

ISSUING GUIDELINES

ALTA Endorsement: 28-06 (Easement – Damage or Enforced Removal)

Explanation:

This endorsement provides coverage under a loan policy for loss resulting from the use or maintenance of any easement shown in Schedule B, which:

- (1) Causes damage to improvements located on the land at date of policy, or
- (2) Causes the forced removal or alteration of improvements located on the land at date of policy.

This endorsement is usually requested by a lender in instances when an improvements on the land encroaches into the area of a pre-existing easement.

Underwriting Requirements:

- (1) Examination of a current survey that locates and depicts the easement(s) and all improvements located on the land to ensure existing improvements are not impacted by the easement(s), or
- (2) Documented approval and consent of the easement holder(s) allowing the existence of the improvements without regard to the easement(s), or
- (3) Termination(s) of the easement(s) by the easement holder(s).

Otherwise, contact Dakota Homestead Underwriting for approval to issue.

Issuing guideline applies to the following Endorsement(s):

ALTA 28-06 Easement - Damage or Enforced Removal - 2006 ALTA Loan Policy