

CHICAGO TITLE INSURANCE COMPANY

Policy No. 72156-47608019

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: April 30, 2021

Issued by:

AmeriTitle, LLC

101 W Fifth Ave.

Ellensburg, WA 98926


(509)925-1477

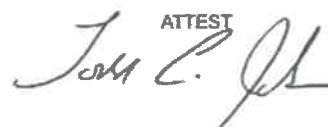

Authorized Signer

RECEIVED
MAY 04 2021
Kittitas County CDS



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: 72156-47608019

SUBDIVISION GUARANTEE

Order No.: 463652AM

Guarantee No.: 72156-47608019

Dated: April 30, 2021

Liability: \$1,000.00

Fee: \$350.00

Tax: \$29.05

Your Reference: 3800 Carroll 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:

Tract A:

Parcel 2 of that certain Survey as recorded July 13, 2017, in Book 40 of Surveys, page 237, under Auditor's File No. 201707130010, records of Kittitas County, Washington; being a portion of the Northeast Quarter of Section 20, Township 17 North, Range 20 East, W.M., in the County of Kittitas, State of Washington.

EXCEPT right-of-way for Kittitas Reclamation District canal as reserved in Patent recorded June 15, 1943 in Book 66 of Deeds, pages 361 and 362, under Auditor's File No. 173682.

Tract B:

All of Section 21, Township 17 North, Range 20 East, W.M., in the County of Kittitas, State of Washington;

EXCEPT the Northeast Quarter of said Section 21; and

EXCEPT that portion of the South Half of the Southwest Quarter which lies below and West of the right-of-way of the North Branch Canal of the Kittitas Reclamation District as described in deed recorded September 4, 2003, under Auditor's File No. 200309040044; and

EXCEPT that portion conveyed to the United States of America for the right-of-way of the North Branch Canal and Laterals of the Kittitas Reclamation District by deed recorded under Auditor's File No. 110567; and

EXCEPT that portion appropriated by the United States of America by Declaration of Taking entered in United States District Court, Eastern District of Washington, Cause No. CY-94-3093-AAM.

Title to said real property is vested in:

Walter W. Niehoff, Jr. and Martha C. Niehoff, husband and wife, as to Tract A, and Ed Ricard and Jane Czapiewski, husband and wife, as to Tract B

END OF SCHEDULE A

(SCHEDULE B)

Order No: 463652AM
Policy No: 72156-47608019

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: 2021
Tax Type: County
Total Annual Tax: \$3,659.14
Tax ID #: 956155
Taxing Entity: Kittitas County Treasurer
First Installment: \$1,829.57
First Installment Status: Paid
First Installment Due/Paid Date: April 30, 2021
Second Installment: \$1,829.57
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2021
Affects: Tract A

Subdivision Guarantee Policy Number: 72156-47608019

7. Communication assessment for the year 2021, which becomes delinquent after April 30, 2021, if not paid.
Amount: \$30.00
Parcel No. : 956155

Note: This exception is for informational purposes only and will be removed from the final policy as the assessment is not a lien on real property.
Affects: Tract A

8. Tax Year: 2021
Tax Type: County
Total Annual Tax: \$40.79
Tax ID #: 830733
Taxing Entity: Kittitas County Treasurer
First Installment: \$40.79
First Installment Status: Due
First Installment Due/Paid Date: April 30, 2021
Second Installment: \$0.00
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2021
Affects: Tract B

9. 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.

10. 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.

11. Reservation of Oil, gas, minerals, or other hydrocarbons, including the terms and provisions contained therein, in deed from Northern Pacific Railway Company, a corporation.
Recorded: February 28, 1938
Book: 58, Page 537
Instrument No.: 138989
Affects: That portion of said premises lying in the South Half of the Southwest Quarter of said Section 21 (Tract B)

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.

