

Have you ever . . .

Had one of your UCC financing statements terminated by another lender; or by the debtor?

Discovered a mistake on a UCC financing statement?

Been primed by another lender?

Had one of your filings mis-indexed by the State?

Fought with your borrower to get a legal opinion?

Turned down business because the State was too slow in providing an initial search or a search to reflect?

Had to hire and train a new employee to run UCC searches and prepare UCC filings?

Turn to our program of solutions, which includes:

- Indemnity insurance of the first priority of your financing statement
- Document preparation and other outsourcing services
- The value of a "second set of eyes" with UCC expertise
- Endorsements to fit your particular requirements
- Retroactive insurance



Photo: Scott Rothwell | Photography

UCC Basic Insurance Rates

| Amount of Insurance From: | To and Including: | Rate per \$1,000: |
|---------------------------|-------------------|-------------------|
| \$ 0 | \$ 100,000 | \$1.7500 |
| \$ 100,001 | \$ 200,000 | \$1.6750 |
| \$ 200,001 | \$ 300,000 | \$1.5667 |
| \$ 300,001 | \$ 500,000 | \$1.3000 |
| \$ 500,001 | \$ 1,000,000 | \$0.9950 |
| \$ 1,000,001 | \$ 3,000,000 | \$0.6550 |
| \$ 3,000,001 | \$ 5,000,000 | \$0.5750 |
| \$ 5,000,001 | \$ 10,000,000 | \$0.5000 |
| \$ 10,000,001 | \$ 20,000,000 | \$0.4600 |
| \$ 20,000,001 | \$ 30,000,000 | \$0.4450 |
| \$ 30,000,001 | \$ 40,000,000 | \$0.4250 |
| \$ 40,000,001 | \$ 50,000,000 | \$0.4100 |
| \$ 50,000,001 | \$ 100,000,000 | \$0.3800 |
| \$ 100,000,001 | \$ 300,000,000 | \$0.3600 |
| \$ 300,000,001 and above | | \$0.3000 |

Mixed-Collateral Transactions

In transactions of any amount where both real property and personal property secure the subject indebtedness and First American policies are simultaneously issued as to both real property and the personal property, the EAGLE 9[®] UCC Insurance Policy may be issued at a rate of 90% of the otherwise applicable rate.

Buyers' Policies

In transactions in which the EAGLE 9[®] UCC Insurance Policy for Buyers is the only UCC insurance policy issued by First American, the rate shall be 50% of the applicable UCC Basic Insurance Rate, minimum of \$175.

Simultaneously Issued Policies

In transactions in which both the EAGLE 9[®] UCC Insurance Policy and the EAGLE 9[®] UCC Insurance Policy for Buyers are issued, the EAGLE 9[®] UCC Insurance Policy for Buyers may be issued at a rate of 10% of the rate applicable to the EAGLE 9[®] UCC Insurance Policy, minimum \$175, in addition to the rate applied to the EAGLE 9[®] UCC Insurance Policy. In transactions in which the amount of the EAGLE 9[®] UCC Insurance Policy for Buyers exceeds that of the EAGLE 9[®] UCC Insurance Policy, the rate applicable to such excess amount shall be 50% of the UCC Basic Insurance Rate.



The First American Corporation

UCC DIVISION

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EAGLE 9[®] INSURANCE

A Higher Level of Protection for
Community Banks and SBA Lenders



The First American Corporation

UCC DIVISION

First American UCC Division

Now, you can insure your commercial loans secured by non-real estate collateral with First American's *EAGLE 9[®] UCC Insurance Policies*—**true indemnification** against loss due to attachment, perfection, or priority defects, as well as protection against the costs, legal fees, and expenses needed to defend your security interest priority. The policies cover security interests in inventory, furniture, equipment, fixtures, crops, accounts, general intangibles, investment property, or other personal property covered under the Uniform Commercial Code.

For the Community Bank and SBA Lender, cost effective:

- Alternative to a Borrower's Legal Opinion or self-insurance through the total reliance on the representations of the Borrower
- Outsourcing of your entire UCC Compliance Process
- UCC expertise for financial institutions of all sizes
- GAP Coverage! Fund your loans without delay
- Assistance in compliance with SBA requirements and prudent banking standards

Now you can fund over the GAP. Stop waiting for a search to reflect your filing! First American's *EAGLE 9[®] UCC Insurance Policies* provide a minimum 30-day gap coverage. No State has "real-time" searching. Even the best States may be a week behind. In order to avoid being primed during this "GAP," lender's frequently require a search to reflect their filing before funding. Stop waiting! Fund immediately!

CAN YOU TRUST YOUR UCC SEARCH RESULTS?

- ▼ States Mis-Index Filings.
- ▼ Financing Statements, amendments, and terminations do not require signatures.
- ▼ How can you be certain that a filing has been terminated with the authorization of the proper secured party?
- ▼ States frequently change listings to correct prior errors.

DID YOU FILE PROPERLY?

- ▼ One typo, one error, one mistake could destroy perfection!
- ▼ How carefully are your documents examined before filing?
- ▼ Even the smartest lenders and lawyers can make mistakes.
- ▼ Don't let a "paperwork" error cost you!

PROTECT YOURSELF FROM FAULTY SEARCHES, FRAUDULENT TERMINATION, AND HUMAN ERROR!

FILE IN FIRST POSITION, STAY IN FIRST POSITION WITH FIRST AMERICAN'S EAGLE 9[®] UCC POLICY FOR LENDERS

COMPARISON TO TYPICAL LEGAL OPINION

| Coverage | Typical Legal Opinion | EAGLE 9 [®] UCC Insurance Policy |
|--|-----------------------|---|
| Negligence standard | Yes | No |
| Indemnity protection | No | Yes |
| Coverage for defense costs (including attorneys' fees) | No | Yes |
| Forgery and fraud | No | Yes |
| Collateral description | No | Yes |
| Correct states for filing of financing statement | No | Yes |
| Secretary of State UCC search report accuracy | No | Yes |
| Priority based on filing of financing statement | No | Yes |
| Priority based on possession | No | Yes |
| Priority based on control of securities | No | Yes |
| Priority in identifiable cash proceeds | No | Yes |
| Priority over judicial liens | No | Yes |



Visit www.eagle9.com or call (800) 700-1191 to learn more about the remarkable protection of First American's *EAGLE 9[®] UCC Insurance Program*.

As with any insurance contract, there are exceptions, exclusions, and conditions to coverage contained in the policy. Some coverages may not be available in your area, or for your transaction, due to legal, regulatory, or underwriting considerations. Please contact First American for further information. Depending on the states involved, First American's *EAGLE 9[®] UCC Insurance Policies* are issued through either First American Title Insurance Company or First American Property & Casualty Insurance Company, members of The First American Family of Companies.