



2411 W Dolarway, Suite 1
Ellensburg, WA 98926
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www.nextitle.com

PLAT CERTIFICATE

Order No.: NXWA-0313563

Certificate for Filing Proposed Plat:

This Company has examined the public records of the County Auditor and County Clerk of Kittitas County, Washington, and the public records of the Clerk of the United States Courts holding terms in said County, and from such examination hereby certifies that the title to the following described land situate in said Kittitas County, to-wit:

SEE SCHEDULE A (NEXT PAGE)

VESTED IN:

Darren Capps and Melanie Capps, husband and wife

EXCEPTIONS:

SEE SCHEDULE B ATTACHED

AMOUNT CHARGED: \$350.00
SALES TAX: \$29.05

Records examined to April 10, 2019 at 8:00 AM

Date: April 12, 2019

Issued By:
NexTitle, A Title and Escrow Co.
2411 W Dolarway, Suite 1
Ellensburg, WA 98926

COUNTERSIGNED: Karen Kies
Authorized Officer or Agent

NEXTITLE

**PLAT CERTIFICATE
SCHEDULE A**

(Continued)

Order No.: NXWA-0313563

LEGAL DESCRIPTION

LOT 5, BLOCK L, SUNLIGHT WATERS, DIVISION III, AS PER PLAT THEREOF RECORDED IN VOLUME 5 OF PLATS,
PAGES 37 AND 38, RECORDS OF KITTITAS COUNTY, STATE OF WASHINGTON.

SITUATE IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON.

PLAT CERTIFICATE SCHEDULE B

Order No.: NXWA-0313563

This certificate does not insure against loss or damage by reason of the following exceptions:

GENERAL EXCEPTIONS:

- A. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest of mortgage thereon cover by this Commitment.
- B. Rights or claims of parties in possession not shown by the public records.
- C. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises.
- D. Easements or claims of easements not shown by the public records.
- E. Any lien, or right to lien, for contributions to employee benefit funds, or for state workers' compensation, or for services, labor, or material heretofore or hereafter furnished, all as imposed by law, and not shown by the public records.
- F. Lien under the Workman's Compensation Act not shown by the public records.
- G. Any service, installation, connection, maintenance or construction charges for sewer, water, electricity or garbage removal.
- H. General taxes not now payable; matters relating to special assessments and special levies, if any, preceding or in the same becoming a lien.
- I. Reservations or exceptions in patents or in Acts authorizing the issuance thereof; Indian tribal codes or regulations, Indian treaty or aboriginal rights, including easements or equitable servitudes.
- J. Water rights, claims, or title to water.

This certificate is for informational purposes only. It is neither a commitment to insure the title to real property nor does it contain any express or implied opinion, warranty, guarantee, insurance or other similar assurances as to the status of title to the land. The information obtained is limited to that which can be obtained from the public record as of the effective date. This certificate is not intended as a representation regarding the condition of title to real property. This certificate is not, nor is it intended to be, a legal opinion of title or any form of title insurance. As part of the consideration given in exchange for the issuance of this certificate, recipient agrees that NexTitle's sole liability for any loss or damage caused by any error or omission in this certificate shall be limited to the cost of this certificate, whether such error or omission results from the negligence, accident, or other cause. All other liability for loss or damage is expressly disclaimed.

NEXTITLE
PLAT CERTIFICATE
SCHEDULE B

(Continued)

Order No.: NXWA-0313563

The legal description in this report is based on information provided with the application and the public records. Parties must notify the title insurance company if the description does not conform to their expectations.

1. General Property Taxes and service charges, as follows, together with interest, penalty and statutory foreclosure costs, if any, after delinquency (1st half delinquent on May 1; 2nd half delinquent on November 1), Tax Account No.: 747534, Year: 2019, Billed: \$1,718.72, Paid: \$0.00, Balance: \$1,718.72. The current levy code is 11.

The Kittitas County Assessor's tax rolls disclose the current assessed values as follows:

Land:	\$48,000.00
Improvements:	\$165,550.00
Total:	\$213,550.00

2. Any unpaid assessments or charges, and liability for further assessments or charges by Kittitas County Water District No. 7.
3. Possibility of assessment charges levied by the Kittitas Reclamation District, constructive 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.

Please call Kittitas Reclamation District at (509) 925-6158 to obtain assessment information and amounts.
4. An amendatory contract and the terms and conditions thereof, between the United States of America and the Kittitas Reclamation District, dated January 20, 1949, and recorded in Book 82 of Deeds, page 69, under Kittitas County Auditor's File No. 208267.
5. Exceptions and Reservation as contained in Instrument, From: Cascade Lumber Company, Dated: September 30, 1926, Recorded: October 22, 1926, in Volume 45, page 11, Auditor's File No.: 83949
As follows: "Excepting and reserving unto the vendor, its successors and assigns forever, all minerals of any nature whatsoever, including coal, iron, natural gas, oil and silica, upon or in said lands, together with the use of such of the surface as may be necessary for exploring for and mining or otherwise extracting or carrying away the same."

