30% of the Basic Escrow Rate. (70% discount)

#### **3.2 SENIOR CITIZEN RATE**

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

The charge will be 70% of the Basic Escrow Rate. (30% discount)

#### **3.3 FIRST RESPONDERS AND MILITARY RATE**

This rate is available to any First Responder. A First Responder includes police officers, firefighters, emergency medical personnel, active or retired military; National Guard and Red Cross employees. The person requesting the rate must present a current military identification card and/or proof of employment.

The charge will be 80% of the Basic Escrow Rate. (20% discount)

#### **3.4 NON-PROFIT RATE**

This rate is available to all nonprofits holding a 503c certificate in the State of Arizona

The charge will be 50% of the Basic Escrow Rate. (50% discount)

#### **3.5 EDUCATOR RATE**

This rate is available to all educators, teachers, and education aides in the State of Arizona.

The charge will be 80% of the Basic Escrow Rate. (20% discount)

#### **3.6 EMPLOYEE FRIENDS AND FAMILY RATE**

This rate is available to employees, friends, and family of employees of Element Title & Escrow who wish to conduct escrow in the State of Arizona.

The charge will be 90% of the Basic Escrow Rate. (10% discount)

### **3.7 CONTRACT RATE - GOVERNMENTAL AGENCIES & POLITICAL SUBDIVISIONS**

Separate contract bids may be solicited and entered 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. Any such contracted bids must be approved in writing by the County Manager of the appropriate County. A copy of said contract bid is to be placed in each escrow file for which the rate applies.

### **3.8 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 County Manager of the appropriate County and signed by all pertinent parties. A copy of the said agreement is to be placed in each escrow file for which the rate applies.

## **CHAPTER 4 - MISCELLANEOUS SERVICES**

### **4.1 INTEREST BEARING ACCOUNTS**

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 \$100 per account.

### **4.2 FUNDS HOLD BACK FEE**

When funds remain in an escrow after the closing thereof for a specific purpose upon the request of the parties, the following rates shall apply and are in addition to any other escrow fees charged in the transaction:

<b>Amount of Hold Back</b>	<b>Fee</b>
Up to \$2,500	\$300.00
\$2,501 to \$50,000	\$400.00
Over \$50,000	\$500.00
Commercial Holdbacks (Regardless of the amount)	\$500.00

In the event the parties request additional services in connection with the holdback account at the time of closing, then such fees as set forth in this manual shall be collected at the close of escrow and shall be considered earned and non-refundable.

No other rate shall be applied to this rate.

### **4.3 PUBLIC REAL ESTATE REPORTS – OUTSIDE ESCROW & TITLE INSURANCE**

#### **ALL COUNTIES**

Public reports as required by the Arizona Department of Real Estate for builders or developers using escrow and/or title services from another company will be provided at a rate of \$100 per hour or fraction thereof with a minimum of 50 hours.

### **4.4 PUBLIC REPORT BINDER**

When the Company provides copies of public reports upon request by the party, there shall be a fee charged of \$10 each.

#### 4.5 MANUFACTURED UNIT TITLE TRANSFER/AFFIXTURE PROCESSING FEES

For purposes of this section, the term UNIT shall mean a single manufactured dwelling, trailer or other modular or manufactured structure used for residential or commercial 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 at the close of escrow and shall be non-refundable.

Transfer of Title	\$250.00 per unit
Affidavit of Affixture	\$250.00 per unit

The above fees include any and all fees due to any State Motor Vehicle Department and/or third-party vehicular title processing service.

#### 4.6 ABBREVIATED ESCROW OR SUB-ESCROW RATE: 1 to 4 SFR RESIDENTIAL

Abbreviated or sub-escrow services may be provided separately or in support of a primary escrow holder or institutional lender at the following rate: \$150

An abbreviated escrow may be provided if a transaction involves the following escrow duties

Receipt and disbursement of funds and/or  
Acceptance and recordation of documents,

When additional services are requested, there shall be an additional charge of \$100 per hour, with a minimum charge of \$100 plus \$50 per each additional half-hour or fraction thereof.

#### 4.7 DIRECT TRANSACTION FEES - SALE OR LOAN TRANSACTION

Description	Rate
Sale Escrow Instructions The charge for the preparation of Sale Escrow Instructions.	\$150.00 Plus, the applicable sale escrow rate
Loan Escrow Instructions The charge for the preparation of Loan Escrow Instructions.	\$150.00 Plus, the applicable loan escrow rate

#### 4.8 EXCHANGE ACCOMMODATION FEE

When an escrow transaction involves a 1031 Tax Deferred Exchange or a simultaneous exchange of property, there shall be an additional charge of \$100 for each exchange or property involved in the transaction. This fee shall be in addition to the escrow fee charged for closing the transaction.

