

ALTA 48 TRIBAL WAIVERS AND CONSENTS ENDORSEMENT

**This endorsement is issued as part of
Policy Number _____
issued by
BLANK TITLE INSURANCE COMPANY**

1. For purposes of this endorsement only, "Tribe" means _____.
(DRAFTING INSTRUCTIONS: *insert exact name of the tribe as published in the Federal Register*)
2. Exclusively with regard to any action or proceeding arising out of or related to the policy, and not otherwise, the Tribe:
 - a. Waives any sovereign immunity from suit (and any defense based thereon); and
 - b. Waives any defense due to failure to exhaust remedies in the courts of the Tribe; and
 - c. Consents to jurisdiction in the federal courts of the United States of America and the courts of the state(s) where the Land is located [or: (insert state)]; and
 - d. Consents to venue in the federal courts of the United States of America and the courts of the state(s) where the Land is located [or: (insert state)].
3. Exclusively with regard to any action or proceeding arising out of or related to the policy, and not otherwise, if the Insured is an Entity in which the Tribe has an ownership interest, the Insured:
 - a. Waives any sovereign immunity from suit (and any defense based thereon) that the Insured may possess; and
 - b. Waives any defense due to failure to exhaust remedies in the courts of the Tribe that the Insured may possess; and
 - c. Consents to jurisdiction over the Insured in the federal courts of the United States of America and the courts of the state(s) where the Land is located [or: (insert state)]; and
 - d. Consents to venue for the Insured in the federal courts of the United States of America and the courts of the state(s) where the Land is located [or: (insert state)].

The Company reserves, as to any successor Insured, all rights and defenses that it would have against, and any waivers and consents by, any predecessor Insured.

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 a 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]

AGREED AND CONSENTED TO:

(Insert name of Insured)

(Insert name of Tribe, if different from the Insured)

By: _____
Authorized Representative of the Insured

By: _____
Authorized Representative of the Tribe

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