

# CHICAGO TITLE INSURANCE COMPANY

**RECEIVED**  
JAN 13 2022

**Policy No. 72156-47863228**

## 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: December 10, 2021

Issued by:

AmeriTitle, LLC  
101 W Fifth Ave.  
Ellensburg, WA 98926  
(509)925-1477

*Hannah Hall*

Authorized Signer

CHICAGO TITLE INSURANCE COMPANY



By: *[Signature]*

ATTEST  
*[Signature]*  
Secretary

President

Secretary

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

Subdivision Guarantee Policy Number: 72156-47863228

# SUBDIVISION GUARANTEE

Order No.: 514460AM  
Guarantee No.: 72156-47863228  
Dated: December 10, 2021

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

Your Reference: 3821 Game Farm 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 1:

Parcel 1 of that certain survey as recorded December 21, 2001 in Book 27 of Surveys at pages 48 and 49, under Auditor's File No. 200112210029, records of Kittitas County, Washington; being portions of the East Half of the Southwest Quarter of Section 28, Township 18 North, Range 19 East, W.M., in the County of Kittitas, State of Washington;

## AND

That portion of Parcel 2 of that certain survey as recorded December 21, 2001 in Book 27 of Surveys at pages 48 and 49, under Auditor's File No. 200112210029, records of Kittitas County, Washington; being portions of the East Half of the Southwest Quarter of Section 28, Township 18 North, Range 19 East, W.M., in the County of Kittitas, State of Washington, lying Westerly of a line described as follows:

Beginning at the Northeast corner of Parcel 1 of said survey, said corner being on the Westerly boundary of said Parcel 2; thence North 21°44'00" West, along said Westerly boundary of Parcel 2, 27.45 feet to an angle point in said boundary and the true point of beginning for said described line; thence departing from said boundary the following four courses: South 39°48'14" East, 87.64 feet; South 04°36'05" East, 108.49 feet; South 45°01'19" East, 44.90 feet; and South 07°58'52" West, 42.76 feet to an angle point on said Westerly boundary of Parcel 2 and the end of said described line.

## TRACT 2:

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The West Half of the Southwest Quarter of Section 28, Township 18 North, Range 19 East, W.M., in the County of Kittitas, State of Washington,

EXCEPT:

1. A tract of land 27 feet in width conveyed to the Kittitas Reclamation District for canal, by deed dated October 14, 1929, and recorded in Book 48 of Deeds, page 11.

2. That portion of the Southwest Quarter of the Southwest Quarter of said Section, which is described as follows:

Beginning at the intersection of the West boundary line of said section with the North boundary line of the right of way of the County Road located along the South boundary line of said Quarter of Quarter section; thence East on the North boundary line of the right of way of the County Road 500 feet; thence North at right angles thereto 220 feet; thence West at right angles thereto 500 feet, more or less, to the West boundary line of said Section; and thence South on said West boundary line 220 feet, more or less, to the point of beginning.

3. That portion of the Southwest Quarter of the Southwest Quarter of Section 28, Township 18 North, Range 19 East, W.M., in the County of Kittitas, State of Washington, described as follows:

Beginning at a point 220 feet North of the intersection of West boundary line of Section 28 with the North boundary line right of way of County road located along the South boundary line of said Quarter of Quarter section; thence East, parallel to the North boundary line right of way of County Road 500 feet; thence North at right angles thereto 220 feet; thence West at right angles thereto 500 feet, more or less, to the West boundary of said section; thence South on the West boundary line of said section 220 feet, more or less to the point of beginning.

4. Right of way for Lyons Road on the North and Game Farm Road on the South.

Title to said real property is vested in:

Paul Joseph Tirey and Krystal Danielle Tirey, husband and wife, as to Tract 1;

Kale M. Haberman, a married man presumptively subject to the community interest of his spouse, as to an undivided one-third interest; Cole B. Haberman, a married man presumptively subject to the community interest of his spouse, as to an undivided one-third interest; and Kathleen Dixon, who took title as Kathleen A. Haberman, also shown of record as Kathy Haberman, a married woman presumptively subject to the community interest of her spouse, as to an undivided one-third interest, who are described as tenants in common on the document in which title vests, as to Tract 2

**END OF SCHEDULE A**

(SCHEDULE B)

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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: \$6,444.68  
Tax ID #: 16788  
Taxing Entity: Kittitas County Treasurer  
First Installment: \$3,222.34  
First Installment Status: Paid  
First Installment Due/Paid Date: April 30, 2021  
Second Installment: \$3,222.34  
Second Installment Status: Paid  
Second Installment Due/Paid Date: October 31, 2021