In the case of a 1031 Tax Deferred Exchange, the exchange fee shall be paid by the exchanger, unless otherwise instructed in writing by the parties.

In the case of a simultaneous exchange, the exchange accommodation fee shall be paid one-half by each party, or when the purchase agreement states that the escrow fee shall be paid according to custom unless otherwise instructed in writing by the parties.

#### 4.9 SHORT SALE SELLER'S TRANSACTION FEE

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"), there shall be a bundled service fee charged to Sellers in lieu of other miscellaneous charges that would normally be incurred by the Seller to close the transaction. Said fee shall be charged to the Seller in addition to the Seller's portion of the basic sale escrow rate, and shall include the following:

<b>Transaction Fee</b>	<b>Includes</b>
\$300.00	Unlimited payoff tracking and processing fees, unlimited recording and filing service fees, unlimited wire fees, and unlimited courier fees.

No other rate discounts shall be applied to these rates.

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"), there shall be a bundled service fee charged in lieu of other miscellaneous charges that would normally be incurred to close the transaction.

Said fee shall be charged 50% to the Seller and 50% to the Buyer or per contract, and shall include escrow charges, loan tie-in fees, unlimited wire fees, unlimited receipt and printing of email documents, unlimited payoff tracking, unlimited overnight delivery, and unlimited courier fees.

Up to \$150,000	\$1,200.00
\$150,001 - \$300,000	\$1,400.00
\$300,001 - \$500,000	\$1,600.00
\$500,001 - \$750,000	\$1,900.00
\$750,001 - \$1,000,000	\$2,100.00
Over \$1,000,000	Negotiated

No other rate discounts shall be applied to these rates.

#### **4.10 ACCELERATED ESCROW RATE**

There shall be an additional fee of \$250 charged on any transaction that is processed within a three-business day period at the request of the customer.

#### **4.11 ACCOMMODATION FEE**

Taking Signatures: \$150 The fee for taking signatures plus costs incurred for such services as set forth in this manual (such as overnight delivery or courier service), if any, in performing the service. The duties of the Company shall be only in the taking of signatures on documents provided by the customer or on behalf of the customer.

Returning Loan Package(s) Separately: \$100 for returning a separate loan package back to the lender and/or borrower, plus costs incurred for such services as set forth in this manual (such as overnight delivery or courier service), if any.

Coordinating Recording of Documents: \$100. The Company may, upon request and at the discretion of the Company, coordinate the recording of the documents providing that such recording does not impose any liability upon the Company and providing that the parties sign an "Accommodation Recording Instruction and Hold Harmless" in a form provided by the company.

#### **4.12 RENT GUARANTEE ESCROW**

When estimated rental and/or triple-net charges, and communal area maintenance revenue are guaranteed by the seller, and funds are held in escrow pursuant to a written agreement, the fees shall be \$100 per month.

#### **4.13 UCC, LIEN, AND/OR JUDGEMENT SEARCH SERVICE FEE**

When the parties to an escrow request a UCC, lien, and/or judgment search through any governmental entity of any jurisdiction requesting information that is not in the normal course of title examination on the real estate, or an update to a previous search, based upon the name(s) of the parties involved in the transaction, the charges shall be \$100 for each search requested and for each update requested.

This fee does not include any fees incurred with any governmental office or third-party vendor for the search and/or copies provided by such an office.

#### **4.14 SPECIAL SERVICES OR ADDITIONAL WORK CHARGE**

A \$100 an hour 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.

Under such circumstances, the minimum fee shall be \$100 plus \$50 per each additional half-hour or fraction thereof.



#### 4.15 RECORDING & FILING SERVICE FEES

The fees charged for recording and/or filing fees with the County Recorder, Secretary of State or other applicable government offices shall be the amount(s) indicated below or the invoiced charges from the title provider, whichever is greater:

Description	Rate
Refinance or Loan (non-commercial properties)	\$25.00
Sale with New Loan	\$50.00
All Cash Transactions (non-commercial properties)	\$50.00
All Other Transactions	\$50.00
Commercial Sale (with or without loan) or Refinance	\$100.00

The above fees shall be considered earned at close of escrow and shall be non-refundable.

#### 4.16 ABANDONED OR DORMANT FUNDS CUSTODIAL FEE

This rate shall apply when funds are remaining in an escrow account, account servicing, or trust account due to an owner's failure to negotiate a check provided as payment or fails to claim the funds belonging to them that remain in the account.

There shall be a minimum charge of \$120, which shall be considered earned after the expiration of the applicable time period(s) set forth below.

<b>Description</b>	<b>Abandoned/Dormant After</b>
Dormant Funds	One-Hundred and Eighty (180) days from the time the funds became available.
Stale Dated Checks	Ninety (90) days after the date of issuance of the check.

