

CHICAGO TITLE INSURANCE COMPANY

Policy No. 72156-48087071

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: July 11, 2022

Issued by:

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

Rick Osborne

Authorized Signer

CHICAGO TITLE INSURANCE COMPANY



By: *[Signature]*

President

ATTEST
[Signature]

Secretary

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

Subdivision Guarantee Policy Number: 72156-48087071

SUBDIVISION GUARANTEE

Order No.: 553222AM
Guarantee No.: 72156-48087071
Dated: July 11, 2022 at 7:30 A.M.

Liability: \$1,000.00
Fee: \$500.00
Tax: \$42.00

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:

Parcels 1 and 2 of that certain Survey as recorded August 23, 1989, in Book 16 of Surveys, pages 61 through 63, under Auditor's File No. [522958](#), records of Kittitas County, Washington; being a portion of the Southwest Quarter of Section 13 and of the Southeast Quarter of Section 14, all in Township 20 North, Range 16 East, W.M., in the County of Kittitas, State of Washington.

Tract 2:

That portion of the Southeast Quarter of the Northeast Quarter, and that portion of the Northeast Quarter of the Southeast Quarter of Section 14, described as follows: Beginning at the Northeast corner of the Northwest Quarter of the Northeast Quarter of said Section; thence South 89°06' West, along the North line of said Section, 543.8 feet; thence South 0°29' West, 1,366.0 feet to the South boundary of Three M Ditch; thence North 77°33' East, 38.3 feet; thence South 0°09' West, 152.58 feet, more or less, to the South right-of-way boundary of the county road; thence South 73°41' East along the South boundary of the county road, 803.6 feet, more or less, to the intersection with the South boundary of the Three M Ditch, at which point is the true point of beginning; thence South 53°03' East along the South boundary of said Three M Ditch, 109.6 feet; thence South 67°57' East, 76.7 feet; thence South 29°25' East, 36.3 feet; thence South 50°38' East, 323.64 feet; thence South 36°53' East, 68.8 feet; thence South 41°21' East, 88.8 feet; thence South 35°28' East, 88.7 feet; thence South 48°52' East, 140.2 feet; thence South 38°43' East, 113.3 feet; thence South 30°41' East, 130.1 feet; thence South 73°18' East, 93.9 feet; thence South 54°13' East, 148.6 feet to a point on the East line of said Northeast Quarter of the Southeast Quarter, which is 22.6 feet South of the Northeast corner of said Northeast Quarter of the Southeast Quarter; thence North along said line 22.6 feet to the Northeast corner of said Northeast Quarter of the Southeast Quarter; thence North along the East line of said Southeast Quarter of the Northeast Quarter to a point of intersection of the South boundary of the County road; thence Westerly along said South boundary of the county road to the true point of beginning;

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AND that portion of the Southwest Quarter of the Northwest Quarter of Section 13, which lies South and West of the Southwest right-of-way boundary of the County road:

ALL in Township 20 North, Range 16 East, W.M., in the County of Kittitas, State of Washington.

Tract 3:

Lot 2, of [DOWNS SHORT PLAT](#), Kittitas County Short Plat No. SP-12-00007, as recorded December 1, 2014, in Book L of Short Plats, pages 57 and 58, under Auditor's File No. 201412010025, records of Kittitas County, State of Washington; being a portion of the South Half of the Northeast Quarter and that portion of the Northeast Quarter of the Southeast Quarter of Section 14, Township 20 North, Range 16 East, W.M., in the County of Kittitas, State of Washington.

Tract 4:

That portion of the Northeast Quarter of the Southeast Quarter of Section 14, Township 20 North, Range 16 East, W.M., Kittitas County, Washington, lying within the following described property:

