

COMMERCIAL TITLE INSURANCE ORDER FORM (Western Canada Form) PAGE 1 of 5

PLEASE NOTE: if you require specific coverage for a title issue, please contact us to speak with an Underwriter before closing. Our Search Requirements and sample policies are available upon request. For transactions over \$10 Million you may be contacted by a Stewart Title Representative for more information.

TO: Stewart Title Guaranty Company – Commercial Operations DATE: Total Pages
ATTN: EMAIL: stgwccommorders@stewart.com
TEL: 403-538-5125 / 866-515-8401 FAX: 403-264-6861 / 866-765-0514

LAW FIRM INFORMATION

Solicitor: Contact:
Firm:
Address:
Tel: Fax:
Email: Your File No:

Have you ordered from Stewart Title before? Yes No

Do you prefer documents to be sent by: Fax Email\* No Preference

\*Lawyer acknowledges that they have obtained consent from their clients to have their personal information transmitted over the internet, being a non-secure transmission route.

If no selection is made, policy(ies) will be delivered by fax.

Are you/your firm acting for: The Borrower/Purchaser The Lender

Please list the names of any other solicitors acting for other parties on this transaction (ie. vendor's or Lender's Solicitor):

Have you received a quote from Stewart Title regarding this transaction? Yes No If yes please provide the quote reference number

POLICY INFORMATION

CLOSING DATE:

Transaction Type:
Purchase Refinancing Share Purchase (# or % of Shares:)

Property Type:
Commercial Condominium Vacant Land Farm
Commercial (please specify use):

Policies Required: Do you require a GAP ONLY POLICY? (POLICY ENDS UPON REGISTRATION) Owner Lender Both
Do you require a Full Policy? Owner Lender Both

PURCHASE PRICE: \$

Interest In Land:
Fee Simple Leasehold (If Assignment of Lease, the original Lease was registered on as Instrument Number) \*If this transaction involves Native Lands, please contact our Underwriting Department.
Other:

**OWNER / PROPERTY INFORMATION**

Purchaser / Borrower Name(s): \_\_\_\_\_

If corporation, please provide name(s) of Corporate Signing Officer(s): \_\_\_\_\_

Current Vendor Name(s) (if Purchase transaction): \_\_\_\_\_

Municipal Address of Property to be Insured: \_\_\_\_\_

Full Legal Description of Property to be Insured: [OR PROVIDE COPY(IES) OF TITLE(S)]  
\_\_\_\_\_  
\_\_\_\_\_

PID (BC Only)

Surface Parcel # (SK Only)

Over \$10M Transactions: Legal Access to the property (vehicular and pedestrian) is via: \_\_\_\_\_ /  Unknown**MORTGAGE INFORMATION** - For additional Lender Policies, please attach a separate page.*If the mortgage blankets over additional properties please complete and attach our "Additional Properties Form" (available on request)***LENDER NAME:** \_\_\_\_\_Mortgage Amount: \$ \_\_\_\_\_ Priority:  First  Second  Third

Reference/Loan Number: \_\_\_\_\_

Private Lender?  Yes  No If Private Lender, what is the term of the mortgage? \_\_\_\_\_What is the mortgage interest rate? \_\_\_\_\_ Loan to value ratio is 75% or less  Yes  NoIs this a VTB mortgage?  Yes  No If answer is "Yes", do not answer remaining questions in this section1) Is the mortgage for the purpose of financing construction or development or renovations?  Yes  No2) Is the registered principal amount of the mortgage higher than the current value of the land?  Yes  No

If "Yes", please explain: \_\_\_\_\_

3) Is the mortgage being advanced in stages?  Yes  No4) Is the property currently under construction?  Yes  No

If you answered "Yes" to 1 or 4 above, your confirmation package will include a Construction Lien Declaration for execution by the borrower (if refinance) or vendor (if purchase).

**SURVEY INFORMATION**Do you have a survey/RPR?  Yes  No

If no survey is available, further underwriting may be necessary and you may be contacted by us.