This fee shall also apply to charges that occurred in escrow, wherein an owner other than a principal to the escrow, failed to negotiate amounts tendered to them through the escrow or failed to claim funds belonging to them that remain in escrow, so long as there is a valid and enforceable written contract between the holder and the owner under which the holder may impose the charge and the holder regularly imposes the charge and the charge is not regularly reversed or otherwise canceled.

The parties to the escrow shall be notified in writing (1) at or prior to the close of escrow that such a fee will be incurred or (2) by written notice sent to the last known address at least 60 days prior to implementation of the charge. Fees as incurred shall be deducted from the amount held prior to disbursement and until such time as any remaining funds are escheated to the state pursuant to ARS Title 44, Chapter 3, Article 1. In the event the amount of the fee(s) incurred is/are more than the amount of funds held in escrow, then the amount of the funds remaining in the file shall be considered payment in full of the fees due.

## **CHAPTER 5 – LOAN-ONLY ESCROW RATES**

### **5.1 SECOND/SUBSEQUENT LOAN CONCURRENT WITH A FINANCING ESCROW**

When a financing or refinancing transaction includes a second or subsequent loan closed in conjunction with the new first loan, there shall be an additional fee for each additional loan processed in excess of the first loan. This fee is in addition to the applicable rate charged for the loan transaction.

\$130.00 for all transactions Except Builders  
\$100.00 for Builder transaction

### **5.2 LOAN ESCROW RATE - 1 to 4 SFR & NON-COMMERCIAL PROPERTIES**

This rate shall be applicable to any loan-only transaction, regardless of whether or not there is/are any existing loan(s) to be paid off as a part of the escrow.

<b>Description</b>	<b>Rate</b>
Refinance	\$350.00 Includes: courier and overnight delivery fees, wire fees, electronic document fees; payoff tracking and processing fees. Does not include the Recording Service Fee or other filed rates included in this manual for special services as requested or required to close the escrow.

### **5.3 LOAN ESCROW RATE - COMMERCIAL**

This rate shall be applicable to any loan-only transaction, regardless of whether or not there is/are any existing loan(s) to be paid off as a part of the escrow and when there is no transfer of title and all loan documents are provided by the lender and no documents are to be provided by the Company, the fee shall be:

<b>Liability</b>	<b>Charge</b>
Up to \$1,000,000	\$750 Add \$500 for construction loans
\$1,000,001 to \$3,000,000	\$1,000 Add \$500 for construction loans
Over \$3,000,000	\$1,500 for non-construction loans the charge for construction loans shall be \$2,500
No other rate shall be applied to this rate.	

The following services shall be included in the above rate:

Unlimited incoming and outgoing wire transfers, Unlimited payoff tracking and processing fees  
Electronic document fee, Courier and overnight delivery fees

In situations where minimal or abbreviated services are required, the escrow rate described in Section 2.3 or 2.4 shall be charged, whichever is applicable.

## 5.4 CONSTRUCTION LOAN HOLD BACK AND DISBURSEMENT ESCROW; RELATED SERVICES

The charges for disbursement of construction funds pursuant to a construction disbursement agreement and related services are as follows:

Projects with Disbursement Only and without Lien Waiver Tracking (includes set up fee)  
\$1,000.00 flat charge

### Projects with Disbursement and Lien Waiver Tracking

<b>Disbursement Fees (includes set up fee) Amount of Insurance shown in Loan Policy</b>	<b>Flat Charge</b>
Up to \$3,000,000	\$1,750.00
\$3,000,001 to \$6,000,000	\$2,750.00
\$6,000,001 to \$9,000,000	\$3,750.00
\$9,000,001 to \$12,000,000	\$4,750.00
\$12,000,001 to \$15,000,000	\$5,750.00
\$15,000,001 to \$18,000,000	\$6,750.00
\$18,000,001 to \$20,000,000	\$7,750.00
Over \$20,000,000	\$10,750.00

**Projects with Disbursement and Lien Waiver** Tracking required as a Condition of Underwriting Approval, no charge when the disbursement of funds by the Company is required as a condition of mechanic's lien approval given by Company underwriting.

**Projects with Lien Waiver Tracking Only**, no charge for lien waiver tracking services only.

NOTE: Construction disbursements may only be performed by persons approved to do so by Senior Staff Underwriting.

In all situations, additional services requested or required under the terms of the construction disbursement agreement, including but not limited to overnight delivery or courier fees, wire-out fees, cancellation and reissue of checks and/or setting up of an interest bearing account, shall be charged at the applicable rate set forth in this section if and as incurred, and shall be charged to the party requesting such services, and shall be deducted from the amount due said party.

In the event the lender or borrower request additional services in connection with the hold back/disbursement account at time of closing, then such fees shall be collected as set forth in this manual at close of escrow and shall be considered earned and non-refundable.

