



Amwins Insurance Brokerage, LLC  
5910 North Central Expressway  
Suite 500  
Dallas, TX 75206  
  
amwins.com

October 4, 2023

Frank Swingle  
Swingle, Collins and Associates  
13760 Noel Road  
Suite 600  
Dallas, TX 75240

RE: Freehold Management, Inc.

## FLOOD CONFIRMATION OF COVERAGE

---

Dear Frank:

In accordance with your instructions to bind, please find the attached Binder for Freehold Management, Inc. which confirms that coverage is bound for your client as follows:

DATE OF ISSUANCE:	10/4/2023								
INSURED:	Freehold Management, Inc.								
MAILING ADDRESS:	2929 Carlisle, Suite 170 Dallas, TX 75204-4067								
CARRIER:	AXIS Surplus Insurance Company (Non-Admitted)								
POLICY NUMBER:	EAF670148-23								
POLICY PERIOD:	From 9/30/2023 to 9/30/2024 12:01 A.M. Standard Time at the Mailing Address shown above								
POLICY PREMIUM:	<table><tbody><tr><td>Premium</td><td>\$50,000.00</td></tr><tr><td>TRIA</td><td>Not Applicable</td></tr><tr><td>Surplus Lines Taxes and Fees</td><td>\$2,462.50</td></tr><tr><td><b>Total</b></td><td><b>\$52,462.50</b></td></tr></tbody></table>	Premium	\$50,000.00	TRIA	Not Applicable	Surplus Lines Taxes and Fees	\$2,462.50	<b>Total</b>	<b>\$52,462.50</b>
Premium	\$50,000.00								
TRIA	Not Applicable								
Surplus Lines Taxes and Fees	\$2,462.50								
<b>Total</b>	<b>\$52,462.50</b>								
MINIMUM EARNED PREMIUM:	35%								
COMMISSION:	10.000% of premium excluding fees and taxes								
SUBJECTIVITIES:	Per Attached								

## SURPLUS LINES TAX SUMMARY

HOME STATE: Texas

### SURPLUS LINES TAX CALCULATION:

State	Description	Taxable Premium	Taxable Fee	Tax Basis	Rate	Tax
Texas	Surplus Lines Tax	\$50,000.00	\$0.00	\$50,000.00	4.850%	\$2,425.00
	Stamping Fee	\$50,000.00	\$0.00	\$50,000.00	0.075%	\$37.50
<b>Total Surplus Lines Taxes and Fees</b>						<b>\$2,462.50</b>

**Important Notice:** Surplus Lines Tax Rates and Regulations are subject to change which could result in an increase or decrease of the total Surplus Lines Taxes and Fees owed on this placement. If a change is required, we will promptly notify you. Any additional taxes owed must be promptly remitted.

### TAX FILING REQUIREMENTS:

- Agent and Agency must hold a valid **Texas Insurance License**
- **AT BINDING**, you – or your agent - will **provide full details** on the **three carriers who declined to write the risk**, including Company Name, Underwriter, Full Address, Telephone Number, Date of Declination and the reason they declined the risk by completing the **Diligent Effort form**. **Note:** For all policies effective January 1, 2018 and later, diligent effort form is NOT required if insured qualifies as an **Industrial Insured**. However, insured must confirm in writing by completing and returning the Industrial Insured Checklist

The attached Binder from the carrier sets forth the coverage as bound. Please review carefully with your client to ensure the bound coverage matches the terms and conditions of the bind order. It is your responsibility to ensure the bound terms and conditions are accurate and consistent with the agreed bind order terms.

If after reviewing you should have any questions or requested changes, please let us know as soon as possible so we can discuss with the carrier.

Thank you for your business. We truly appreciate it.

Sincerely,

**Maddie White**

Technical Assistant

T 214.561.6856 | F 214.528.9101 | [maddie.white@amwins.com](mailto:maddie.white@amwins.com)

Amwins Insurance Brokerage, LLC

5910 North Central Expressway | Suite 500 | Dallas, TX 75206 | [amwins.com](http://amwins.com)

On behalf of,

**Scott Wolf**

Executive Vice President | CA License 0G05417

T 214.561.6854 | M 469.222.1877 | F 214.528.9101 | [scott.wolf@amwins.com](mailto:scott.wolf@amwins.com)

Amwins Insurance Brokerage, LLC

In California: Amwins Brokerage Insurance Services | License 0F19710

5910 North Central Expressway | Suite 500 | Dallas, TX 75206 | [amwins.com](http://amwins.com)

## **SURPLUS LINES DISCLOSURE**

---

### **Texas**

This insurance contract is with an insurer not licensed to transact insurance in this state and is issued and delivered as surplus line coverage under the Texas insurance statutes. The Texas Department of Insurance does not audit the finances or review the solvency of the surplus lines insurer providing this coverage, and the insurer is not a member of the property and casualty insurance guaranty association created under Chapter 462 Insurance Code. Chapter 225, Insurance Code, requires payment of a 4.85 percent tax on gross premium.

