

## **UNDERWRITING MEMORANDUM 01-21**

**To: All South Carolina Agents**  
**From: South Carolina State Office**  
**Date: December 17, 2001**  
**Re: Lexington County Courthouse**

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We understand Lexington County Courthouse is closed until after the first of the year. We have heard varying reports about which items can be checked. In order to accommodate closings until the Courthouse is reopened, agents are authorized to take exception to the items that cannot be checked, obtain a Personal Undertaking from the seller in the case of a sale and the borrower in case of a refinance or second mortgage, and to give the lender affirmative coverage. This language may be used for this purpose:

“Any judgments, lis pendens, tax liens, hospital liens and family court orders affecting the subject property. This exception may be removed when Lexington County Courthouse has reopened and these items may be checked. If any of these items are discovered, they will be added to this commitment/policy as requirements or exceptions. As to the lender’s policy only, this policy insures the insured against loss or damage sustained by the insured by reason of a sale for the purpose of full or partial satisfaction of any of the items excepted to above against the land described in Schedule A as a lien encumbering or having priority over the mortgage insured by this policy. The obligation of the Company to provide a defense under the Conditions and Stipulations of the Policy is included in this above affirmative insurance.”

Please call our office if you have questions about this issue or if you need our Personal Undertaking form.