When the Construction Hold Back & Disbursement Escrow is set up in conjunction with the closing of the loan by the Company, the fees set forth above shall be in addition to fees charged in connection with the loan closing. No other rate shall be applied to this rate.

**CHAPTER 6- ACCOUNT SERVICING**

**6.1 DEFINITIONS**

<b>ASA</b>	Account Servicing Agent
<b>Escrowed Transaction</b>	An account arising from an escrow closed by any licensed title insurance or escrow company.
<b>Non-Escrowed Transaction</b>	An account arising from a transaction that was not closed by a licensed title insurance or escrow company.

**6.2 ACCOUNT SERVICING FEES**

The following charges are applicable for accounting and other services rendered in connection with an account servicing escrow pursuant to the instructions of the parties thereto.

<b>RATE CODE</b>	<b>A. SET-UP FEES – ESCROWED TRANSACTIONS</b>	<b>CHARGE</b>
1.	Set-Up Fee – In-House Escrowed Transaction. Acceptance fee for an account servicing agreement arising from an In House Escrowed Transaction or from accounts transferred from another licensed ASA.	\$100.00
2.	Set-Up Fee Escrow – In-House Escrowed Transaction with Impounds. Acceptance fee for an account servicing agreement arising from an In-House Escrowed Transaction or for accounts transferred from another licensed ASA, which includes an impound account for payment of taxes, insurance and assessment by ASA.	\$250.00
3.	Set-Up Fee – Outside Escrowed Transaction. Acceptance fee for an account servicing agreement arising from an Outside Escrowed Title Company that does not have an account servicing division.	\$175.00
4.	Set-Up Fee – Outside Escrowed Transaction including Impounds. Acceptance fee for an account servicing agreement arising from an Outside Escrowed Title Company that does not have an account servicing division.	\$325.00
5.	Set-Up Fee – Lease contract with Purchase Option Only. Acceptance fee for an account servicing agreement arising from an Escrowed Transaction or from accounts transferred from another licensed ASA	\$150.00

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RATE CODE	<b>B. SET-UP FEES – NON-ESCROWED TRANSACTIONS</b>	<b>CHARGE</b>
1.	Setup Fee - Non-Escrowed Transaction. Acceptance fee for an account servicing agreement arising from a Non- Escrowed Transaction.	\$325.00
2.	Set-Up Fee – Non-Escrowed Transaction with Impounds. Acceptance fee for an account servicing agreement arising from a Non- escrowed Transaction which includes an impound account for payment of taxes, insurance, and assessment by ASA.	\$325.00

RATE CODE	<b>C. SET-UP FEE – ADDITIONAL NOTE(S)</b>	<b>CHARGE</b>
1.	Set-Up Fee - Additional note(s) or Amortizing Ledgers. This fee would also be applicable to accounts with multiple payees, in which each payee request separate amortizing ledgers reflecting each payee’s percentage of the note.	\$100.00 each
2.	Setup Fee – Additional Services Within a Note/Agreement for Sale or Contract. In addition to the appropriate fee from above, for terms that include partial releases, delayed funding, Wraps, and Adjustable-Rate Mortgages.	\$100.00 each
3.	Set-Up Fee – Servicing a note, secured by a lien on a Mobile Home with one individual property tax parcel and one insurance policy.	\$100.00 each

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RATE CODE	D. ANNUAL FEES	CHARGE
1.	Annual Fee. Includes one check-out.	\$156.00
2.	Annual Fee - Additional Checks Out. Annual Fee for additional checks out in excess of one for additional payee(s) or other disbursements.	\$75.00 Each
3.1	Annual Fee – Including Impound Account. Includes one check out; one tax code, one insurance policy, and one assessment.	\$300.00
3.2	Each additional impounded item, annually.	\$75.00 Each
4.1	Special Service Accounts. In addition to other monthly fees due.	\$12.50 Per month
4.2	Special Handling Fee In addition to other monthly fees for accounts with a partial release, delayed funding, Wraps, and Adjustable-Rate Mortgages.	\$60.00
5.1	Annual Fee - Including Impound Account – Low Income Housing Payor. This rate is available to the Payor under an account who purchased a primary residence with assistance from a non-profit organization whose primary purpose is to assist low-income individuals in the purchase of a primary residence. Includes one tax code, one insurance policy and one assessment.	\$168.00
5.2	Each Additional impounded item, annually.	\$30.00 Each

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RATE CODE	E. ASSIGNMENT & NAME CHANGE FEES	CHARGE
1.	Assignment of Funds.	\$100.00
2.	Change Payor/Payee. Name change only.	\$100.00
3.	Assignment or Assumption of Account Change of payee due to assignment of lien instrument or change of payor due to change in ownership of property with the assumption of existing lien subject to the account.	\$150.00

