



Fidelity National Title

INSURANCE COMPANY

TIRSA SWAP AGREEMENT ENDORSEMENT

Attached to and made a part of Policy Number _____

This Policy insures against loss or damage that may be sustained by the Insured by reason of a final decree entered by a court of competent jurisdiction finding that the insured mortgage, as it secures the additional interest as defined in the loan document(s) secured by the insured mortgage described in Schedule A and referred to in said insured mortgage:

- a. Is invalid or unenforceable, or
- b. Does not, at the Date of Policy, share the same priority in relation to any other claims or liens against the land as is afforded the principal of the loan secured by the mortgage.

Nothing in this endorsement shall be construed as insuring a determination by a court of competent jurisdiction of the amount of the additional interest, but it does insure that the amount of additional interest determined by a court of competent jurisdiction is secured by the insured mortgage with the same priority in relation to any other claims or liens against the land as is afforded the principal of the loan secured by insured mortgage.

Nothing in this endorsement shall be construed as insuring loss or damage sustained or incurred by reason of the consequences of New York Civil Practice Law and Rules, Section 5001 et seq.

The maximum amount of loss or damage insured against under this endorsement is \$ _____ and the coverage afforded by this endorsement is in addition to the amount stated in Schedule A of this policy.

THIS ENDORSEMENT is made a part of the policy and is subject to all of the terms and provisions thereof and of any prior endorsements thereto. Except to the extent expressly stated, it neither modifies any of the terms and provisions of the policy and any prior endorsements, nor does it extend the Date of Policy and any prior endorsements, nor does it increase the Amount of Insurance.

IN WITNESS WHEREOF the Company has caused its corporate name and seal to be hereunto affixed by its duly authorized officers on the _____ day of _____, _____.

Dated:

Countersigned:

BY: _____

Fidelity National Title Insurance Company



BY

[Signature]
President

ATTEST

[Signature]
Secretary