*If "Yes", please fax a copy of the survey/RPR for our review.*Does the survey/RPR disclose any defects or are you aware of any changes made since the survey date?  Yes  No

If "Yes", please explain: \_\_\_\_\_

Over \$10M Transactions: Is the property contiguous?  Yes  No If "No", please explain: \_\_\_\_\_

**TITLE SEARCH RESULTS**

1. Existing Mortgages:

- To Be Discharged (please specify which mortgages are being discharged)
- No Existing Mortgages on Title
- Remaining on Title (Please list details below and add separate sheet if required)

Lender: \_\_\_\_\_

Date of Registration: \_\_\_\_\_ Instrument Number: \_\_\_\_\_

Original Principal: \_\_\_\_\_ Priority:  First  Second  Third

Other (Specify): \_\_\_\_\_

2. How long has the Borrower and / or Vendor owned the property? \_\_\_\_\_

3. Details of ALL other Registered Instruments [OR PROVIDE COPY(IES) OF TITLE(S)]:

Instrument Number	Registration Date	Type of Document
_____	_____	_____
_____	_____	_____
_____	_____	_____

4. Over \$10M Transactions: Have all agreements, restrictive covenants and conditions been complied with?  Yes  No

If "No", please explain: \_\_\_\_\_

If "Yes", please provide search response(s) or other evidence of compliance.

5. Are there any adverse matters disclosed by title or off title searches that will not be removed or remedied on closing?  Yes  No

If "Yes", please explain:

**OFF-TITLE SEARCH RESULTS** Please refer to our commercial search requirements (available on request or on our website at [www.stewart.ca](http://www.stewart.ca)).

1. **Tax Search Results** – Verbal confirmation from the Municipality, a receipt tax bill, a reference in a vendor's/mortgager's Statutory Declaration or Tax Certificate is sufficient for transactions under \$10,000,000. For larger transactions please see our search requirements

- Paid To Closing  Arrears to be Paid from Closing Funds Other (Specify): \_\_\_\_\_
- Not Assessed and an undertaking to readjust has been obtained along with either i) a holdback or ii) a reasonable estimate has been used for statement of adjustment purposes

Over \$10M Transactions: Does the legal description describe the same property as that identified by the assessment roll number (s)? If "No", please provide copy of Tax Certificate.  Yes  No

2. **For SASKATCHEWAN Properties only: Writ Registry Search Results** (search Borrower and/or Vendor, when applicable)

- Clear  Execution(s) against current parties being paid out and lifted
- Similar Name Execution(s)  Client affidavit being obtained for writs under \$50K
- Solicitor affidavit being obtained for writs over \$50K

3. **Building/Zoning Search Completed?**  Yes  No If "Yes", are Search Results clear?  Yes  No

Current use of Property (or intended use if vacant land for development): \_\_\_\_\_

Have you confirmed that the current use (or intended future use if vacant land for development) is permitted?  Yes  No

Is the property currently under construction?  Yes  No If "Yes", has a compliance search been completed for all Subdivision Agreements and Development Agreements on title?

- Yes  No  Will obtain (please advise of any outstanding issues)  None on title

4. **Fire Work Order Search**  Yes  No If "Yes", are Search Results clear?  Yes  No

- 5. **WHEN ORDERING A LOAN POLICY – Corporate Borrowing Resolution for the Borrower**  
 Obtained                       Not yet, but will be obtained before closing                       Not a Corporate Borrower
  
- 6. **WHEN ORDERING A LOAN POLICY - I have/will confirmed that the borrower has the authority to enter into this mortgage:**  Yes  No
  
- 7. **Has there been a filing within the last 12 months which purports to change any of the officers or directors of the corporation?**                       Yes                       No  
 Newly Incorporated
  
- 8. **Current Corporate Certificate of Status / Corporate Profile for the Borrower and/or Vendor**  
 Obtained                       Not obtained, but will be obtained before closing                       Not Applicable
  
