

CHICAGO TITLE INSURANCE COMPANY

Policy No. 72156-47863220

AMENDED 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 29, 2021

Issued by:

AmeriTitle, LLC

101 W Fifth Ave.

Ellensburg, WA 98926

(509)925-1477

Laura Woodiwiss

Authorized Signer

CHICAGO TITLE INSURANCE COMPANY



By:

Gregory N. Faria

President

ATTEST

Tom C. [Signature]

Secretary

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

Subdivision Guarantee Policy Number: 72156-47863220

AMENDED SUBDIVISION GUARANTEE

Order No.: 512538AM
Guarantee No.: 72156-47863220
Dated: November 29, 2021

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

Your Reference: NKA Robinson Canyon 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:

Lot 11B, of PLAIN BEAUTIFUL SHORT PLAT, Kittitas County Short Plat No. SP-10-00012, as recorded December 19, 2011, in Book K of Short Plats, pages 228 through 230, under Auditor's File No. 201112190002, records of Kittitas County, State of Washington; being a portion of Lots 10 and 11, HIGH VALLEY RANCHETTES, in the County of Kittitas, State of Washington, as per plat thereof recorded in Book 10 of Plats, pages 86 through 92, records of said County.

TRACT 2:

Lot 12B of VALLEY RUN SHORT PLAT, Kittitas County Short Plat No. SP-07-00160, as recorded August 5, 2010, in Book K of Short Plats, pages 152 through 154, under Auditor's File No. 201008050028, records of Kittitas County, State of Washington; being a portion of Lot 12, HIGH VALLEY RANCHETTES, in the County of Kittitas, State of Washington, as per plat thereof recorded in Book 10 of Plats, page 86 through 92, records of said County.

Title to said real property is vested in:

D&H Ranch, Inc., a Washington Corporation as to Tract 1, Deborah E. Davis, a single woman as to Tract 2

END OF SCHEDULE A

Subdivision Guarantee Policy Number: 72156-47863220

(SCHEDULE B)

Order No: 512538AM
Policy No: 72156-47863220

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://taxsifer.co.kittitas.wa.us> or call their office at (509) 962-7535.

Tax Year: 2021
Tax Type: County
Total Annual Tax: \$179.37
Tax ID #: 957544
Taxing Entity: Kittitas County Treasurer
First Installment: \$89.69
First Installment Status: Paid
First Installment Due/Paid Date: April 30, 2021
Second Installment: \$89.68
Second Installment Status: Paid
Second Installment Due/Paid Date: October 31, 2021

7. Tax Year: 2021
Tax Type: County
Total Annual Tax: \$151.27
Tax ID #: 956762
Taxing Entity: Kittitas County Treasurer
First Installment: \$75.64
First Installment Status: Paid
First Installment Due/Paid Date: April 30, 2021
Second Installment: \$75.63
Second Installment Status: Paid
Second Installment Due/Paid Date: October 31, 2021
8. 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.
9. 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.
10. Liens, levies and assessments of the Property owners as described in Assignment of Interest recorded March 24, 2021 under Auditor's File No. 202103240039.
11. Liens, levies and assessments of the Declaration of Shared Well Agreement recorded August 18, 2011 under Auditor's File No. 201108180023, amended by document recorded December 8, 2017, under Auditor's File No. 201712080046 and amended by document recorded February 18, 2020, under Auditor's File No. 202002180066.
12. Vestee derails title to said property through deeds from the State of Washington, dated October 25, 1909, recorded in Book 20 of Deeds, pages 223 and 225. Said deeds do not contain the reservation of minerals, etc., as provided in the Laws of the State of Washington, 1907 Session, Chapter 256, Section 3 (Rem. Rev. Statutes, Sec. 7873), but said deed being dated subsequent to June 12, 1907, the date said Act became effective, unless said deed was executed pursuant to a contract of sale dated prior to June 12, 1907, said lands are subject to the reservations provided for in said Act. Reservation by the State of Washington according to R.C.W. 79.01.224. (Affects Southeast Quarter of Section 36, Township 18 North, Range 17 East, W.M.)
13. Reservation of Oil, gas, minerals, or other hydrocarbons, including the terms and provisions contained therein, in instrument from the State of Washington.
Recorded: November 15, 1915
Instrument No.: 41737
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. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Granted To: The Pacific Telephone and Telegraph Company
Purpose: Ingress and egress and communication systems
Recorded: September 21, 1948
Instrument No.: 203593
Affects: Said premises and other land
15. Waiver of damages as contained in Deed to the Kittitas Reclamation District, dated May 2, 1929, and recorded in Book 47 of Deeds, page 398, as follows:

"Said grantor, for itself and for its successors and assigns, hereby acknowledge full satisfaction for all severance damages and claims thereto to all their lands adjacent to the lands herein conveyed by reason of or occasioned by the location, construction, maintenance and operation of an irrigation canal by grantee, its successors and assigns, over and across the premises herein conveyed.
(Affects the Southwest Quarter and West Half of the Southeast Quarter of said Section 36)
16. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Granted To: Menashtash Water Ditch Association, a Washington Corporation
Purpose: A perpetual right of way, an easement fifty (50) feet wide measured from the center of the stream being fifteen (15) feet generally to the North and West and thirty-five (35) feet generally to the South and East of the "MENASHTASH DITCH" through its entire course, including the permanent right to construct, operate and maintain said canal, pipeline, banks and ditch-bank road, together with the right of ingress and egress thereto.
Recorded: September 27, 1978
Instrument No.: 426619
Book 105, Page 109
Affects: Said Lot 11 and other land as specifically located on the plat of High Valley Ranchettes recorded June 7, 2006 in Book 10 of Plats, Pages 86 through 92
17. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by Boundary Line Adjustment for High Valley Land, Inc. ,
Recorded: February 12, 1997
Book: 22 of Surveys Page: 162 through 169
Instrument No.: 199702120003
Matters shown:
 - a) Easements contained thereon
 - b) Notes contained thereon
 - c) Dedication contained thereon
18. Declaration of Protective Covenants, Conditions and Restrictions of High Valley Lakes, 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: January 22, 1999
Instrument No.: 199901220042

19. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Granted To: Level 3 Communications, LLC
Purpose: Ingress and egress
Recorded: March 1, 2000
Instrument No.: 200003010032
Affects: Said premises and other land

The above easement was amended by instrument recorded January 17, 2001 under Auditor's File No. 200101170008, as specifically located on the plat of High Valley Ranchettes recorded June 7, 2006 in Book 10 of Plats, Pages 86 through 92

20. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Granted To: Level 3 Communications, LLC, its successors, assigns, lessees and agents
Purpose: Underground communications system
Recorded: March 1, 2000
Instrument No.: 200003010033
Affects: A portion of said premises and other land

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: Utility systems
Recorded: January 23, 2003
Instrument No.: 200301230067
Affects: Portion of said premises and other land

22. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by High Valley Ranchettes Plat,
Recorded: June 7, 2006
Book: 10 of Plats Pages: 86 through 92
Instrument No.: 200606070015
Matters shown:
a) 40' private road (unnamed) affecting the North boundaries of said Lots 23 and 24;
b) 200' restricted area;
c) Location of fencelines in relation to property boundaries
d) Location of ditch
e) Note 2 which states: "A Public utility easement 10 feet in width is reserved along all lot lines, the 10 foot easement shall abut the exterior plat boundary and shall be divided 5 feet on each side of interior lot lines. Said easement shall also be used for irrigation.
f) Notes as contained thereon

23. Amended Declaration of Easements, including the terms and provisions thereof for the purposes stated therein and rights incidental thereto as set forth in instrument:
Between: D & H Ranch, Inc., a Washington corporation, SDL Properties, Inc., a Washington corporation, and L & D Land Corp., a Washington corporation
Recorded: June 17, 2009
Instrument No.: 200906170027

We note said instrument terminates, amends in full and supersedes that certain Declaration of Easements recorded June 7, 2006 under Auditor's File No. 200606070017, and also terminates and extinguishes any and all rights that may exist by the delineation on the plat of High Valley Ranchettes the 40' Private Access and Utility Easement affecting the Westerly 40 feet of Lot 23, High Valley Ranchettes and the 60' Private Access and Utility Easement affecting Lot 24, High Valley Ranchettes.

2nd Amended Declaration of Easements recorded January 5, 2018, under Auditor's File No. 201801050046.

24. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Granted To: D & H Ranch, Inc., a Washington corporation and SDL Properties, Inc., a Washington corporation
Recorded: July 16, 2007
Instrument No.: 200707160024

Said easement was amended by document recorded August 18, 2008, under Auditor's File No. 200808180088.

First Amended and Restated Declaration of Shared Well Agreement (Valley Run Short Plat) recorded December 8, 2017, under Auditor's File No. 201712080045.