7. Tax Year: 2021  
Tax Type: County  
Total Annual Tax: \$2,177.46  
Tax ID #: 814534  
Taxing Entity: Kittitas County Treasurer  
First Installment: \$1,088.73  
First Installment Status: Paid  
First Installment Due/Paid Date: April 30, 2021  
Second Installment: \$1,088.73  
Second Installment Status: Paid  
Second Installment Due/Paid Date: October 31, 2021
8. Tax Year: 2021  
Tax Type: County  
Total Annual Tax: \$880.01  
Tax ID #: 17648  
Taxing Entity: Kittitas County Treasurer  
First Installment: \$440.01  
First Installment Status: Paid  
First Installment Due/Paid Date: April 30, 2021  
Second Installment: \$440.00  
Second Installment Status: Paid  
Second Installment Due/Paid Date: October 31, 2021
9. Communication assessment for the year 2021, which becomes delinquent after April 30, 2021, if not paid.  
Amount: \$0.00 (Paid)  
Parcel No. : 16788  
  
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.
10. Communication assessment for the year 2021, which becomes delinquent after April 30, 2021, if not paid.  
Amount: \$30.00 (Paid)  
Parcel No. : 814534  
  
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.
11. 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.
12. 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.
13. Waiver of damages contained in deed from N.G. Burroughs and Mary A. Burroughs, his wife, to Kittitas Reclamation District, dated October 14, 1929, recorded in Book 48 of Deeds, page 11 as Subdivision Guarantee Policy Number: 72156-47863228

follows:

"Said grantors, for themselves and for their heirs, administrators and assigns, hereby acknowledge full satisfaction for all severance damages and claims thereto to all their lands adjacent to the lands herein conveyed of or occasioned by the location, construction maintenance and operation of an irrigation canal by grantee, its successors and assigns, over and upon the premises herein conveyed."

14. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:  
Granted To: Olympic Pipe Line Company, a Corporation of Delaware, its successors and assigns  
Recorded: August 16, 1996  
Instrument No.: 199608160043
15. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by survey,  
Book: 27 Pages: 48 through 49  
Matters shown:
  - a) Ditch
  - b) Notes thereon
16. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:  
Granted To: Eamon P. and Lynn Sullivan, husband and wife  
Recorded: April 14, 2008  
Instrument No.: 200804140040
17. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by survey,  
Recorded: April 11, 2013  
Book: 38 of Surveys Pages: 175 and 176  
Instrument No.: 201304110001  
Matters shown:
  - a) Centerline of Ferguson Ditch
  - b) Location of fenceline in relation to North boundary line of said Parcel 1
18. Declaration of Shared Pond Water Use, recorded December 10, 2013, under Kittitas County Auditor's File No. 201312100014, but omitting any covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, 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.
19. A Deed of Trust, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:  
Amount: \$52,000.00  
Trustor/Grantor: Kathy Haberman, also known as Kathleen A. Haberman, an unmarried woman  
Trustee: UPF Washington Incorporated  
Beneficiary: Sterling Savings Bank  
Dated: June 1, 2009  
Recorded: June 5, 2009  
Instrument No.: 200906050083  
Affects: Tract 2
20. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by survey,  
Recorded: April 11, 2013  
Book: 38 of Surveys Page: 175 and 176

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Instrument No.: 201304110001

Matters shown:

- a) Fencelines in relation to boundaries thereon
- b) Notes thereon

21. A Deed of Trust, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:  
Amount: \$125,000.00  
Trustor/Grantor: Kale M. Haberman, a single person, as to an undivided 50% interest and Kathleen Dixon, a married woman, as her separate estate, as to an undivided 50% interest, as tenants in common  
Trustee: UPF Washington Incorporated  
Beneficiary: Sterling Savings Bank dba Sterling Bank  
Dated: October 28, 2013  
Recorded: October 29, 2013  
Instrument No.: 201310290027  
Affects: Tract 2

This Deed of Trust secures an equity line of credit and/or revolving loan. The Company requires satisfactory written statement from the existing lender confirming: (a) the payoff amount, (b) that the line of credit has been closed, and no further draws/advances will be permitted and/or the right to future advances has been terminated, and (c) agreeing to deliver a full satisfaction/release upon payment of the outstanding balance, (d) satisfactory documentation from the borrower to close the account.

22. A Deed of Trust, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:  
Amount: \$250,000.00  
Trustor/Grantor: P.J. Tirey, married, who took title as Paul Joseph Tirey and Krystal Danielle Tirey, married  
Trustee: First American Title Insurance Company  
Beneficiary: KeyBank National Association  
Dated: June 24, 2019  
Recorded: July 19, 2019  
Instrument No.: 201907190025  
Affects: Tract 1
23. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by survey,  
Recorded: July 23, 2021  
Book: 44 of Surveys Page: 2  
Instrument No.: 202107230047  
Matters shown:  
a) Fencelines in relation to boundaries  
b) Notes thereon

Said survey is an amendment of survey recorded July 20, 2021 under Auditor's File No. 202107200023 in Book 43 of surveys, page 249.

24. 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 Naneum Creek, if it is navigable.
25. Any question of location, boundary or area related to the Naneum Creek, including, but not limited to, any past or future changes in it.
26. 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  
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the Land or to use any portion of the Land which is now or may formerly have been covered by water.

**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 1 and ptn of Parcel 2, Book 27 of Surveys, pgs 48 and 49, ptns of the W Half of the SW Quarter of Section 28, Township 18 N, Range 19 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**