Present ownership and other matters affecting said reservation not shown herein. No representation is made as to the current ownership of said interest.

6. All covenants, conditions, restrictions, reservations, easements or other servitudes, if any, disclosed by the recorded Plat of **Sunlight Waters III**.

Omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Title 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.

This policy does not insure that the land described in Schedule A is benefited by easements, covenants or other appurtenances shown on the plat or survey to benefit or burden real property outside the boundaries of said land.

7. Covenants, conditions, restrictions and easements contained in instrument; Recorded: October 5, 1968, in Volume 130, page 684, Recording No.: 350331, Executed By: David S. Lehman and Richard W. Graham, general partners of Sunlight Waters Development Company

Amendment to Declaration of Covenants and Restrictions recorded on December 5, 1969, under Auditor's File No. 358426, amending restrictions recorded in Volume 130, of Deeds, page 584 and Volume 131 of Deeds, page 372.

Amendment recorded September 13, 2018, under Auditors File No. 201809130013

We note Declaration of Covenants and Restrictions recorded December 21, 1993, in Volume 349, page 1501, under Kittitas County Auditor's File No. 566331, and rerecorded March 7, 1994, in Volume 352, page 191, under Kittitas County Auditor's File No. 568588. Said Declarations describe only Division I of Sunlight Waters; however it is presumed that the intent was to affect all divisions of Sunlight Waters. The re-recorded copy of said declaration includes a statement that "...566331 supersede the former Declaration of Covenants and Reservations in Auditor's File No. 351237 and 358426."

(Omitting any covenant, condition or restriction based on race, color, religion, sex, handicap, familial status or national origin, unless and only to the extent that said covenant is (a) is exempt under Chapter 42 Section 3607, United States Code or (b) relates to handicap but does not discriminate against handicapped persons.)

8. Notice of Amended Bylaws, and the terms and conditions thereof, Dated: May 20, 1988, Recorded: May 26, 1988 By: Sunlight Waters Country Club, Inc.
9. Provisions contained in the Articles of Incorporation and Bylaws of **Sunlight Waters Country Club, Inc.**
10. Lien for unpaid assessments, if any, for **Sunlight Waters Country Club, Inc Homeowners' Association** dues, provided by covenants.

11. Public Declaration, and the terms and conditions thereof dated September 27, 1983, and recorded under Kittitas County Auditor's File No. 474219 declaring that all waters and the water system owned by Sunlight Waters Country Club Inc., are owned for the sole and exclusive use of said club and the owners/contract purchaser of all lots within the Plat of Sunlight Waters II and Sunlight Waters III and are not for the benefit of or to be used upon any lands located in said Section 24 or any other lands not described in said plats, without the prior express written approval of the Country Club.
12. Public Declaration and the terms and conditions thereof dated May 19, 1991, and recorded June 13, 1991, under Kittitas County Auditor's File No. 540051 declaring a proposed By-Laws issue adopted and incorporated into the By-Laws as Article IX, in Section 5 be ratified. All persons who have if water hook-up and have not paid, are subject to this charge and a monthly maintenance fee.
13. Right of the State of Washington in and to that portion, if any, of the land herein described which lies below the line of ordinary high water of Lake.
14. Rights of State of Washington to that portion of the land, if any, lying in the bed of Lake, if that waterway is navigable.
15. Rights and easements of the public for commerce, navigation, recreation and fisheries.
16. Any restrictions on the use of the land resulting from the rights of the public or riparian owners to use any portion which is now, or has been, covered by water.
17. Pendency of Yakima County Superior Court Cause No 77-2-01484-5, State of Washington, Dept. of Ecology, Plaintiff, vs. Acquavella et al., Defendants. Notice of said cause given in Lis Pendens filed October 14, 1977, in Volume 90, page 589, under Kittitas County Auditor's File No. 417302, and Supplemental Lis Pendens filed June 4, 1980, in Volume 131, page 63, under Auditor's File No. 442263. This is an action to determine right to divert, withdraw or otherwise use the surface waters of the Yakima River Drainage Basin, in accordance with RCW Chapters 90.03 and 90.44. Attorney for Plaintiff: Charles B. Roe, Jr., Senior Assistant Attorney General.

PLEASE NOTE: The policy/policies to be issued include as one of the General Exceptions "Water rights, claims or title to water". The action referred to herein involves such water rights and so will not appear on said policy/policies as a Special Exception.

THE MAP ATTACHED HERETO MAY OR MAY NOT BE A SURVEY OF THE LAND DEPICTED. YOU SHOULD NOT RELY UPON IT FOR ANY PURPOSE OTHER THAN ORIENTATION TO THE GENERAL LOCATION OF THE PARCEL OR PARCELS DEPICTED. NEXTITLE, A TITLE AND ESCROW CO. EXPRESSLY DISCLAIMS ANY LIABILITY FOR ALLEGED LOSS OR DAMAGE WHICH MAY RESULT FROM RELIANCE UPON THIS MAP.

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