



WHAT DOES *an* OWNER RECEIVE *when* we AMEND *the* SURVEY EXCEPTION?

1. Amending the exception provides additional coverage under the terms of the policy by eliminating the exception for (1) any discrepancies, (2) conflicts, (3) boundary lines, (4) or any encroachments (5) protrusions, or any (6) overlapping of improvements. Common examples include: (a) coverage for anyone claiming the improvements are over a property line into a neighboring tract; (b) a utility company requiring removal of improvements that are in their easement on the property; and (c) a home owners association claiming the improvements are built over a building line and demanding the improvements be removed.
2. When combined with using a prior survey done for a different owner, it gives the purchaser insurance against the inaccuracy of the work of a surveyor who has done the work relied on by the title company to allow the coverage. The purchaser would not have privity with the surveyor in case of an error in the work, so could not sue the surveyor for errors.
3. Even with a current survey, the coverage provides insurance in the policy for matters in the survey that, if in error, result in a claim that will be handled by filing a claim under the title policy. The title policy provides a remedy, both for an error in the survey and for possible defense cost associated with any assertion by a neighbor of error in the survey, and a claim by a third party as to any of the matters covered by the amendment.
4. The owner's title policy is backed by the financial stability of the title insurance underwriter for any claims made by the insured, and as regulated by the Texas Department of Insurance.