

**CHICAGO TITLE INSURANCE COMPANY**

**RECEIVED**  
JAN 15 2019

**Policy No. 72156-46568947**

**Kittitas County CDS**

**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.


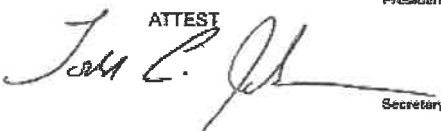
Dated: January 9, 2019

Issued by:  
AmeriTitle, Inc.  
101 W Fifth Ave.  
Ellensburg, WA 98926  
(509)925-1477

CHICAGO TITLE INSURANCE COMPANY

  
Authorized Signer



By:   
President  
ATTEST   
Secretary

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

Subdivision Guarantee Policy Number: 72156-46568947

# SUBDIVISION GUARANTEE

Order No.: 275799AM  
Guarantee No.: 72156-46568947  
Dated: January 9, 2019

Liability: \$1,000.00  
Fee: \$350.00  
Tax: \$29.05  
Extra Section Charge: \$150.00  
Tax: \$12.45

Your Reference: Kuenzlie

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:

TRACT 1:

Parcel 20A of that certain Survey as recorded December 11, 2017, in Book 41 of Surveys, pages 71 and 72, under Auditor's File No. 201712110030, records of Kittitas County, Washington; being a portion of the Southwest and Southeast Quarters of Section 9, Township 16 North, Range 20 East, W.M., in the County of Kittitas, State of Washington.

TRACT 2:

Parcel 1:

Lot 19 of that certain Survey as recorded March 18, 2005, in Book 31 of Surveys, pages 31 through 35, under Auditor's File No. 200503180031, records of Kittitas County, Washington; being a portion of the Northwest Quarter of Section 16, Township 16 North, Range 20 East, W.M., in the County of Kittitas, State of Washington.

Parcel 2:

That portion of the West Half of the Northeast Quarter of Section 16, Township 16 North, Range 20 East, W.M., in the County of Kittitas, State of Washington, which lies North of the Northerly right of way of Bynum Rd., as conveyed to the Kittitas County Road Department by deed recorded September 19, 1966, in Volume 123, page 210, under Auditor's File No. 332807, and Westerly of the following described line:

Beginning at the Northwest corner of said West Half of the Northeast Quarter; Thence North 89°13'50" East along the North boundary of said West Half of the Northeast Quarter, 64 feet to the true point of beginning for said described line; Thence South 34°34'15" East, 98.21 feet to the Northerly right of way of Bynum Road and the end of said described line.

Title to said real property is vested in:

Denny L. Kuenzli and Jenny L. Kuenzli, husband and wife, as to Tract 1 and Tract 2 Parcel 1, and Henry J. Brist and Nita K. Hoversland-Brist, Trustees of the Brist Trust under Trust Agreement dated December 18, 1996, as to Tract 2, Parcel 2

**END OF SCHEDULE A**

(SCHEDULE B)

Order No: 275799AM  
Policy No: 72156-46568947

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. Taxes, including any assessments collected therewith, for the year 2019 which are a lien not yet due and payable.

Note: Taxes, including any assessments collected therewith, for the year shown below are paid:  
Amount: \$583.54  
Year: 2018  
Parcel No.: 20252

7. Taxes, including any assessments collected therewith, for the year 2019 which are a lien not yet due and payable.

Note: Taxes, including any assessments collected therewith, for the year shown below are paid:  
Amount: \$2,772.93  
Year: 2018  
Parcel No.: 949526

8. 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.

9. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:

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Granted To: The United States of America, Department of Interior, Bureau of Reclamation  
Purpose: Right of Way for Turbine Lateral  
Recorded: January 29, 1931  
Instrument No.: 103920  
Book 49 of Deeds, Page 246  
Affects: Northwest Quarter of the Northeast Quarter of said Section 16 and other land

10. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:  
Granted To: Kittitas County  
Purpose: County Roads (Bynum Road and Upper Badger Pocket Road)  
Recorded: September 15, 1933  
Instrument No.: 113702  
Book 54 of Deeds, Page 157  
Affects: Tract 2 and other land
11. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:  
Granted To: The United States of America, Department of the Interior, Bureau of Reclamation  
Purpose: Right of Way for Badger Creek Wasteway Channel  
Recorded: January 25, 1934  
Instrument No.: 114789  
Book 54 of Deeds, Page 321  
Affects: West Half of the Northeast Quarter of said Section 16 and other land
12. Reservation of Oil, gas, minerals, or other hydrocarbons, including the terms and provisions contained therein, in deed from The State of Washington.  
Recorded: June 29, 1944  
Book: 68 of Deeds, Page 313  
Instrument No.: 178738  
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.
13. At the request of the insured, we have agreed to eliminate any reference in the policy to issue as to the pendency of Yakima County Superior Court Cause No. 77-2-01484-5 on the agreed-upon understanding that there are no provisions in said policy which afford, or are intended to afford, insurance that there is a present or continuing right to use surface waters of the Yakima River Drainage Basin. The sole purpose of said paragraph appearing in our Guarantee was to advise the insured that such an action is pending of record and that judgment adjudicating such surface waters are being sought in accordance with the statutes of the State.
14. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by survey,  
Recorded: April 15, 2004  
Book: 30 Pages: 25 through 31  
Instrument No.: 200404150018  
Matters shown:
  - a) Note 8 which states: An irrigation easement 10 feet in width is reserved along all lot lines. The 10 foot easement shall abut the exterior property boundary and shall be divided 5 feet on each side of interior lot lines.
  - b) All other notes contained thereonAffects: Tract 1
15. Covenants, conditions and restrictions, but omitting any covenant or restriction based on race, color, religion, sex, sexual orientation, disability, handicap, familial status, marital status, ancestry, national origin or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.  
Recorded: July 14, 2004

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Instrument No.: 200407140006

Affects: Tract 1

16. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by survey,  
Recorded: March 18, 2005  
Book: 31 of Surveys Pages: 31 through 35  
Instrument No.: 200503180031  
Matters shown: a) Notes shown thereon
17. A Deed of Trust, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:  
Amount: \$153,400.00  
Trustor/Grantor: Jenny L. Kuenzli and Denny L. Kuenzli, wife and husband  
Trustee: Northwest Trustee Services LLC  
Beneficiary: Wells Fargo Bank, N.A  
Dated: January 16, 2013  
Recorded: January 29, 2013  
Instrument No.: 201301290017
18. A Deed of Trust, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:  
Amount: \$125,000.00  
Trustor/Grantor: Denny L. Kuenzli and Jenny L. Kuenzli, husband and wife  
Trustee: Wells Fargo Financial National Bank  
Beneficiary: Wells Fargo Bank, N.A  
Dated: October 6, 2017  
Recorded: October 27, 2017  
Instrument No.: 201710270007
19. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by survey,  
Recorded: December 11, 2017  
Book: 41 of Surveys Pages: 71 and 72  
Instrument No.: 201712110030  
Matters shown:  
a) Notes contained thereon
20. Effect, if any, of a Quit Claim Deed,  
From: Henry Brist  
To: Denny Kuenzli  
Recorded: March 16, 2010  
Instrument No.: 201003160003

Said Deed is not correctly executed and the company will require a new deed to vest in said grantee.

#### END OF EXCEPTIONS

#### Notes:

Note No. 1: 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.

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Note No. 2: 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: Parcel 20A, Book 41 of Surveys, pgs 71-72, ptn SW and SE Quarters of Section 9, Township 16N, Range 20E, W.M.; Lot 19, Book 31 of Surveys, pages 31 through 35, Ptn NE Quarter of NW Quarter Section 16, Township 16 North, Range 20 East, 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**