

DUE DILIGENCE GHFA REQUIREMENTS FOR ALTA LAND SURVEY

1. Lender's Title Binder with the coverage being equal to the amount of the loan. The following are also required:
 - (a) the following endorsements: pending disbursement; access; same-as-survey; zoning (if there is zoning); comprehensive
 - (b) copies of the documents relating to all easements and rights-of-way mentioned in the title binder (if you don't have them, please ask the title agent for them);
 - (c) the standard exceptions (including the mechanic's/materialmen's lien exception) need to be removed at or before closing;
 - (d) all due and payable taxes must be paid before closing;
 - (e) the binder must be "marked" at or before closing and the "marked" binder must be satisfactory to GHFA in all respects;
 - (f) title to the land must be in the borrower's name at or before closing.

2. Survey Requirements: an ALTA/ASCM land title survey prepared by a registered land surveyor, meeting the minimum standards and requirements, as adopted in 2005, plus items 1, 2, 3, 4, 6, 7(a), 8, 9, 10, 11(a) and (b), 13, 14, 15, 16, 17, and 18 of Table A. The following additional information should appear on the survey:
 - (a) the legal for the property should be included on the survey;
 - (b) the name of the borrower, GHFA's name, and the name of its title insurer should appear in the caption of the survey.

3. Surveyor's Certificate: in the approved format (copy attached), which can be on the plat of survey or on a separate sheet of paper.

4. Liability and property insurance certificates:
 - (a) Property insurance (*i.e.*, builder's risk) certificate should be on ACORD 28 form; it should identify GHFA as the mortgagee.
 - (b) Certificates for Borrower's insurance: comprehensive liability (\$3 million minimum); auto liability (\$2 million minimum); and umbrella policy (if applicable, *i.e.*, if the primary coverage doesn't satisfy the minimum amounts required by GHFA), showing GHFA as an additional insured. If the borrower has 3 or more employees, it must submit a certificate showing worker's comp insurance coverage.
 - (c) Certificates for the general contractor's insurance: comprehensive liability (\$3 million minimum) and auto liability (\$2 million minimum), showing GHFA as an additional insured. If the primary policies don't satisfy the above coverage requirements, the general contractor needs to submit a certificate for an umbrella policy, showing GHFA as an additional insured. It needs to submit a certificate showing worker's comp insurance coverage.
 - (d) Each of the above policies should provide for 45-days notice to GHFA before the policy can be canceled or terminated.

5. Payment and performance bonds: should include a multiple/dual obligee rider, naming GHFA as an obligee.
6. If the general partner is a corporation, a copy of its articles of incorporation and all amendments, and a copy of its bylaws and all amendments; if the general partner is an LLC, a copy of its articles of organization and all amendments, and a copy of its operating agreement and all amendments.
7. The name of the bank where the borrower's construction account will be maintained; account number; wiring instructions.
8. A list of the architect's plans and drawings with last revision date.
9. A copy of the certificate of partnership for the borrower, if the borrower is a limited partnership; a copy of its articles of incorporation and bylaws if it is a corporation; a copy of its articles of organization and operating agreement if it is a LLC.
10. A copy of the most recent partnership agreement with any amendments plus a draft of the most recently proposed amendment (if applicable).
11. A certificate of existence for the borrower issued by the Secretary of State within the last 30 days.
12. Certificate(s) of existence for the general partner(s) issued by the Secretary of State within the last 30 days (if applicable);
13. A copy of the construction contract with the general contractor.
14. A copy of the contract between the borrower and the project architect.
15. The names of the persons who will be signing the loan documents on behalf of the borrower and their titles (if the borrower is a corporation, we will need a signatory and an attesting officer for the loan documents).
16. A copy of the development agreement (which should include a limitation on the amount of fee that can be paid before the conversion of the GHFA loan)
17. If there is another lender or lenders involved in the project, copies of all loan documents of any such lender

SURVEYOR'S CERTIFICATE

The undersigned, being a registered surveyor of the State of Georgia certifies to the Georgia Housing and Finance Authority and _____ as follows:

1. This map or plat and the survey on which it is based were made in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys" (the "Requirements"), jointly established and adopted by the American Land Title Association ("ALTA") and the National Society of Professional Surveyors ("NSPS") in 2005, and includes items 1, 2, 3, 4, 6, 7(a), 8, 9, 10, 11(a) and (b), 13, 14, 15, 16, 17, and 18 of Table A of the Requirements. Pursuant to the accuracy standards adopted by ALTA and NSPS and in effect on the date of this Certificate, it is my professional opinion as a licensed surveyor of the State of Georgia, that the Relative Positional Accuracy of this survey does not exceed what is specified in the Requirements. The survey also meets the minimum technical standards adopted by the Georgia State Board of Land Surveyors.

2. The survey was made on the ground between _____ and _____, correctly shows the area of the subject property (the "Property"), the location and type of all buildings, structures, and other improvements situated on the Property, and any other matters situated on the Property.

3. Except as shown on the plat of survey, there are no visible easements or rights of way of which the undersigned has been advised.

4. There are no observable, above ground encroachments (a) by the improvements on the Property upon adjoining properties, streets, or alleys, or (b) by the improvements on adjoining properties, streets, or alleys upon the Property.

5. The location of each easement, right of way, servitude, and other matters affecting the Property and listed in the title insurance commitment dated _____, issued by _____ with respect to the Property, has been shown on the plat of survey, together with appropriate recording references to the extent that such matters can be located. The Property shown on the survey is the Property described in that title commitment. The location of all minimum setback provisions and restrictions has been shown on the plat of survey.

6. The Property has access to and from a duly dedicated and accepted public street or highway.

7. Except as shown on the plat of survey, the Property does not serve any adjoining property for drainage, utilities, or ingress or egress.

8. The boundary line dimensions and directions as shown on the plat of survey form a mathematically closed figure.

9. No portion of the Property shown on the plat of survey lies within a Special Hazard Area, as described on the Flood Insurance Rate Map for the community in which the Property is located.

10 [this paragraph is only required if the certificate is not on the plat]. The survey referenced in this Certificate is that certain ALTA/ACSM Land Title Survey for _____ and _____, prepared by _____, bearing the seal and certification of _____, Georgia Registered Land Surveyor No. _____, dated _____, last revised _____.

Dated: _____

_____, Georgia
Registered Land Surveyor No.
