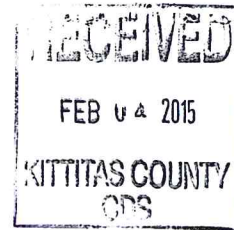


Customer Reference No.  
File No. 29961AM  
Underwriter: Chicago Title Insurance Company

**SCHEDULE A**



Order No.: 29961AM

1. Effective date: **January 14, 2015 at 7:30 A.M**

2. Policy or Policies to be issued:

(a) **ALTA Owner's Policy**  **Standard Coverage**  **Extended Coverage**  
(6-17-06)

**Amount:**  
**Premium:**  
**Sales Tax:**

Proposed Insured:

(b) **ALTA Loan Policy**  **Standard Coverage**  **Extended Coverage**  
(6-17-06)

**Amount:**  
**Premium:** \$0.00

**Endorsements:** None

Proposed Insured:

3. **FEE SIMPLE** interest in the Land described in this Commitment is owned, at the Commitment Date, by:

**James R. Mapes, a married man as his separate estate**

4. The Land referred to in this Commitment is described as follows:

**PARCEL I:**

**The East Half of the Southeast Quarter of Section 34, Township 17 North, Range 19 East, W.M., in the County of Kittitas, State of Washington;**  
**EXCEPT that portion commencing at the Northwest corner of said Half of Quarter section and running thence East along the North boundary line of said half of quarter section 585.0 feet; thence South at right angle to said North boundary line 10 feet to the true point of beginning; thence continuing South at right angle to said North boundary line 160.0 feet; thence East parallel to the said North boundary line 272.2 feet; thence North 160.0 feet to a point 10 feet South of said North boundary line; thence West parallel to and 10 feet South of said North boundary line 272.2 feet to the point of beginning.**

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**EXCEPT**

**Lots 1 through 11 of that certain Survey as recorded June 4, 2004, in Book 30 of Surveys, pages 65 through 67, under Auditor's File No. 200406040021, records of Kittitas County, Washington; being a portion of the Southeast Quarter of Section 34, Township 17 North, Range 19 East, W.M., in the County of Kittitas, State of Washington.**

**AND EXCEPT**

**That portion of Parcel A lying with in the Southeast Quarter of Section 34, of that certain Survey as recorded August 3, 2004, in Book 30 of Surveys, page 110, under Auditor's File No. 200408030023, records of Kittitas County, Washington; being a portion of the Southeast Quarter of Section 34 and portion of the Southwest Quarter of Section 35, Township 17 North, Range 19 East, W.M., in the County of Kittitas, State of Washington;**

**And except the right of way of Denmark Road and rights of way of Kittitas Reclamation District Canals.**

**All that portion of the South Half of the Northeast Quarter of Section 34, Township 17 North, Range 19 East, W.M., commencing at a point on the East line of said tract 24 feet North of the point where a lateral of the Kittitas Reclamation District intersects said East line; thence West 60 feet; thence running in a Southerly direction parallel to said lateral and 24 feet from the West bank thereof a distance of 310 feet; thence in a straight line 225 feet to a point on the South line of said tract a distance of 45 feet from the West bank of the lateral where said lateral turns North at the South line of said premises; thence East to the Southeast corner of said tract; thence North along the East line of said tract to the point of beginning; excepting therefrom the right of way of the Kittitas Reclamation District for said lateral.**

**EXCEPT that portion of Parcel 1 lying within Section 34, Township 17 North, Range 19 East, W.M., of that certain Survey recorded April 2, 2002, in Book 27 of Surveys, pages 122 through 124, under Auditor's File No. 200204020034, records of Kittitas County, Washington; being a portion of Sections 34 and 35, Township 17 North, Range 19 East, W.M.**

**EXCEPT the right of way of Denmark Road and rights of way of Kittitas Reclamation District Canals.**

**The West Half of the Southwest Quarter of Section 35, Township 17 North, Range 19 East, W.M. in the County of Kittitas, State of Washington ;**