Surplus Lines Licensee Name: Amwins Insurance Brokerage, LLC

# Property Binder

Please review this binder carefully as its terms and conditions supercede any terms and conditions that are proposed in the submission or elsewhere.

---

Comments:	TRIA REJECTED
-----------	---------------

---

---

Re:	Property Binder
-----	-----------------

---

Policy No:	EAF670148-23
------------	--------------

---

Insuring Company:	AXIS Surplus Insurance Company
-------------------	--------------------------------

---

Insured:	Freehold Management, Inc. 2929 Carlisle Suite 170 DALLAS, TX 75204
----------	---

---

Coverage Date:	09/30/2023 - 09/30/2024
----------------	-------------------------

---

Policy Limits:	\$1,500,000 per Occurrence
Excess Of:	\$1,000,000 per occurrence/annual aggregate Scheduled Limit of Liability 110% Margin Clause Applies

---

## Sub Limits:

	Per Underlying
Pollutant Cleanup and Removal	\$10,000 Annual Aggregate
	All are per Occurrence and are part of, not in addition to, the policy limits.

---

## Primary Deductibles:

*Except:*

Flood:

Flood Zones Prefixed A or V:

Real Property	\$500,000 Per Building
Personal Property	\$500,000 Per Building
Time Element	\$100,000 Per Occurrence
All Other Flood	\$100,000 Per Occurrence

All Deductibles are per Occurrence unless otherwise noted above or in the Policy Form.

---

Valuation:	Replacement Cost ALS -Loss of Business Rents
------------	---

---

## Coinsurance:

N/A

---

Coverages:	Real & Personal Property Business Interruption Extra Expense
------------	--

## Property Binder

<b>Perils:</b>	Risk of Direct Physical Loss from Flood
<b>Forms:</b>	Excess DIC Form
<b>Exclusions:</b>	Asbestos, Mold/Fungus, Terrorism, Cyber, Pollution, Nuclear, Biological, Chemical Exclusion of Loss or Damage Due to Virus or Bacteria Communicable Disease Exclusion As more fully described in policy
<b>Additional Terms:</b>	This binder is based on the information provided to AXIS in the account submission and is strictly conditioned upon no material change in risk occurring prior to the inception date of the proposed policy. In the event of a material change in risk, AXIS, in its sole discretion, may modify or withdraw this binder, whether or not it has been accepted by the applicant.
<b>Total Insured Values:</b>	\$226,950,316
<b>Cancellation/Non-Renewal Clause:</b>	Thirty (30) days notice of cancellation/non-renewal, except ten (10) days for non-payment of premium.
<b>Terrorism:</b>	Your acceptance of this binder constitutes your acknowledgement that: (1) coverage for "insured losses" directly resulting from an "act of terrorism" as defined in the Terrorism Risk Insurance Act, as amended (the "Act"), as explained in the Policyholder Disclosure Notice TRIA OFFER DISCLOSURE 01 15, was made available to you; (2) you declined to purchase such coverage; (3) the premium stated on this binder does not include any premium for such coverage and you are not paying for such coverage; and (4) Endorsement AXIS TERROR EXCLUSION 01 06 TERRORISM EXCLUSION ENDORSEMENT applies. Therefore, this insurance does not provide coverage for losses directly resulting from any "act of terrorism" as defined by the Act except to the extent, if any, otherwise provided by this Policy.
<b>Premium:</b>	
Policy Premium	\$50,000 35% Earned at Inception

## Property Binder

---

**Additional Comments:**

NON-ADMITTED PAPER – AXIS Surplus Insurance Company is non-admitted paper and the Broker is responsible for handling all Surplus Lines filings and fees.

As a surplus lines broker, it is your responsibility to arrange for the payment of the appropriate surplus lines tax as well as the filings of any applicable tax affidavit.

**Please review the binder carefully as there are terms and conditions different from your submission.**

**The binder is valid until 10/30/2023.**

Property Binder

**POLICYHOLDER DISCLOSURE  
NOTICE OF TERRORISM  
INSURANCE COVERAGE – TRIA DECLINED**

This notice is issued in accordance with the terms and conditions of the Terrorism Risk Insurance Act, as amended (the "Act").

You are hereby notified that coverage for "insured losses" directly resulting from an "act of terrorism" as defined in the Act, as explained in the Policyholder Disclosure notice, (1) was made available to you; and (2) you declined or failed to confirm the purchase of such coverage. Therefore, this insurance does not provide coverage for losses directly resulting from any "act of terrorism" as defined by the Act except to the extent, if any, otherwise provided by the Policy.

**INSTRUCTION TO BROKER**

You are instructed to deliver a copy of this notice to our insured.