RATE CODE	F. MODIFICATION & ACCOUNT ADJUSTMENT FEES	CHARGE
1.	Addition of Impound Account to Existing Account. Due upon request to add an impound account to an existing account for payment of taxes, insurance, and assessment by ASA. Includes one tax code, one insurance policy, and one assessment.	\$150.00
2.	Modification in Terms of Account. Includes one (1) change.	\$100.00
3.	Each Additional Change.	\$25.00
4.	Add and Demand. Taxes, Insurance, Assessment.	\$100.00



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RATE CODE	G. STATEMENT & VERIFICATION FEES	CHARGE
1.	Statement Fee. Assumption, assignment, payoff, status, etc.	\$100.00
2.	Written Updates on all statements. Assumption, assignment, payoff, status, forfeiture/foreclosure, reinstatements, etc.	\$50.00
3.	Verification or Information Fee.	\$25.00

RATE CODE	H. TRUSTEE FEES – DEED OF TRUST	CHARGE
1.	Trustee Reconveyance Fee - Full or Partial.	\$100.00
2.	Substitution of Trustee.	\$50.00

RATE CODE	I. FORFEITURE FEES – AGREEMENT TO SALE	CHARGE
1.	Notice requiring strict performance of the agreement.	\$150.00
2.	Notice of Intent to Forfeit and Affidavit.	½ of 1% of the remaining balance or \$600, whichever is greater

RATE CODE	J. CLOSE – OUT & TRANSFER FEES	CHARGE
1.	Close-Out or Termination Fee.	\$100.00
2.	Transfer of an Account.	\$100.00

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RATE CODE	K. RECORDING FEES	CHARGE
1.	When document(s) are recorded or filed through a servicing account, the fee(s) charged shall be the actual fee(s) charged by the County Recorder in which the property is located and/or in the filing office, in addition to any other charge(s) incurred and as set forth herein.	Actual Charge

RATE CODE	L. MISCELLANEOUS SERVICES	CHARGE
1.	Account Freeze. Due to pending foreclosure or forfeiture. Includes reinstatement figures of account.	\$100.00
2.	Amortization Schedule.	\$15.00
3.	Distribution of an Estate. When payee's funds have been held pending such distribution. Does not include any other fees due for name change, etc.	\$50.00
4.	Holding Account.	\$50.00
5.	Reminder Notice.	\$20.00
6.	Returned Unpaid Check Fee. "Bank Fees" are limited to the actual charges assessed by the financial institution of the holder, payee, or assignee of the holder or payee per statute based on ARS 44-6852.	\$25.00 plus, bank fees
7.	Additional Services. In the event that additional services are requested by the parties or are required in order to service the trust as instructed by the parties, then those applicable rates set forth in this Escrow Manual shall be charged if and as incurred. Unless otherwise instructed in writing by the parties, said charges shall be charged to the party requesting or requiring such service(s) and shall be in addition to any other fees set forth in this Chapter.	Filed Rate

**CHAPTER 7- SUBDIVISION TRUSTS**

**7.1 DEFINITIONS**

Beneficiary One (1) married couple, or one (1) party as his\her sole and a separate property or one (1) validly formed legal entity

**7.2 SUBDIVISION TRUST FEES**

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

<b>RATE CODE</b>	<b>A. SET-UP FEES</b>	<b>CHARGE</b>
1.	Single Beneficiary Trust	\$400.00
2.	Double Beneficiary Trust	\$500.00
3.	Junior Beneficiary Trust	\$600.00
4.	Additional Beneficiary	\$50.00

<b>RATE CODE</b>	<b>B. ANNUAL FEES</b>	<b>CHARGE</b>
1.	Single Beneficiary Trust	\$500.00
2.	Double Beneficiary Trust	\$750.00
3.	Junior Beneficiary Trust	\$750.00
4.	Additional Beneficiary	\$50.00

<b>RATE CODE</b>	<b>C. ASSIGNMENT FEES</b>	<b>CHARGE</b>
1.	Assignment of Funds/Money	\$150.00
2.	Assignment of Funds/Money	\$150.00
3.	Change of Payee under Trust Obligation	\$150.00
4.	Deed and Assignment of Beneficial Interest	\$150.00

<b>RATE CODE</b>	<b>D. COLLATERAL ASSIGNMENT OF BENEFICIAL INTEREST</b>	<b>CHARGE</b>
1.	Collateral Assignment – Acceptance Fee	\$200.00
2.	Collateral Assignment – Annual Fee	\$150.00
3.	Collateral Assignment – Release Fee	\$100.00