**EXCEPT**

**That portion of Parcel A lying within the Southwest Quarter of Section 35, of that certain Survey as recorded August 3, 2004, in Book 30 of Surveys, page 110, under Auditor's File No. 200406040021, records of Kittitas County, Washington; being a portion of the Southwest Quarter of Section 34 and a portion of the Southwest Quarter of Section 35, Township 17 North, Range 19 East, W.M., in the County of Kittitas, State of Washington.**

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**AND EXCEPT**

**That portion of the Southwest Quarter of the Southwest Quarter of said section beginning at a point 1300.5 feet East and 707.4 feet North of the Southwest corner of said Section; thence continuing North along the West boundary line of the county road 117 feet; thence at a right angle West 141 feet; thence at a right angle South on a line parallel to said West line of county road 117 feet; thence at a right angle East 141 feet to said West line of County road; the point of beginning, in Section 35, Township 17 North, Range 19 East, W.M.;**

**Except the right of way of Denmark Road and rights of way of Kittitas Reclamation District Canals.**

**PARCEL II**

**That portion of the Southwest Quarter of the Southwest Quarter of said section beginning at a point 1300.5 feet East and 707.4 feet North of the Southwest corner of said Section; thence continuing North along the West boundary line of the county road 117 feet; thence at a right angle West 141 feet; thence at a right angle South on a line parallel to said West line of county road 117 feet; thence at a right angle East 141 feet to said West line of County road; the point of beginning, in Section 35, Township 17 North, Range 19 East, W.M., in the County of Kittitas, State of Washington;**

**Except the right of way of Denmark Road.**





**SCHEDULE B - SECTION I  
REQUIREMENTS**



The following requirements must be met:

- a. Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
- b. Pay us the premiums, fees and charges for the policy.
- c. Documents satisfactory to us creating the interest in the Land and/or the Mortgage to be insured must be signed, delivered and recorded.
- d. You must tell us in writing the name of anyone not referred to in this Commitment who will get an interest in the Land or who will make a loan on the Land. We may then make additional requirements or exceptions.
- e. Your order for title work calls for a search of property that is identified by a street address only. Based on our records, we believe that the description in this commitment describes the land you have requested we insure, however, we can give no assurance of this. To prevent errors and to be certain that the proper parcel of land will appear on the documents and on the policy of title insurance, we require verification of the legal description used for this commitment.
- f. Any conveyance or encumbrance executed by the herein named party must also be executed by the spouse or domestic partner of said party, if married or in a domestic partnership.  
Named party: James R. Mapes
- g. A copy of the Operating Agreement for Zirkle Fruit Company, LLC, must be submitted showing identity and authority of the Managing Member(s) to execute the proposed conveyance documents if said manager(s) is/are other than Bill Wangler.
- h. The company will require a copy of articles of organization, operating agreements, if any, and a current list of its members and managers for Zirkle Fruit Company, LLC, a limited liability company.
- i. 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: Ptn East Half SE Quarter Section 34, Township 17N, Range 19East, W.M.; AND Ptn W Half SW Quarter Section 35, Township 17N, Range 19E, W.M.; AND ptn SW Quarter SW Quarter of Section 35, Township 17N, Range 19E, W.M.; AND ptn S Half NE Quarter Section 34, Township 17N, Range 19E, W.M.

Note No. 1: Any map or sketch enclosed as an attachment herewith is furnished for informational 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.

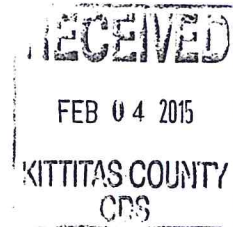
Note No. 2: In the event this transaction fails to close and this commitment is cancelled a fee will be charged complying with the state insurance code.

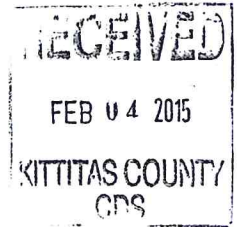
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Note No. 3: According to the available County Assessor's Office records, the purported address of said land is:

6883 Denmark Road, Ellensburg, WA 98926

Note No. 4: We would like to take this opportunity to thank you for your business, and inform you that your Title Officer is Sidney Martin, whose direct line is (509) 925-1477, and your Escrow Officer is Schiree Minor, whose direct line is (509) 925-1477.





