

CHICAGO TITLE INSURANCE COMPANY

Policy No. 72156-46709725

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 14, 2019


Issued by:

AmeriTitle, Inc.

101 W Fifth Ave.

Ellensburg, WA 98926

(509)925-1477


Authorized Signer

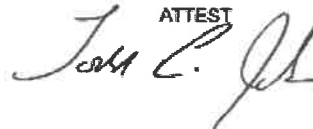
CHICAGO TITLE INSURANCE COMPANY



By:



President

ATTEST


Secretary

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

Subdivision Guarantee Policy Number: 72156-46709725

SUBDIVISION GUARANTEE

Order No.: 276188AM

Guarantee No.: 72156-46709725

Dated: January 14, 2019

Liability: \$1,000.00

Fee: \$350.00

Tax: \$29.05

Your Reference: 2422 Hunter 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:

See attached Exhibit 'A'

Title to said real property is vested in:

JH Properties, LLC, a Washington limited liability company

END OF SCHEDULE A

(SCHEDULE B)

Order No: 276188AM
Policy No: 72156-46709725

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: \$3,485.77
Year: 2018
Parcel No.: 21511
Affects: A portion of Parcel 54

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: \$132.36
Year: 2018
Parcel No.: 647336
Affects: A portion of Parcel 54

8. 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: \$35.36
Year: 2018
Parcel No.: 21528
Affects: Parcel 73

9. 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: \$30.67
Year: 2018
Parcel No.: 166433
Affects: Parcel 74

10. 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.

11. 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.

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

Granted To: T. B. Goodwin
Purpose: Right of way for water pipeline
Dated: April 30, 1904
Book 10 of Deeds, Page 111
Affects: The East Half of the Northwest Quarter and the West Half of the Section 22

13. Right of way for irrigation ditch along the North line of the Northeast Quarter of the Northeast Quarter of said Section 22 and said Section 23, disclosed by deed dated September 4, 1909, and recorded in Volume 20 of Deeds, page 63.

14. Right of way for water pipeline running through said Section 22, as disclosed by deeds dated May 2, 1922, and August 12, 1933, and recorded in Volume 40 of Deeds, page 40, and in Volume 54 of Deeds, page 111. For use in irrigating the Southeast Quarter and a portion of the Northeast Quarter of the Southwest Quarter of Section 15, Township 18 North, Range 17 East, W.M., Kittitas County, Washington.

15. 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 Pacific Telephone and Telegraph Company
Subdivision Guarantee Policy Number: 72156-46709725

Purpose: Communication systems

Dated: April 15, 1948

Book 79 of Deeds, Page 271

Affects: The Northeast Quarter of the Northeast Quarter of Section 22 and other land

16. Agreement for Easement and the terms and conditions contained therein
For: Solomon W Hauser, Jr
Recorded: October 4, 1973
Book 43, Page 560
Instrument No.: 385508
Affects: The Northwest Quarter of the Northeast Quarter of Section 22
17. 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.
18. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Granted To: Taneum Canal Company, a Washington corporation
Purpose: Canal, pipelines, bank and ditch bank road
Recorded: February 9, 1981
Instrument No.: 449548
Affects: The Northwest Quarter of the Northeast Quarter and the East Half of the Northeast Quarter of Section 22
19. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by survey,
Recorded: June 9, 1986
Book: 14 of Surveys Page: 74
Instrument No.: 496039
Matters shown: a) Easements C and D
Affects: The North Half of Section 22
20. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Granted To: Ken Pless and Judy Pless
Purpose: A non-exclusive easement for road purposes
Recorded: August 7, 1986
Instrument No.: 497640
Affects: A portion of the Northeast Quarter of Section 22
21. An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein and such other exceptions as may appear necessary upon recording thereof,
Lessor: Ronald R McMillan and Margaret McMillan, husband and wife
Lessee: OneComm Corporation, N.A., a Delaware corporation
Disclosed by: Memorandum of Lease
Date: December 12, 1994
Recorded: May 15, 1995
Instrument No.: 581442
22. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by survey,
Recorded: February 25, 2005
Book: 31 of Surveys Pages: 21 through 26
Instrument No.: 200502250016
Matters shown:

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- a) Location of 20' access and utility easement: Affects Lots 40, 56 and 63
 - b) Location of 40' access and utility easement: Affects Lots 9, 24
 - c) Location of 60' access and utility easement
 - d) Notes as contained thereon
 - e) KRD Notes as contained thereon
23. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by survey,
Recorded: January 11, 2006
Book: 32 of Surveys Pages: 40 and 41
Instrument No.: 200601110020
Matters shown:
a) 20' easment "P"
b) 20' easement "Q"
24. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Granted To: Harrel Farms LLC, a Washington limited liability company, and Willowbrook Farms II LLC, a Washington limited liability company
Purpose: Non-exclusive irrigation easement
Recorded: March 29, 2006
Instrument No.: 200603290006
Affects: Portion of said premises in Section 15
25. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Granted To: JH Properties, LLC, a Washington limited liability company
Purpose: Ingress, egress, construction use and maintenance
Recorded: February 26, 2018
Instrument No.: 201802260028
Affects: Said premises and other land
26. A Mortgage, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:
Amount \$1,300,000.00
Mortgagor: JH Properties, LLC, a Washington limited liability company
Mortgagee: Ronald R. McMillan and Margaret K. McMillan
Dated: February 20, 2018
Recorded: February 26, 2018
Instrument No.: 201802260030
Affects: Said premises and other land
27. 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 unnamed creeks or streams, if it is navigable.
28. 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 it.
29. 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.
30. 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.

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.

Note No. 2: Note No. 2: Your order for title work calls for a search of property that is identified only by a street address or tax identification number. 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.

Note No. 3: 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.

Note No. 4: 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 54 and Parcels 73 and 74, Book 31 of Surveys, pages 21 through 26, ptn of Sections 15 and 22, Township 18N, Range 17E, 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

EXHIBIT 'A'

File No. 276188AM

Parcel 54 of that certain Survey as recorded February 25, 2005, in Book 31 of Surveys, pages 21 through 26, under Auditor's File No. 200502250016, records of Kittitas County, Washington; being a portion of the North Half of Section 22, Township 18 North, Range 17 East, W.M., in the County of Kittitas, State of Washington;

EXCEPT

- 1) That portion conveyed to Kittitas County by Deed recorded March 2, 1977 under Auditor's File No. 411345;
- 2) Right of way of Hunter county road;

AND

Parcels 73 and 74 of that certain Survey as recorded February 25, 2005, in Book 31 of Surveys, pages 21 through 26, under Auditor's File No. 200502250016, records of Kittitas County, Washington; being a portion of the Southwest Quarter of Section 15 and the North Half of Section 22, Township 18 North, Range 17 East, W.M., in the County of Kittitas, State of Washington.