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RATE CODE	E. ASSIGNMENT OF COLLATERAL ASSIGNMENT	CHARGE
1.	Assignment Collateral Assignment – Acceptance Fee	\$200.00
2.	Assignment Collateral Assignment – Annual Fee	\$150.00
3.	Assignment Collateral Assignment – Release Fee	\$100.00

RATE CODE	F. DOCUMENT EXECUTION FEES	CHARGE
1.1	Deed – Escrow closed by the Company, subdivided lot	\$30.00
1.2	Lots in Excess of One (1), each, additionally	\$5.00- \$200.00
1.3	Sectional Legal Description	\$75.00
2.1	Deed – Escrow closed by another Company, subdivided lot	\$100.00
2.2	Lots in Excess of One (1), each, additionally	\$5.00- \$200.00
2.3	Sectional Legal Description	\$175.00
3.	Deed of Full Release & Reconveyance, Execution & Verification	\$100.00
4.	Deed of Partial Release & Reconveyance, Execution & Verification	\$100.00
5.	4Easement, Execution only	\$100.00

RATE CODE	G. MISCELLANEOUS SERVICES FEES	CHARGE
1.	Addition of Property to Existing Trust	\$100.00
2.	Amended Trust Declaration Fee	\$100.00
3.	Acceptance of Amendment	\$100.00
4.	Certificate(s) of Deposit or Letter(s) of Credit to be held for Depositories	\$100.00
5.	Certificate(s) of Deposit or Letter(s) of Credit to be held for Depositories	\$100.00
6.	Review and Analysis The minimum fee shall be \$100 plus \$50 per each additional half- An hour or fraction thereof.	\$100.00

RATE CODE	H. ACCOUNTING & ADMINISTRATIVE SERVICES	CHARGE
1.	Brokers Commission– Acceptance Fee	\$150.00
2.	Brokers Commission– Annual Fee	\$200.00
3.	Check Service Fee – Per Check	\$10.00

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RATE CODE	I. FORFEITURE FEES	CHARGE
1.	Notice of Default	\$300.00
2.	Notice of Forfeiture	\$300.00
3.	Completion of Forfeiture Fee	\$300.00

RATE CODE	J. CLOSING & CANCELLATION FEES	CHARGE
1.	Closing or Distribution Fee – Single Beneficiary	\$250.00
2.	Closing or Distribution Fee – Double Beneficiary	\$300.00
3.	Closing or Distribution Fee – Junior Trust	\$250.00
4.	Mutual Cancellation Fee – Any Trust	\$100.00
5.	Sell Out. 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.	No Charge

RATE CODE	K. RECORDING FEES	CHARGE
1.	When documents are recorded by the trust department, the recording fee(s) charged shall be the actual fee(s) charged by the County Recorder in which the property is located, in addition to any other charge(s) incurred and set forth herein.	Actual Charge

RATE CODE	L. ADDITIONAL SERVICES	CHARGE
1.	In the event that additional services are requested by the parties or are required in order to service the trust as instructed by the parties, then those applicable rates set forth in this Escrow Manual shall be charged if and as incurred. Unless otherwise instructed in writing by the parties, said charges shall be charged to the party requesting or requiring such service(s) and shall be in addition to any other fees set forth in this Chapter.	Filed Rate

**CHAPTER 8 – BUSINESS TRANSACTION ESCROW RATE**

**8.1 BUSINESS TRANSACTION ESCROW RATE**

(All transactions must be approved in writing by the County Manager of the appropriate County and signed by all pertinent parties. A copy of the said agreement is to be placed in each escrow file for which the transaction applies.)

This rate shall be applied to the following types of transactions:

Escrow transactions involving the sale of a business and/or business assets.

Stock Pledge Holder escrows in which capital stock of a corporation is pledged and will be held by the escrow agent or by its account servicing department as collateral for payment of a debt or performance of an obligation.

<b>BUSINESS TRANSACTION ESCROW RATE</b>		
<b>Transaction Amount Up to and including</b>		<b>Rate</b>
\$0 - \$25,000.00		\$ 300.00
\$25,001.00 - \$40,000.00		\$ 400.00
\$ 40,001.00 - \$60,000.00		\$ 550.00
\$ 60,001.00 - \$90,000.00		\$ 675.00
\$ 90,001.00 - \$130,000.00		\$ 825.00
\$130,001.00 - \$180,000.00		\$ 985.00
\$180,001.00 - \$210,000.00		\$1,285.00
\$210,001.00 - \$350,000.00		\$1,495.00
\$350,001.00 - \$400,000.00		\$1,695.00
\$400,001.00 - \$450,000.00		\$2,295.00
\$450,001.00 - \$500,000.00		\$2,895.00
<b>For Transactions in Excess of \$500,000</b>		
<b>Amount of Transaction</b>	<b>Fee Per \$5,000 or Fraction</b>	<b>Maximum Rate</b>
From \$500,001 to \$1,000,000	Add \$5.00 per \$5,000 or a fraction thereof	\$3,395.00
Over \$1,000,000	Add \$3.75 per \$5,000 or a fraction thereof	As calculated

When documents are provided by the Parties or their Legal Counsel, then a discount of 50% shall be applied to the above escrow fee.

