

# CHICAGO TITLE INSURANCE COMPANY

**Policy No. 72156-48153949**

## GUARANTEE

CHICAGO TITLE INSURANCE COMPANY, a Florida corporation, herein called the Company, guarantees the Assured against actual loss not exceeding the liability amount stated in Schedule A which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

1. No guarantee is given nor liability assumed with respect to the identity of any party named or referred to in Schedule A or with respect to the validity, legal effect or priority of any matter shown therein.
2. The Company's liability hereunder shall be limited to the amount of actual loss sustained by the Assured because of reliance upon the assurance herein set forth, but in no event shall the Company's liability exceed the liability amount set forth in Schedule A.

PLEASE NOTE CAREFULLY THE LIABILITY EXCLUSIONS AND LIMITATIONS AND THE SPECIFIC ASSURANCES AFFORDED BY THIS GUARANTEE. IF YOU WISH ADDITIONAL LIABILITY, OR ASSURANCES OTHER THAN AS CONTAINED HEREIN, PLEASE CONTACT THE COMPANY FOR FURTHER INFORMATION AS TO THE AVAILABILITY AND COST.

Dated: November 21, 2022

Issued by:

AmeriTitle, LLC  
101 W Fifth Ave.  
Ellensburg, WA 98926  
(509)925-1477

*Hannah Hall*

Authorized Signer

CHICAGO TITLE INSURANCE COMPANY



By: *[Signature]*

President

ATTEST  
*[Signature]*  
Secretary

*Note: This endorsement shall not be valid or binding until countersigned by an authorized signatory.*

Subdivision Guarantee Policy Number: 72156-48153949

# SUBDIVISION GUARANTEE

Order No.: 572261AM  
Guarantee No.: 72156-48153949  
Dated: November 21, 2022 at 7:30 A.M.

Liability: \$1,000.00  
Fee: \$350.00  
Tax: \$29.40

Your Reference: NKA Clarke Rd, Ellensburg, WA 98926

Assured: Cruse & Associates

The assurances referred to on the face page are:

That, according to those public records with, under the recording laws, impart constructive notice of matters relative to the following described real property:

Parcels 12 and 13 of that certain Survey as recorded August 28, 2000, in Book 25 of Surveys, pages 114 through 116, under Auditor's File No. [200008280026](#), records of Kittitas County, Washington; being a portion of Section 9, Township 18 North, Range 18 East, W.M., in the County of Kittitas, State of Washington.

Title to said real property is vested in:

Number 9 Ranch LLC, a Washington Limited Liability Company

**END OF SCHEDULE A**

(SCHEDULE B)

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Subject to the matters shown below under Exceptions, which Exceptions are not necessarily shown in the order of their priority.

**EXCEPTIONS:**

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Unpatented mining claims; reservations or exceptions in the United States Patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
3. Title to any property beyond the lines of the real property expressly described herein, or title to streets, roads, avenues, lanes, ways or waterways on which such real property abuts, or the right to maintain therein vaults, tunnels, ramps, or any other structure or improvement; or any rights or easements therein unless such property, rights or easements are expressly and specifically set forth in said description.
4. Any lien for service, installation, connection, maintenance, tap, capacity or construction or similar charges for sewer, water, electricity, natural gas or other utilities, or for garbage collection and disposal not shown by the Public Records
5. Indian tribal codes or regulations, Indian treaty or aboriginal rights, including easements or equitable servitudes.
6. General Taxes and Assessments – total due may include fire patrol assessment, weed levy assessment and/or irrigation assessment, if any. Taxes noted below do not include any interest or penalties which may be due after delinquency.

Note: Tax year runs January through December with the first half becoming delinquent May 1st and second half delinquent November 1st if not paid. For most current tax information or tax printouts visit: <http://taxsifter.co.kittitas.wa.us> or call their office at (509) 962-7535.

Tax Year: 2022  
Tax Type: County  
Total Annual Tax: \$107.84  
Tax ID #: 15474  
Taxing Entity: Kittitas County Treasurer  
First Installment: \$53.92  
First Installment Status: Paid  
First Installment Due/Paid Date: April 30, 2022  
Second Installment: \$53.92  
Second Installment Status: Paid  
Second Installment Due/Paid Date: October 31, 2022

7. Tax Year: 2022  
Tax Type: County

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Total Annual Tax: \$60.61  
Tax ID #: 246033  
Taxing Entity: Kittitas County Treasurer  
First Installment: \$30.31  
First Installment Status: Paid  
First Installment Due/Paid Date: April 30, 2022  
Second Installment: \$30.30  
Second Installment Status: Paid  
Second Installment Due/Paid Date: October 31, 2022

8. This property is currently classified under the Open Space Taxation Statute R.C.W. 84.34. Sale of this property without notice of compliance to the county Assessor will cause a supplemental assessment, interest, and penalty to be assessed against the seller/transferor.