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: Public Utility District #1
Purpose: To construct and maintain distribution lines
Recorded: July 18, 1940
Instrument No.: 155312
Affects: Said premises and other land (Tract A)

13. Reservation of Oil, gas, minerals, or other hydrocarbons, including the terms and provisions contained therein, in deed from Northern Pacific Railway Company.
Recorded: June 7, 1941
Book: 63, Page 510
Instrument No.: 161921
Affects: That portion of said premises lying in the North Half of the Southwest Quarter and the Southeast Quarter of said Section 21 (Tract B)

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. Reservation of Oil, gas, minerals, or other hydrocarbons, including the terms and provisions contained therein, in deed from Northern Pacific Railway Company, a corporation.
Recorded: April 11, 1944
Book: 67, Page 619
Instrument No.: 177624
Affects: That portion of said premises lying in the North Half of said Section 21 (Tract B)

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. Permanent non-exclusive easement, including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Granted To: State of Washington, Department of Natural Resources
Purpose: Conveyed for sale purpose of constructing and/or maintaining a road to provide access to and from lands presently owned by or hereinafter acquired by the grantee
Recorded: June 7, 1974
Instrument No.: 390199
Affects: A portion of said premises (Tract A)

16. Reservation of Oil, gas, minerals, or other hydrocarbons, including the terms and provisions contained therein, in deed from Neil Bisyak and Joanne L. Bisyak, husband and wife and Fred Christen, an unmarried man, as his separate estate.
Recorded: January 8, 1991
Volume: 318, Page 1858
Instrument No.: 536193

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.
Affects: Tract A

17. Agreement for Road and Irrigation Easement, including the terms and provisions thereof for the purposes stated therein and rights incidental thereto as set forth in instrument:
Between: Kenneth Hash, a single man and Stanley McCune and Elizabeth H. McCune, husband and wife
Recorded: February 10, 1992
Instrument No.: 546492
Volume 328, Page 1533
Affects: Tract A
18. Reservation of Oil, gas, minerals, or other hydrocarbons, including the terms and provisions contained therein, in deed from Stanley McCune and Elizabeth H. McCune, husband and wife.
Recorded: February 10, 1992
Volume: 328, Page 1537
Instrument No.: 546493
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.
Affects: Tract A
19. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Purpose: Irrigation structures
Recorded: February 10, 1992
Instrument No.: 546493
Volume 328, Page 1537
Affects: A portion of said premises (Tract A)
20. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by survey,
Recorded: November 6, 2009
Book: 36 of Surveys Page: 178
Instrument No.: 200911060001
Matters shown:
 - a) 60' Easement Q, as shown thereon
 - b) Prescriptive rights of Kittitas County for County Road right of way
 - c) KRD right of wayAffects: Tract A
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: Michael A. Linsley, a married man as his separate property and Edwin R. Flores, a married man as his separate property
Purpose: None stated
Recorded: May 2, 2003
Instrument No.: 200305020070
Affects: Easement "Q" over Parcel B of survey recorded May 10, 1993, under Auditor's File No. 559315 in Book 19 of Surveys, Page 80 (Tract A)

22. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by survey,
Recorded: July 13, 2017
Book: 40 Pages: 237 and 238
Instrument No.: 201707130010
Matters shown:
a) 60' Easement "Q"
b) Location of East fenceline in relation to property boundary
c) Location of existing road along the North boundary
d) Prescriptive rights of Kittitas County Road right of way
e) Notes contained thereon
Affects: Tract A
23. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Granted To: Gordon A. Gallagher, an unmarried man
Purpose: Ingress, egress and utilities
Recorded: August 2, 2017
Instrument No.: 201708020036
Affects: Easement Q as shown on Survey recorded May 1, 1993 in Book 19 of Surveys, pages 80 and 81 (Tract A)
24. A Deed of Trust, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:
Amount: \$360,000.00
Trustor/Grantor: Walter W. Niehoff, Jr. and Martha C. Niehoff, husband and wife
Trustee: Northwest Trustee Services LLC
Beneficiary: Wells Fargo Bank, N.A.
Dated: July 27, 2017
Recorded: August 2, 2017
Instrument No.: 201708020037
Affects: Tract A
25. 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:

- 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: Parcel 2, Book 40 of Surveys, page 237, ptn of the NE Quarter of Section 20, Township 17 N, Range 20 E, W.M., and all of Section 21, Township 17 N, Range 20 E, 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