When additional services are required or requested by the Parties to close the transaction, the Additional Work Charge as set forth in Chapter 3 or other applicable fees as set forth in this Rate Manual shall be applied and shall be in addition to this rate.

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**SCHEDULE 1**  
**BASIC ESCROW RATES**

<b>TRANSACTION AMOUNT</b>	<b>RATE</b>
\$100,000.00	\$782.00
\$120,000.00	\$814.00
\$130,000.00	\$830.00
\$140,000.00	\$846.00
\$150,000.00	\$862.00
\$160,000.00	\$878.00
\$170,000.00	\$894.00
\$180,000.00	\$910.00
\$190,000.00	\$926.00
\$200,000.00	\$1,092.00
\$210,000.00	\$1,104.00
\$220,000.00	\$1,116.00
\$230,000.00	\$1,128.00
\$240,000.00	\$1,140.00
\$250,000.00	\$1,152.00
\$260,000.00	\$1,164.00
\$270,000.00	\$1,176.00
\$280,000.00	\$1,188.00
\$290,000.00	\$1,200.00
\$300,000.00	\$1,212.00
\$310,000.00	\$1,224.00
\$320,000.00	\$1,236.00
\$330,000.00	\$1,248.00
\$340,000.00	\$1,260.00
\$350,000.00	\$1,272.00
\$360,000.00	\$1,284.00
\$370,000.00	\$1,296.00
\$380,000.00	\$1,308.00
\$390,000.00	\$1,320.00
\$400,000.00	\$1,332.00
\$410,000.00	\$1,344.00
\$420,000.00	\$1,356.00
\$430,000.00	\$1,368.00
\$440,000.00	\$1,380.00
\$450,000.00	\$1,392.00
\$460,000.00	\$1,404.00
\$470,000.00	\$1,416.00
\$480,000.00	\$1,428.00

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<b>TRANSACTION AMOUNT</b>	<b>RATE</b>
\$490,000.00	\$1,440.00
\$500,000.00	\$1,452.00
\$510,000.00	\$1,464.00
\$520,000.00	\$1,476.00
\$530,000.00	\$1,488.00
\$540,000.00	\$1,500.00
\$550,000.00	\$1,512.00
\$560,000.00	\$1,524.00
\$570,000.00	\$1,536.00
\$580,000.00	\$1,548.00
\$590,000.00	\$1,560.00
\$600,000.00	\$1,572.00
\$610,000.00	\$1,584.00
\$620,000.00	\$1,596.00
\$630,000.00	\$1,608.00
\$640,000.00	\$1,620.00
\$650,000.00	\$1,632.00
\$660,000.00	\$1,644.00
\$670,000.00	\$1,656.00
\$680,000.00	\$1,668.00
\$690,000.00	\$1,680.00
\$700,000.00	\$1,692.00
\$710,000.00	\$1,704.00
\$720,000.00	\$1,716.00
\$730,000.00	\$1,728.00
\$740,000.00	\$1,740.00
\$750,000.00	\$1,752.00
\$760,000.00	\$1,764.00
\$770,000.00	\$1,776.00
\$780,000.00	\$1,788.00
\$790,000.00	\$1,800.00
\$800,000.00	\$1,812.00
\$810,000.00	\$1,824.00
\$820,000.00	\$1,836.00
\$830,000.00	\$1,848.00
\$820,000.00	\$1,836.00
\$830,000.00	\$1,848.00
\$840,000.00	\$1,860.00
\$850,000.00	\$1,872.00
\$860,000.00	\$1,884.00
\$870,000.00	\$1,896.00
\$880,000.00	\$1,908.00
\$890,000.00	\$1,920.00



