

CHICAGO TITLE INSURANCE COMPANY

Policy No. 72156-46568921

UPDATED 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 1, 2018

Issued by:

AmeriTitle, Inc.

101 W Fifth Ave.

Ellensburg, WA 98926

(509)925-1477

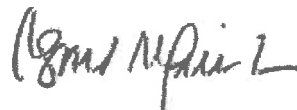


Authorized Signer

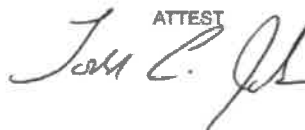
CHICAGO TITLE INSURANCE COMPANY



By:



President

ATTEST


Secretary

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

Subdivision Guarantee Policy Number: 72156-46568921

UPDATED SUBDIVISION GUARANTEE

Order No.: 265056AM
Guarantee No.: 72156-46568921
Dated: March 14, 2019 at 7:30 A.M.

Liability: \$1,000.00
Fee: \$350.00
Tax: \$29.05

Your Reference:

Assured: New Suncadia, LLC, a Delaware limited liability company and ESM Consulting Engineers, LLC

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:

Lot 8-11, of Suncadia - Phase 3 Divisions 6 To 9 (Tumble Creek), in the County of Kittitas, State of Washington, as per plat thereof recorded in Book 9 of Plats, Pages 190 through 220, records of said County.;

And

That portion of Tired Creek Lane lying within the boundaries of the Plat of Suncadia-Phase 3 Division 14 (Tumble Creek), in the County of Kittitas, State of Washington, as per plat thereof recorded in Book 13 of Plats, pages 8 through 12, records of said County.

Title to said real property is vested in:

New Suncadia, LLC, a Delaware limited liability company

END OF SCHEDULE A

Subdivision Guarantee Policy Number: 72156-46568921

(SCHEDULE B)

Order No: 265056AM
Policy No: 72156-46568921

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: 2019
Tax Type: County
Total Annual Tax: \$1,509.32
Tax ID #: 950071
Taxing Entity: Kittitas County Treasurer
First Installment: \$754.66
First Installment Status: Due
First Installment Due/Paid Date: April 30, 2019
Second Installment: \$754.66
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2019
Affects: Lot 8-11

Subdivision Guarantee Policy Number: 72156-46568921

7. Liens, levies and assessments of the Tumble Creek Village Association.
8. Liens, levies and assessments of the Suncadia Residential Owner's Association.
9. Liens, levies and assessments of the Suncadia Community Council.
10. Liens, levies and assessments of the Assessments for Community Enhancement.

Said instrument provides for the lien of a fee which is due upon transfer of the Land. The transfer-conveyance fee is required to be paid upon any sale, exchange, assignment, option, assignment of lease, transfer, or conveyance of said Land, including, but not limited to, any conveyance resulting from a foreclosure of an interest in the Land and any subsequent transfer, of the land, whether or not such transfer was derived through foreclosure.

11. Assessment in the amount of \$3,900 as setforth in Agreement and Covenant for Collection and Payment of Combined Qualification Payment for Extension of Natural Gas Service, between Mountainstar Resort Development, LLC and Puget Sound Energy, Inc., including the terms and provisions contained therein, recorded April 16, 2004, under Auditor's File No. 200404160016.
12. Reservation of Oil, gas, minerals, or other hydrocarbons, including the terms and provisions contained therein, in deed from Frances Madge Hepburn Sutton.

Recorded: July 18, 1957
Instrument No.: 265056 in Volume 100, page 442

Undivided One-Fifteenth interest.

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. The provisions contained in Mineral Deed from Seaboard Lumber Company, a Washington corporation,
Recorded: April 19, 1960,
Instrument No.: 282037, in Volume 106, pages 97 and 98.
As follows:

An undivided Thirteen-Fifteenths Interest

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.

14. The provisions contained in Mineral Deed from Seaboard Lumber Co., a Washington corporation, Recorded: November 13, 1967, Instrument No.: 342892, in Volume 127, page 213.
As follows:

Reserving and excepting unto the grantor, its successors and assigns, forever, all minerals of any nature whatsoever, including coal, iron, natural gas and oil, upon or in said land, together with the use of such of the surface as may be necessary for exploring for and mining or otherwise extracting and carrying away the same; but the grantor, its successors or assigns, shall pay to the grantee, or to its successors or assigns, the market value at the time mining operations are commenced of such portion of the surface as may be used for such operations or injured thereby, including any improvements thereon; subject also to any right, title or interest taken by Federal, State, or Local Governmental agencies for public use, including a roadway lease or right of way granted to the Federal Aviation Agency.

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. 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.
16. Reservation of Oil, gas, minerals, or other hydrocarbons, including the terms and provisions contained therein, in deed from Plum Creek Timber Company, L.P., a Delaware Limited Partnership.

