



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.

## PROPERTY 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:	MSIG Specialty Insurance USA Inc. (Non-Admitted)								
POLICY NUMBER:	ENS1000263								
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>\$116,667.00</td></tr><tr><td>TRIA</td><td>Rejected</td></tr><tr><td>Surplus Lines Taxes and Fees</td><td>\$5,745.85</td></tr><tr><td><b>Total</b></td><td><b>\$122,412.85</b></td></tr></tbody></table>	Premium	\$116,667.00	TRIA	Rejected	Surplus Lines Taxes and Fees	\$5,745.85	<b>Total</b>	<b>\$122,412.85</b>
Premium	\$116,667.00								
TRIA	Rejected								
Surplus Lines Taxes and Fees	\$5,745.85								
<b>Total</b>	<b>\$122,412.85</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	\$116,667.00	\$0.00	\$116,667.00	4.850%	\$5,658.35
	Stamping Fee	\$116,667.00	\$0.00	\$116,667.00	0.075%	\$87.50
<b>Total Surplus Lines Taxes and Fees</b>						<b>\$5,745.85</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

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## **SURPLUS LINES DISCLOSURE**

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### **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 CONFIRMATION**

### **FIRST NAMED INSURED**

Freehold Management, Inc.  
2929 Carlisle, Suite 170  
Dallas, TX 75204

### **COMPANY**

MSIG Specialty Insurance USA Inc. (NON-ADMITTED)

### **POLICY NUMBER**

ENS1000263

### **POLICY PERIOD**

From: 09/30/2023  
To: 09/30/2024

### **MSIG PARTICIPATION**

\$10,000,000 being 66.7% part of \$15,000,000 per occurrence excess of \$10,000,000 per occurrence excess of underlying deductibles.

### **MSIG PREMIUM**

\$116,667

### **ADDITIONAL PREMIUM FOR CERTIFIED ACTS OF TERRORISM (OPTIONAL)**

REJECTED

### **ADDITIONAL PREMIUM TAXES, SURCHARGES & FEES**

N/A

### **TOTAL INSURABLE VALUES**

\$ 226,950,316 As reported on 07/26/2023

## **PROPERTY BINDER CONFIRMATION**

### **POLICY TERRITORY**

United States of America and its Territories and Possessions

### **COVERAGES**

Real and Personal Property including Time Element and as further defined in the Policy Form as amended hereon.

### **PERILS INSURED**

All Risks of Direct Physical Loss or Damage INCLUDING Equipment Breakdown and EXCLUDING Earthquake and Flood

### **SUB LIMITS OF LIABILITY (100% GROUND UP)**

As per Underlying Policy

### **DEDUCTIBLES**

As per Underlying Policy

### **VALUATION**

As defined in the Policy Form as amended hereon.

### **POLICY FORM**

AmWins Excess Follow Form – Draft as of 9.11.23 following the underlying primary policy no. SLSTPTY11886323 of the Starr Surplus Lines Insurance Company and including, but not limited to, the following endorsements:

- MS 0810 Conformance with Law/Severability
- MS 5509 Exclusion – Foreign Terrorism
- LMA 3100 Sanction Limitation and Exclusion Clause
- MS 5533 Virus or Bacteria Exclusion
- LMA 5400 Property Cyber and Data Endorsement
- MSES 08903 07 21 Service of Suit
- Exclusion of Certified Acts of Terrorism
- Subject to any State Amendatory Forms or Additional Terrorism Forms
- General Endorsement wording to be included:
  - 1) The following extensions of coverage must be sub limited below our attachment:
    - Contingent Time Element
    - Newly Acquired Locations
    - Miscellaneous Unnamed Locations
    - Automatic Coverage
    - Unintentional Errors & Omissions
    - Course of Construction &/or Soft Costs
  - 2) OLLE to Remain Intact with 110% Margin Clause

## **PROPERTY BINDER CONFIRMATION**

- 3) Demolition & ICC – “such ordinance was in force at time of loss” wording must be included
- 4) The perils of Earthquake and Flood are EXCLUDED in our layer. No coverage applies as respects to the MSIG Specialty Insurance USA Inc. policy for any loss or damage in which the proximate cause of loss results from the perils listed above.
- 5) Actual Cash Value for roofs older than 10 years

### **CANCELLATION**

90 days except 10 days for non-payment of premium.

### **OTHER CONDITIONS**

- Minimum earned premium is 35%.
- 
- Issued Underlying Primary Policy must be submitted within 30 days of binding.
- Any new locations or additions with a TIV that pierces our attachment point must be submitted for underwriting approval prior to being added to the policy.

Coverages and/or Extensions of Coverage not specifically mentioned, even though they may be outlined in the specifications provided in the submission, are not included.

This binder is constructed in reliance of the information and specifications provided in the submission. A material change or misrepresentation of the submission information and/or specifications may void this binder.

Any applicable taxes, surcharges or countersignature fees etc. are in addition to the above stated premium. The actual taxes, surcharges or fees, etc. will be those in effect on the date coverage is bound. The insured is responsible for paying these taxes, surcharges or fees in addition to the above stated premium.