

CHICAGO TITLE INSURANCE COMPANY

Policy No. 72156-47018308

RECEIVED
MAY 29 2020

GUARANTEE

Kittitas County CDS

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: February 3, 2020

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

Rick Johnson

Authorized Signer



CHICAGO TITLE INSURANCE COMPANY

By: *Agnes M. P. L.*
President

ATTEST
Tom C. J.
Secretary

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

Subdivision Guarantee Policy Number: 72156-47018308

SUBDIVISION GUARANTEE

Order No.: 349576AM
Guarantee No.: 72156-47018308
Dated: February 3, 2020 at 7:30 A.M.

Liability: \$1,000.00
Fee: \$500.00
Tax: \$41.50

Assured: 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:

Parcel 1:

Lot 16-48 and 16-49, of SUNCADIA - PHASE 3 DIVISIONS 15 AND 16 (TUMBLE CREEK), in the County of Kittitas, State of Washington, as per plat thereof recorded in Book 13 of Plats, Pages 59 through 79, records of said County.

Parcel 2:

Tract AC-3, of SUNCADIA - PHASE 3 DIVISIONS 15 AND 16 (TUMBLE CREEK), in the County of Kittitas, State of Washington, as per plat thereof recorded in Book 13 of Plats, Pages 59 through 79, records of said County.

Title to said real property is vested in:

Parcel 1: Keenan Conder and Deborah L. Conder, Trustees of the Conder Revocable Trust

Parcel 2: New Suncadia, LLC, a Delaware limited liability company

END OF SCHEDULE A

(SCHEDULE B)

Order No: 349576AM
Policy No: 72156-47018308

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: 2020
Tax Type: County
Total Annual Tax: \$134.50
Tax ID #: 961348
Taxing Entity: Kittitas County Treasurer
First Installment: \$67.25
First Installment Status: Due
First Installment Due/Paid Date: April 30, 2020
Second Installment: \$67.25
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2020
Affects: Lot 16-48

Subdivision Guarantee Policy Number: 72156-47018308

7. Tax Year: 2020
Tax Type: County
Total Annual Tax: \$179.81
Tax ID #: 961349
Taxing Entity: Kittitas County Treasurer
First Installment: \$89.91
First Installment Status: Due
First Installment Due/Paid Date: April 30, 2020
Second Installment: \$89.90
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2020
Affects: Lot 16-49
8. Tax Year: 2020
Tax Type: County
Total Annual Tax: \$38.03
Tax ID #: 961353
Taxing Entity: Kittitas County Treasurer
First Installment: \$38.03
First Installment Status: Due
First Installment Due/Paid Date: April 30, 2020
Second Installment: \$0.00
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2020
Affects: Tract AC-3
9. Liens, levies and assessments of the Tumble Creek Village Association.
10. Liens, levies and assessments of the Suncadia Residential Owner's Association.
11. Liens, levies and assessments of the Suncadia Community Council.
12. Liens, levies and assessments of the Community Enhancement as set forth in Second Amended and Restated Covenant recorded July 20, 2004, under Auditor's File No. 200407200039, in the amount of 0.5% of the gross purchase price payable upon any transfer of ownership, unless the transfer is exempt as provided in said covenant.

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.
13. 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.

14. 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.

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.

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. Declaration of Non-Exclusive Easement (Jenkins Drive) including the terms, provisions and restrictions therein, recorded October 5, 2004, under Auditor's File No. 200410050012.

20. 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.

Supplemental to Declaration of Non-Exclusive Easement recorded July 2, 2012 under Auditor's File No. 201207020035

21. 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

22. The provisions contained in The Plat of Suncadia, Phase 3, Divisions 15 and 16 (Tumble Creek), Recorded: November 5, 2019, in Book 13 of Plats, Pages 59 through 79
Instrument No.: 201911050010.

As follows:

a) Dedication thereon

b) Notes thereon

c) Easement reservations thereon

d) Utility easements thereon

e) Slope easement affecting Lots 15-39 through 15-53 and Lots 16-34 through 16-49

23. 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

Affects: Parcel 1

Modification(s) of said covenants, conditions and restrictions

Recorded: November 6, 2019

Instrument No.: 201911060042

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: July 20, 2004

Instrument No.: 200407200037

Affects: Parcel 1

Modification(s) of said covenants, conditions and restrictions

Recorded: November 6, 2019

Instrument No.: 201911060042

25. 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.: 200407200038

Affects: Parcel 1

Modification(s) of said covenants, conditions and restrictions

Recorded: November 6, 2019

Instrument No.:201911060040

26. 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.: 200407200039

Affects: Parcel 1

Modification(s) of said covenants, conditions and restrictions

Recorded: November 6, 2019

Instrument No.: 201911060041

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

Granted To: Suncadia Water Company, LLC, a Washington limited liability company; Suncadia Environmental Company, LLC, a Washington limited liability company; Suncadia Community Council, a Washington nonprofit corporation; Easton Ridge Communications LLC, a Washington limited liability company and New Suncadia, LLC, a Delaware limited liability company

Purpose: Construction, maintenance, operation, repair, replacement and/or enlargement of underground pipes, conduits, cables, wires, and pump station facilities

Recorded: November 26, 2019

Instrument No.: 201911260016

Affects: Ten feet (10.00') in width adjacent to the roads

END OF EXCEPTIONS

Notes:

- a. 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.
- b. 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: Lots 16-48, 16-49 and Tract AC-3 , of SUNCADIA - PHASE 3 DIVISIONS 15 AND 16 (TUMBLE CREEK), Book 13 of Plats, pgs 59 -79.

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

Parcel Map



Date: 2/5/2020

1 inch = 188 feet
Relative Scale 1:2,257

Disclaimer:

Kititas County makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data, its use, or its interpretation. Kititas County does not guarantee the accuracy of the material contained herein and is not responsible for any use, misuse or representations by others regarding this information or its derivatives.

