

Encroachments —Boundaries and Easements — Described Improvements

NM FORM 76.2

**NM FORM 76.2: ENCROACHMENTS — BOUNDARIES AND EASEMENTS — DESCRIBED IMPROVEMENTS ENDORSEMENT**

**Attached to Policy No. \_\_\_\_\_\_\_\_\_\_   
Issued by**

**WFG NATIONAL TITLE INSURANCE COMPANY**

1. The insurance provided by this endorsement is subject to the exclusions in Section 4 of this endorsement; and the Exclusions from Coverage, the Exceptions from Coverage contained in Schedule B, and the Conditions in the   
policy.

2. For purposes of this endorsement only, “Improvement” means each improvement on the Land or adjoining land at Date of Policy, itemized below:

3. The Company insures against loss or damage sustained by the Insured by reason of:

a. An encroachment of any Improvement located on the Land onto adjoining land or onto that portion of the Land subject to an easement, unless an   
exception in Schedule B of the policy identifies the encroachment;

b. An encroachment of any Improvement located on adjoining land onto the Land at Date of Policy, unless an exception in Schedule B of the policy   
identifies the encroachment;

c. Enforced removal of any Improvement located on the Land as a result of   
an encroachment by the Improvement onto any portion of the Land

subject to any easement, in the event that the owners of the easement   
shall, for the purpose of exercising the right of use or maintenance of the   
easement, compel removal or relocation of the encroaching Improvement; or

d. Enforced removal of any Improvement located on the Land that   
encroaches onto adjoining land.

4. Sections 3.c. and 3.d. of this endorsement do not insure against loss or damage (and the Company will not pay costs, attorneys’ fees, or expenses) resulting from

the following Exceptions, if any, listed in Schedule B: \_\_\_\_\_\_\_\_\_\_

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Modeled on, but not necessarily identical to, ALTA Form 28.2-06 (adopted 04-02-13).

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[The Company may list any Exceptions appearing in Schedule B for which it will not provide insurance pursuant to Section 3.c.or Section 3.d. The Company may insert “None” if it does not intend to limit the coverage.]

This endorsement is issued as part of the policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the policy or previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the policy and of any prior   
endorsements.

[Witness clause]

[DATE]

WFG NATIONAL TITLE INSURANCE COMPANY

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [Authorized Signatory]

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