Recorded: October 11, 1996
Instrument No.: 199610110015

"Excepting therefrom all oil, gas and other hydrocarbons, together with the rights of ingress and egress as reserved in that certain Deed to Plum Creek Timber Company, L.P., from PCTC, Inc. executed on June 21, 1989 and recorded June 30, 1989 in the records of Kittitas County, Washington under Auditor's File No. 521473, as such reservation was modified by the certain Partial Waiver of Surface Use Rights dated February 13, 1996 and recorded April 8, 1996, in the records of Kittitas County, Washington, under Auditor's File No. 199604080028;

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.

17. Agreement and the terms and conditions contained therein
Between: Kittitas County, a Washington municipal corporation
And: Suncadia LLC, a Delaware Limited Liability Company
Purpose: Amended and Restated Development Agreement
Recorded: April 16, 2009
Instrument No.: 200904160090

Resolution No. 2009-78 adopting the Seventh Amendment to Development Agreement, and the terms and conditions thereof, recorded June 12, 2009, under Auditor's File No. 200906120039.

18. Agreement and the terms and conditions contained therein
Between: Mountainstar Resort Development, LLC
And: Puget Sound Energy, Inc.
Purpose: Agreement and Covenant for Collection and Payment of Combine Qualification
Payment for Extension of Natural Gas Service
Recorded: April 16, 2004
Instrument No.: 200404160016
19. 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 20, 2004
Instrument No.: 200407200037

Modification(s) of said covenants, conditions and restrictions
Recorded: June 28, 2005
Instrument No: 200506280046

Further modifications of said covenants, conditions and restrictions
Recorded: December 20, 2018
Instrument No.: 201812200001
20. 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: June 20, 2004
Instrument No.: 200407200038

Modification(s) of said covenants, conditions and restrictions
Recorded: June 22, 2005
Instrument No: 200506220002
21. 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: June 22, 2005
Instrument No.: 200407200039

Modification(s) of said covenants, conditions and restrictions
Recorded: June 22, 2005
Instrument No: 200506220004

Modification(s) of said covenants, conditions and restrictions
Recorded: October 27, 2006
Instrument No: 200610270011
22. Declaration of Non-Exclusive Easement (Jenkins Drive) including the terms, provisions and restrictions therein, recorded October 5, 2004, under Auditor's File No. 200410050012.
23. Declaration of Non-Exclusive Easement (Tumble Creek Drive) including the terms, provisions and restrictions therein, recorded October 5, 2004, under Auditor's File No. 200410050015.

24. 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: October 8, 2004

Instrument No.: 200410080057

Modification(s) of said covenants, conditions and restrictions

Recorded: June 22, 2005

Instrument No: 200506220003

Said modification was re-recorded June 28, 2005 under Auditor's File No.:200506280046.

25. The provisions, easements, reservations, notes and or dedication contained in The Plat of Suncadia - Phase 3, Divisions 6 to 9 (Tumble Creek), in Book 9 of Plats, pages 190 through 220, Recorded: June 22, 2005, Instrument No.: 200506220001.

26. Declaration of Non-Exclusive Easement (Quick Creek Lane) including the terms, provisions and restrictions therein, recorded June 22, 2005 under Auditor's File No. 200506220005.

27. Easement, and the terms and conditions thereof, affecting a portion of said premises and for the purposes hereinafter stated, as disclosed by instrument recorded on February 20, 2007, under Kittitas County Auditor's File No. 200702200091.

In favor of: Suncadia Water Company LLC, a Washington limited liability company

For: Construction, maintenance, operation, repair, replacement and/or enlargement of underground pipes and pump station facilities for potable water

Affects: Tired Creek Lane

28. Easement, and the terms and conditions thereof, affecting a portion of said premises and for the purposes hereinafter stated, as disclosed by instrument recorded on February 20, 2007, under Kittitas County Auditor's File No. 200702200095.

In favor of: Suncadia Environmental Company LLC, a Washington limited liability company

For: For the construction, maintenance, operation, repair, replacement and/or enlargement of underground pipes and pump station facilities for sanitary sewer purposes

Affects: Tired Creek Lane

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

Granted To: Puget Sound Energy, Inc., a Washington corporation

Purpose: Transmission, distribution and sale of electricity and natural gas

Recorded: January 27, 2010

Instrument No.: 201001270024

Affects: 10 foot strip adjoining all roads shown on the plat

30. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by Sunacia Phase 3 Division 14 (Tumble Creek)

Recorded: November 1, 2018

Book: 13 of Plats Pages: 8 through 12

Instrument No.: 201811010029

Matters shown:

a) Dedication thereon

b) Easements and Notes 1 through 13 thereon

31. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Granted To: Resort Property Owners, New Suncadia, LLC, Suncadia Water Company, LLC, Suncadia Environmental Company, LLC, Suncadia Community Council and Easton Ridge Communications LLC
Purpose: Ingress, egress and utilities
Recorded: November 14, 2018
Instrument No.: 201811140020
Affects: Portion of Lot 8-11

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: 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: Lot 8-11, of Suncadia - Phase 3 Divisions 6 To 9 (Tumble Creek), Book 9 of Plats, pgs 190-220; and Tired Creek Lane, Suncadia Phase 3 Division 14 (Tumble Creek), Book 13 of Plats, pgs 8-12.

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