**SCHEDULE B - SECTION II**

**EXCEPTIONS**

**Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.**

1. Rights or claims of parties in possession not shown by the public records.
2. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
3. Easements, or claims of easements, not shown by the public records.
4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights or easements appurtenant to water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Taxes or special assessments which are not shown as existing liens by the public records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
7. 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
8. Indian tribal codes or regulations, Indian treaty or aboriginal rights, including easements or equitable servitudes.
9. Taxes, including any assessments collected therewith, for the year 2015 which are a lien not yet due and payable.  
Parcel No.:  
17-19-35000-0015 (240433)  
17-19-35000-0019 (020433)

Note: Taxes, including any assessments collected therewith, for the year shown below are paid:  
Amount: \$2,619.66  
Year: 2014  
Parcel No.: 17-19-35000-0015 (240433)

Amount: \$1,332.20  
Year: 2014  
Parcel No.: 17-19-35000-0019 (020433)

10. The lien of real estate Excise Tax upon any sale of said premises, if unpaid.

- Properties located inside Kittitas County, the total rate is 1.53% of the total sales price



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11. 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.

12. 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.

13. Liens, levies and assessments of the Skyview Estates Homeowners Association as set forth in Declaration of Protective Covenants recorded December 20, 2004, under Auditor's File No. 200412200057.
14. Reservation of Oil, gas, minerals, or other hydrocarbons, including the terms and provisions contained therein, in deed as provided for in Act effective June 12, 1907, under the Laws of the State of Washington, 1907 Session, Chap 256, Sec 3 (Rem Rev Stats Sec 7873).  
Recorded: January 14, 1960  
Book: 105 of Deeds, Page 445  
Instrument No.: 280547  
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.
15. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:  
Purpose: Joint use of the existing roadway as a means of access to and from the County Road as same extends upon and across said premises  
Recorded: July 16, 1968  
Instrument No.: 348637 *Easement not described*
16. Pendency of Yakima County Superior Court Cause No. 77-2-01484-5, State of Washington, Department of Ecology, Plaintiff, vs. James J. Acquavella, et al, Defendants; notice of which is given by Lis Pendens recorded on October 14, 1977, in Volume 90, page 589, under Kittitas County recording number 417302, and supplemental notice of Lis Pendens recorded June 4, 1980, in Volume 131, page 63, under Auditor's File No. 442263; being an action for the determination of the rights to divert, withdraw, or otherwise make use of the surface waters of the Yakima River Drainage Basin, in accordance with the provisions of Chapters 90.03 and 90.44 Revised Code of Washington.

(Attorney for Plaintiff: Charles B. Rose, Jr., Senior Assistant Attorney General)

NOTE: The policy/policies to be issued include(s) as one of the printed exceptions to coverage: "Water rights, claims or title to water" as set forth as Paragraph 5C in the general exceptions which are printed on Schedule B herein. The pending action involves such water rights and therefore, will not be set forth as a separate exception in said policy/policies

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17. Terms, provisions, covenants, conditions, definitions, options, obligations and restrictions contained in a document  
Purpose: Irrigation Easements "R" and "Q"  
Recorded: February 23, 2004  
Instrument No.: 200402230035
18. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:  
Purpose: Construct, operate, maintain, repair, replace, improve, remove, enlarge, and use the easement area for one or more utility systems for purposes of transmission, distribution and sale of gas and electricity  
Recorded: July 20, 2004  
Instrument No.: 200407200012
19. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:  
Granted To: Paul R. Beiter and Cynthia L. Beiter, husband and wife; Suzanne R. Webster, a widow and Skyline Ranch Partnership, a Washington partnership  
Purpose: Ingress, egress and utilities  
Recorded: November 6, 2001  
Instrument No.: 200111060024  
Affects: Portion said premises and other land
20. Easements reservations and dedications, as shown on record of survey, in Book 37 of Surveys, pages 71 and 72.  
Recorded: October 14, 2010  
Instrument No.: 201010140019

**END OF SCHEDULE B**