Note: If it is the intent of the buyer/transferee in this transaction to request a continuance of this classification, please contact the Kittitas County Assessor's Office at (509) 962-7501 for their requirements.

9. Possibility of unpaid assessments levied by the Kittitas Reclamation District, notice of which is given by an amendatory contract recorded in Book 82 of Deeds, page 69, under Kittitas County Auditor's File No. [208267](#), no search having been made therefore.

To obtain assessment information, please contact the Kittitas Reclamation District: 509-925-6158.

10. Reservation of Oil, gas, minerals, or other hydrocarbons, including the terms and provisions contained therein, in deed from Northern Pacific Railway Co..  
Recorded: February 11, 1905  
Instrument No.: [12440](#)  
The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
11. Waiver of damages from P.H. Adams to Kittitas Reclamation District recorded January 21, 1930 in [Book 48 of Deeds, pages 229 through 231](#).
12. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by survey,  
Recorded: December 22, 1998  
Book: 23 of Surveys Pages: 249 through 251  
Instrument No.: [199812220015](#)  
Matters shown:  
a) Location of fencelines in relation to property boundaries  
b) Location of a ditch along the Northerly boundary South of the Kittitas Reclamation District canal  
c) Notes contained thereon
13. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by survey,  
Recorded: August 28, 2000  
Book: 25 Pages: 114 through 116  
Instrument No.: [200008280026](#)  
Matters shown:  
a) Location of fencelines in relation to property boundaries  
b) 30' access Easement "S"  
c) 60' access Easement "S"  
d) Notes contained thereon
14. The provisions contained in deed,  
Recorded: September 15, 2000,  
Instrument No.: [200009150021](#).  
As follows: "Reserving unto, and for the benefit of, Gerald Pittenger, his heirs, successors and/or

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assigns, owner of property lying Southerly of parcel herein conveyed, an easement for an existing irrigation ditch to transfer water from Kittitas Reclamation District lateral at a point of diversion near the North line of Parcel B of Survey recorded in Book 23 of Surveys, page 249; said ditch running in a Southerly direction through Parcels A and B of said survey to a culvert crossing Clark Road. Said Gerald Pittenger, his heirs, successors and/or assigns, shall have the right of access to turn on and regulate water at the point of diversion and to maintain said ditch."

15. A Mortgage, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:  
Amount \$5,900,000.00  
Mortgagor: Number 9 Ranch LLC, a Washington Limited Liability Company and 3-B Farms, a Washington general partnership  
Mortgagee: Axa Equitable Life Insurance Company, a New York Corporation  
Recorded: December 22, 2017  
Instrument No.: [201712220022](#)  
Affects: Said premises and other land
16. Rights of the State of Washington in and to that portion of said premises, if any, lying in the bed or former bed of the Reecer Creek, if it is navigable.
17. Any question of location, boundary or area related to the Reecer Creek, including, but not limited to, any past or future changes in it.
18. Rights of the State of Washington in and to that portion of said premises, if any, lying in the beds or former beds of the unnamed creeks or streams, if it is navigable.
19. Any question of location, boundary or area related to the unnamed creeks or streams, including, but not limited to, any past or future changes in them.
20. Any prohibition or limitation on the use, occupancy, or improvements of the Land resulting from the rights of the public, appropriators, or riparian owners to use any waters, which may now cover the Land or to use any portion of the Land which is now or may formerly have been covered by water.
21. A portion of the access to said premises is over Kittitas Reclamation District Lateral and therefore, access to said premises is subject to the terms, conditions, regulations and restrictions of the Kittitas Reclamation District.
22. This Guarantee makes no assurances, nor makes any representation as to future insurability against lack of access to and from the described Land.

We note Easement "S" to Clarke Road, as depicted on surveys of record.

#### **END OF EXCEPTIONS**

#### **Notes:**

- a. Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.
- b. All documents recorded in Washington State must include an abbreviated legal description and tax parcel number on the first page of the document. The abbreviated description for this property is: Parcels 12 and 13, Book 25 of Surveys, pgs 114-116, ptn of Section 9, Township 18 N, Range 18 E, W.M.

NOTE: In the event any contracts, liens, mortgages, judgments, etc. which may be set forth herein are not paid off and released in full, prior to or immediately following the recording of the forthcoming plat (short plat), this Company will require any parties holding the beneficial interest in any such matters to join in on the platting and dedication provisions of the said plat (short plat) to guarantee the insurability of any lots or parcels created thereon. We are unwilling to assume the risk involved created by the possibility that any matters dedicated to the public, or the plat (short plat) in its entirety, could be rendered void by a foreclosure action of any such underlying matter if said beneficial party has not joined in on the plat (short plat).

**END OF GUARANTEE**