- 9. **Utility Search Results** (to the extent that they may form a lien against the property) – *Verbal confirmation from the Municipality, a receipted utility bill, a reference in a vendor's/mortgagor's Statutory Declaration or a Utility Certificate is sufficient for transactions under \$10,000,000. For larger transactions, please refer to our search requirements.*  
 Paid To Date                       Arrears to be Paid using closing funds                       There are no arrears forming a lien
  
- 10. **Unregistered Easements** (for vacant land only)                       Yes                       No                      If "Yes", are Search Results clear?                       Yes                       No
  
- 11. **Condominium Status Certificate**  
 Clear Certificate                       Not Clear (Please fax a copy for our review)                       Not Required: Refinance Under \$2 Million

**ADDITIONAL QUESTIONS**

- 1. **FOR ALL TRANSACTIONS**  
 Will you be obtaining Canadian/Provincial government issued photo ID of the borrower/purchaser prior to closing and keeping a legible copy in your file?                       Yes                       No  
*Please note – if the purchaser/borrower is a corporation, photo ID must be obtained for the Signing Officer.*  
 If "No", is the borrower/purchaser a long term client of yours? (ie. Have you known the client for at least 1 year?)                       Yes                       No  
 If the borrower/purchaser is not a long term client and you have not obtained Canadian/Provincial government issued photo ID please explain: \_\_\_\_\_  
*If you are acting for the Lender, you are still required to verify that proper Photo ID has been obtained.*

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- 2. **IF PURCHASE**  
 Was any portion of the deposit paid DIRECTLY to the Vendor?                       Yes                       No  
 If "Yes", please explain: \_\_\_\_\_

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- 3. **IF REFINANCE**  
 Are the mortgage proceeds being paid to anyone OTHER than an existing lender or the borrower directly?  
 Yes                       No  
 If "Yes", please explain: \_\_\_\_\_

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- 4. **FOR ALL TRANSACTIONS**  
 Have there been any transfers of title or discharges of mortgages registered within the last 6 months?  
 Yes                       No  
 If "Yes", please explain: \_\_\_\_\_

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**5. FOR ALL TRANSACTIONS**Has another title insurance company refused to issue a title insurance policy for this transaction?  Yes  No

If "Yes", please explain:

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**6. FOR ALL TRANSACTIONS**Is a Power of Attorney being used in this transaction?  Yes  No *If "Yes", please fax a copy of the Power of Attorney to our office for review*

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**7. FOR ALL TRANSACTIONS**Is a Private Lender providing the new mortgage?  Yes  Noa) Is the subject property mortgage free? (ie. Presently no mortgages on title)  Yes  Nob) Is the subject property vacant land?  Yes  Noc) Is the transfer to the borrower for nominal consideration? (If the transfer is an estate conveyance or transfer from trustee to beneficiary, or an inter-family/inter-spousal transfer, please answer "Yes" to this question)  Yes  No

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**PLEASE ATTACH A COPY OF AN UP TO DATE TITLE SEARCH WITH THIS ORDER.**

The protection of personal information is important to Stewart Title and accordingly we have policies and procedures in place to effectively manage and secure the personal information we receive. Personal information is kept confidential and is used for the purposes set out in our privacy policy, including, but not limited to, managing our business relationships, underwriting and issuing of policies and the administering of claims. From time to time, we transfer personal information, which may include electronic formats such as emails, for administrative, data backup, or processing purposes (including accounting and claims administration) to Stewart Title's parent or related companies or to third party service providers, which may be in another jurisdiction, including the USA. We use contractual or other safeguards to ensure protection of personal information transferred to Stewart Title's parent or related companies or to third party service providers. For a copy of our complete privacy policy, please visit our website at [www.stewart.ca](http://www.stewart.ca) or contact our Privacy Officer at [privacySTGC@stewart.com](mailto:privacySTGC@stewart.com) or by phone at 1-888-667-5151.

For purposes of the *Insurance Companies Act* (Canada), this document was issued in the course of Stewart Title Guaranty Company's insurance business in Canada.

Last Updated: October 5, 2015