

Commercial Endorsement - Building/Structure

Lender Policy

The Policy and Endorsements are hereby amended by deleting the provisions listed in Column A and replacing them with the provisions in Column B, if any:

Column A	Column B
COVERED RISK 12	None.
COVERED RISK 16(b) and (c)	<p>16. (b) The inability to use your Land for the use or uses existing as of the Policy Date because such use or uses contravene a zoning by law.</p> <p>(i) Paragraph 16(b) does not apply if the inability results from lack of compliance with any conditions, restrictions, or requirements contained in the zoning by-law, including but not limited to the failure to secure necessary consents or authorizations as a prerequisite to the use or uses;</p> <p>(ii) Notwithstanding Paragraph 16(b)(i), Paragraph 16(b) applies if the lack of compliance appears in the Public Records as of the Policy Date.</p> <p>(c) A final judgment or order of a court or other tribunal:</p> <p>(i) prohibiting the use or uses of the Land, with any structure existing as of the Policy Date, or</p> <p>(ii) requiring the removal or alteration of any structure, because in either case (i) or (ii) on the Policy Date, the zoning by-law has been violated with respect to any of the:</p> <p style="margin-left: 40px;">A) area, width or depth of the Land as a building site for the structure;</p> <p style="margin-left: 40px;">B) floor space area of the structure;</p> <p style="margin-left: 40px;">C) setback of any structure from the boundaries of the Land;</p> <p style="margin-left: 40px;">D) height of the structure; or</p> <p style="margin-left: 40px;">E) number of parking spaces.</p> <p>There shall be no liability under this Endorsement based on the invalidity of the zoning by-law until after a final judgment or order of a court or tribunal adjudicating the invalidity, the effect of which is to prohibit the use or uses.</p>
COVERED RISK 19	19. Failure of the existing structure(s) or any portion thereof, or a modification thereto or a modification thereof or a replacement thereof, constructed after the Policy Date, to have been constructed with a valid building permit from the proper Governmental Authority.
COVERED RISK 21	21. The inability to use the existing residential structure or any portion thereof, or any replacement thereof constructed after the Policy Date for the use or uses existing as of the Policy Date because such use or uses violate(s) any covenants, conditions or restrictions referred to in paragraph 5 of the EXCLUSIONS.
COVERED RISK 23(a)	None.
COVERED RISK 24	24. Any use or uses of the Land existing as of the Policy Date being affected or impaired by reason of any lease, grant, exception or reservation of minerals or mineral rights referred to in paragraph 6 of the EXCLUSIONS or damage to existing or future improvements, including lawns, shrubbery and trees resulting from the future exercise of any right to use the surface of the Land for the extraction or development of minerals, water or any other substance, or the minerals or mineral rights referred to in paragraph 5 of the EXCLUSIONS.
COVERED RISK 42(b)	None.

Septic System Endorsement (if attached), paragraph 6	6. Coverage under this Policy and Endorsement applies only to a septic system to the extent that it services residential dwelling(s) on the Land. Coverage under this Policy and Endorsement does not apply to septic systems to the extent that they are used in, or as part of, any manufacturing, industrial, commercial or other business process or enterprise conducted on the Land.
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This endorsement is part of the Policy and is subject to all of the terms and provisions of the Policy, including any other endorsements. This endorsement does not:

- modify any of the terms and provisions of the Policy, including any other endorsement;*
- extend the effective date of the Policy, including any other endorsement; or*
- increase the face amount of the Policy;*

unless expressly stated above.