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TRANSACTION AMOUNT	RATE
\$900,000.00	\$1,932.00
\$910,000.00	\$1,944.00
\$920,000.00	\$1,956.00
\$930,000.00	\$1,968.00
\$940,000.00	\$1,980.00
\$950,000.00	\$1,992.00
\$960,000.00	\$2,004.00
\$970,000.00	\$2,016.00
\$980,000.00	\$2,028.00
\$990,000.00	\$2,040.00
\$1,000,000.00	\$2,052.00
\$1,010,000.00	\$2,060.00
\$1,020,000.00	\$2,068.00
\$1,030,000.00	\$2,076.00
\$1,040,000.00	\$2,084.00
\$1,050,000.00	\$2,092.00
\$1,060,000.00	\$2,100.00
\$1,070,000.00	\$2,108.00
\$1,080,000.00	\$2,116.00
\$1,090,000.00	\$2,124.00
\$1,100,000.00	\$2,132.00
\$1,110,000.00	\$2,140.00
\$1,120,000.00	\$2,148.00
\$1,130,000.00	\$2,156.00
\$1,140,000.00	\$2,164.00
\$1,150,000.00	\$2,172.00
\$1,160,000.00	\$2,180.00
\$1,170,000.00	\$2,188.00
\$1,180,000.00	\$2,196.00
\$1,190,000.00	\$2,204.00
\$1,200,000.00	\$2,212.00
\$1,210,000.00	\$2,220.00
\$1,160,000.00	\$2,180.00
\$1,170,000.00	\$2,188.00
\$1,180,000.00	\$2,196.00
\$1,190,000.00	\$2,204.00
\$1,200,000.00	\$2,212.00
\$1,210,000.00	\$2,220.00
\$1,220,000.00	\$2,228.00
\$1,230,000.00	\$2,236.00
\$1,240,000.00	\$2,244.00
\$1,250,000.00	\$2,252.00
\$1,260,000.00	\$2,260.00
\$1,270,000.00	\$2,268.00

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TRANSACTION AMOUNT	RATE
\$1,280,000.00	\$2,276.00
\$1,290,000.00	\$2,284.00
\$1,300,000.00	\$2,292.00
\$1,310,000.00	\$2,300.00
\$1,320,000.00	\$2,308.00
\$1,330,000.00	\$2,316.00
\$1,340,000.00	\$2,324.00
\$1,350,000.00	\$2,332.00
\$1,360,000.00	\$2,340.00
\$1,370,000.00	\$2,348.00
\$1,380,000.00	\$2,356.00
\$1,390,000.00	\$2,364.00
\$1,400,000.00	\$2,372.00
\$1,410,000.00	\$2,380.00
\$1,420,000.00	\$2,388.00
\$1,430,000.00	\$2,396.00
\$1,440,000.00	\$2,404.00
\$1,450,000.00	\$2,412.00
\$1,460,000.00	\$2,420.00
\$1,470,000.00	\$2,428.00
\$1,480,000.00	\$2,436.00
\$1,490,000.00	\$2,444.00
\$1,500,000.00	\$2,452.00
\$1,510,000.00	\$2,460.00
\$1,520,000.00	\$2,468.00
\$1,530,000.00	\$2,476.00
\$1,540,000.00	\$2,484.00
\$1,550,000.00	\$2,492.00
\$1,560,000.00	\$2,500.00
\$1,570,000.00	\$2,508.00
\$1,580,000.00	\$2,516.00
\$1,590,000.00	\$2,524.00
\$1,600,000.00	\$2,532.00
\$1,610,000.00	\$2,540.00
\$1,620,000.00	\$2,548.00
\$1,630,000.00	\$2,556.00
\$1,640,000.00	\$2,564.00
\$1,650,000.00	\$2,572.00
\$1,660,000.00	\$2,580.00
\$1,670,000.00	\$2,588.00
\$1,680,000.00	\$2,596.00
\$1,690,000.00	\$2,604.00
\$1,700,000.00	\$2,612.00

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<b>TRANSACTION AMOUNT</b>	<b>RATE</b>
\$1,710,000.00	\$2,620.00
\$1,720,000.00	\$2,628.00
\$1,730,000.00	\$2,636.00
\$1,740,000.00	\$2,644.00
\$1,750,000.00	\$2,652.00
\$1,760,000.00	\$2,660.00
\$1,770,000.00	\$2,668.00
\$1,780,000.00	\$2,676.00
\$1,790,000.00	\$2,684.00
\$1,800,000.00	\$2,692.00
\$1,810,000.00	\$2,700.00
\$1,820,000.00	\$2,708.00
\$1,830,000.00	\$2,716.00
\$1,840,000.00	\$2,724.00
\$1,850,000.00	\$2,732.00
\$1,860,000.00	\$2,740.00
\$1,870,000.00	\$2,748.00
\$1,880,000.00	\$2,756.00
\$1,890,000.00	\$2,764.00
\$1,900,000.00	\$2,772.00
\$1,910,000.00	\$2,780.00
\$1,920,000.00	\$2,788.00
\$1,930,000.00	\$2,796.00
\$1,940,000.00	\$2,804.00
\$1,950,000.00	\$2,812.00
\$1,960,000.00	\$2,820.00
\$1,970,000.00	\$2,828.00
\$1,980,000.00	\$2,836.00
\$1,990,000.00	\$2,844.00
\$2,000,000.00	\$2,852.00



**ALL RIGHTS RESERVE**  
**ELEMENT TITLE & ESCROW**  
**ARIZONA**  
**833-568-7878**