Second Amended Declaration of Easements recorded January 5, 2018, under Auditor's File No. 201801050046.

Third Amended Declaration of Easements recorded April 2, 2021, under Auditor's File No. 202104020106.

25. Declaration of Shared Well Agreement, including the terms and provisions thereof,
Recorded: March 17, 2010
Instrument No.: 201003170033
Between: SDL Properties, Inc., a Washington Corporation

First Amendment to Declaration of Shared Well Agreement (Valley Run Short Plat) recorded April 28, 2021, under Auditor's File No. 202104280065.

26. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by Valley Run Short Plat,
Recorded: August 5, 2010
Book: K of Surveys Page: 152 through 154
Instrument No.: 201008050028
Matters shown:
a) Location of fence lines in relation to property boundaries
b) 20' Private access easement
c) Notes contained thereon

27. Shared Well Agreement and the terms and conditions contained therein
By: D & H Ranch, Inc., a Washington Corporation
Recorded: August 18, 2011
Instrument No.: 201108180023
Affects: Said premises and other land
- First Amended and Restated Declaration of Shared Well Agreement, including the terms and provisions thereof,
Recorded: December 8, 2017
Instrument No.: 201712080046
- First Amendment to Declaration of Shared Well Agreement (Plain Beautiful Short Plat), including the terms and provisions thereof,
Recorded: February 18, 2020
Instrument No.: 202002180066
28. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Granted To: D & H Ranch, Inc., a Washington Corporation
Purpose: Installation, maintenance, repair and replacement for the Well, pump, pipelines and other appurtenances necessary to convey domestic water
Recorded: August 11, 2011
Instrument No.: 201108180023
Affects: Ten (10) feet on either side of the pipelines, as constructed, and twenty (20) feet in diameter around the wellhead
29. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by Plain Beautiful Short Plat, SP-10-00012,
Recorded: December 19, 2011
Book: K of Short Plats Page: 228 through 230
Instrument No.: 201112190002
Matters shown:
a) 100' R Well Protection Easement
b) Location of Galaxy Dr and High Valley Dr
c) Location of fencelines in relation to property boundaries
d) 40' Access and Utility Easement
e) Location of Restricted Area
f) Location of a Ditch
g) Notes thereon
30. 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: December 13, 2017
Instrument No.: 201712130035
- Modification(s) of said covenants, conditions and restrictions
Recorded: July 26, 2019
Instrument No: 201907260037
- Modification(s) of said covenants, conditions and restrictions
Recorded: January 17, 2020
Instrument No: 202001170019

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: High Valley Water Company
Purpose: Irrigation
Recorded: December 13, 2017
Instrument No.: 201712130035
Affects: Said premises and other land
32. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by survey,
Recorded: January 5, 2018
Book: 41 of Surveys Page: 80 through 82
Instrument No.: 201801050006
Matters shown:
 - a) Lot 10B's Easement (30' Private Access and Utility Easement) across the Northerly portion of said Lot
 - b) Notes thereon
33. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Granted To: F. Steven Lathrop and Bonnie L. Lathrop, husband and wife and Scott Repp and Mary Jo Repp, husband and wife
Purpose: Non-Exclusive Irrigation Easement
Recorded: October 17, 2018
Instrument No.: 201810170007
Affects: Said premises and other land
34. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by survey,
Recorded: March 22, 2021
Book: 43 of Surveys Page: 168 through 170
Instrument No.: 202103220017
Matters shown:
 - a) Location of easements
 - b) 55' radius cul-de-sac
 - c) Notes contained thereon
35. 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 Manastash Creek, if it is navigable.
36. Any question of location, boundary or area related to the Manastash Creek, including, but not limited to, any past or future changes in it.
37. 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 the Land or to use any portion of the Land which is now or may formerly have been covered by water.
38. A Contract of Sale, including the terms and provisions thereof, providing for the sale of said land
Vendor: D&H Ranch, Inc., a Washington Corporation
Vendee: Thomas Luft and Teresa Luft, husband and wife
Recorded: July 28, 2021
Instrument No. 202107280055
Affects: Tract 1

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: Lot 11B, PLAIN BEAUTIFUL SHORT PLAT, Lot 12B, VALLEY RUN SHORT PLAT, Book K of Short Plats, pgs 228-230, ptn of Lots 10, 11 and 12, HIGH VALLEY RANCHETTES, Book 10 of Plats, pgs 86-92

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