



## INDEMNITY AGREEMENT – INTESTATE (When no cash escrow is required.)

THIS AGREEMENT, made in duplicate this \_\_\_\_ day of \_\_\_\_\_, 201\_, by and between WFG National Title Insurance Company, its successors and assigns, hereinafter called the INSURER, and \_\_\_\_\_ Indemnitor(s). Insert Indemnitor(s) Address and phone number: \_\_\_\_\_

### **WITNESSETH:**

WHEREAS, the Insurer has been requested to issue its commitment(s) to Insure and/or Policy(ies) of Title insuring the title to property situated in \_\_\_\_\_, Virginia, and briefly described as follows:

**And:**

WHEREAS, the property was formerly owned by \_\_\_\_\_ (hereinafter called DECEDENT), who died \_\_\_\_\_; and

WHEREAS, the Indemnitors or several of the Indemnitors are the only heirs at law of the Decedent; and

WHEREAS, the estate of the Decedent has not been settled and the property is subject to debts, if any, against the Decedent or against the estate of the Decedent; and

WHEREAS, the property is subject to possible Federal estate taxes; and

WHEREAS, the title to the property is subject to the probate of a Will of the Decedent within the period prescribed by law; and

WHEREAS, WFG National Title Insurance Company has refused to issue its Commitment(s) to insure and/or Policy (ies) of Title Insurance without exception to the above matters unless indemnified as herein set out;

NOW, THEREFORE, Indemnitor(s) does(do) hereby agree, jointly and severally, to indemnify WFG National Title Insurance Company, its successors and assigns, against any and all loss, cost, damage, charge, liability or expense, including court costs and attorney's fees, which it may sustain or be put to due to the issuance of its Commitment(s) to Insure and/or Policy(ies) of Title Insurance on said property or on any portion of said property by reason of:

1. There being any attempt made to
  - a. Subject the aforesaid real property to the payment of any debts of the Decedent or against the estate of the Decedent, and/or
  - b. Subject the property to the payment of any Federal estate taxes in connection with the estate, and/or
  - c. Probate a Will of the Decedent, all within the periods prescribed by law, and/or
  
2. The aforesaid property being made
  - a. Subject to the payment of any debts of the Decedent or against the estate of the Decedent, and/or
  - b. Subject to any Federal estate taxes in connection with the estate, and/or
  - c. Subject to the probate a Will of the Decedent, all within the periods prescribed by law, and/or
  
3. The unmarketability of the title to the aforesaid property on account of the fact that the property is or may possibly be
  - a. Subject to the payment of any debts of the Decedent or against the estate of the Decedent, and/or
  - b. Subject to the payment of any Federal estate taxes in connection with the estate, and/or
  - c. Subject to the probate of a Will of the Decedent, all within the time prescribed by law

IN WITNESS WHEREOF, the Indemnitors have duly signed and sealed this instrument in duplicate.

\_\_\_\_\_(SEAL) \_\_\_\_\_(SEAL)  
Indemnitor Indemnitor

\_\_\_\_\_(SEAL) \_\_\_\_\_(SEAL)  
Indemnitor Indemnitor

\_\_\_\_\_(SEAL) \_\_\_\_\_(SEAL)  
Indemnitor Indemnitor

\_\_\_\_\_(SEAL) \_\_\_\_\_(SEAL)  
Indemnitor Indemnitor

COMMONWEALTH OF \_\_\_\_\_  
OF \_\_\_\_\_; to-wit:

The foregoing instrument was sworn and subscribed to before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

My Registration No.: \_\_\_\_\_

COMMONWEALTH OF \_\_\_\_\_  
OF \_\_\_\_\_; to-wit:

The foregoing instrument was sworn and subscribed to before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

My Registration No.: \_\_\_\_\_

COMMONWEALTH OF \_\_\_\_\_  
OF \_\_\_\_\_; to-wit:

The foregoing instrument was sworn and subscribed to before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

My Registration No.: \_\_\_\_\_

COMMONWEALTH OF \_\_\_\_\_  
OF \_\_\_\_\_; to-wit:

The foregoing instrument was sworn and subscribed to before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

My Registration No.: \_\_\_\_\_