Beginning at the Northeast corner of the Northwest Quarter of the Northeast Quarter of said Section 14, thence South 89°06' West, along the North line of said Section, 543.8 feet; thence South 0°29' West, 1,366.0 feet to the South boundary line of the Three "M" Ditch; thence North 77°33' East, 38.3 feet; thence South 0°09' West, 152.58 feet, more or less, to the South right of way boundary of the county road at which point is the true point of beginning; thence South 0°09' West, 1,097.42 feet, more or less, to the South boundary of said South Half of the Northeast Quarter; thence South 89°52' East, along said line to the Southeast corner of the Southwest Quarter of the Northeast Quarter of said Section 14; thence Southerly along the West boundary of the Northeast Quarter of the Southeast Quarter to the Southwest corner of said Northeast Quarter of the Southeast Quarter; thence East along the South boundary of said Northeast Quarter of the Southeast Quarter to the Southeast corner of said Northeast Quarter of the Southeast Quarter; thence North along the East boundary of said Northeast Quarter of the Southeast Quarter to a point on said East boundary which is 22.6 feet South of the Northeast corner of said Northeast Quarter of the Southeast Quarter of said Section 14, said point being on the South boundary of the Three "M" Ditch right of way; thence North 54°13' West along said boundary 148.6 feet; thence North 73°18' West, 93.9 feet along said boundary; thence North 30°41' West along said right of way, 130.1 feet; thence North 38°43' West along said boundary, 113.3 feet; thence North 48°52' West, 140.2 feet; thence North 35°28' West, 88.7 feet; thence North 41°21' West, 88.8 feet; thence North 36°53' West, 68.8 feet; thence North 50°38' West, 323.64 feet; thence North 29°25' West, 36.3 feet; thence North 67°57' West, 76.7 feet; thence North 53°03' West, 109.6 feet to a point of intersection with the South right of way boundary of said Three "M" Ditch and the South right of way boundary of the county road; thence North 73°41' West along the South right of way boundary of the county road, 803.6 feet to the true point of beginning;

EXCEPT:

That portion of the South Half of the Northeast Quarter and that portion of the Northeast Quarter of the Southeast Quarter of Section 14, Township 20 North, Range 16 East, W.M., in the County of Kittitas, State of Washington, all of which is bounded by a line which is described as follows:

Beginning at the East Quarter corner of said Section, thence South 2°27'15" West along the East line of said Section, 22.60 feet to the true point of beginning, said point being on the South boundary of the Three "M" Ditch right of way; thence South 2°27'15" West, along the East line of said Section, 626.91 feet; thence North 80°07'30" West, 365.37 feet; thence North 40°05" West, 1,176.23 feet; thence North 43°57'30" West, 847.00 feet; thence North 2°02'30" East, 189.14 feet to the South right of way line of the county road; thence South 73°41' East along said county road right of way, 723.00 feet to the point of intersection with the South right of way of the Three "M" Ditch; thence South 53°03' East along said ditch right of way, 109.6 feet; thence South 67°57' East along said ditch right of way, 76.7 feet; thence South 29°25' East along said ditch right of way, 36.3 feet; thence South 50°38' East along said ditch right of way, 323.64 feet; thence South 36°53' East along said ditch right of way, 68.8 feet; thence South 41°21' East along said ditch right of way, 88.8 feet; thence South 35°28' East along said ditch right of way, 88.7 feet; thence South 48°52' East along said ditch right of way, 140.2 feet; thence South 38°43' East along said ditch right of way, 113.3 feet; thence South 30°41' East along said ditch right of way, 130.1 feet; thence South 73°18' East along said ditch right of way, 93.9 feet; thence South 54°13' East along said right of way, 148.6 feet to the true point of beginning.

Title to said real property is vested in:

Tract 1 and Tract 2: Rocking R Ranch, LLC, a Washington limited liability company
Tract 3 and Tract 4: Lanora Welker Rosenberry, a married person as her separate estate

END OF SCHEDULE A

(SCHEDULE B)

Order No: 553222AM
Policy No: 72156-48087071

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. 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: 2022
Tax Type: County
Total Annual Tax: \$9,887.72
Tax ID #: 081936
Taxing Entity: Kittitas County Treasurer
First Installment: \$4,943.86
First Installment Status: Paid
First Installment Due/Paid Date: April 30, 2022
Second Installment: \$4,943.86
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2022
Affects: Portion of Tract 1

5. Tax Year: 2022
Tax Type: County
Total Annual Tax: \$31.77
Tax ID #: 071936
Taxing Entity: Kittitas County Treasurer
First Installment: \$31.77
First Installment Status: Paid
First Installment Due/Paid Date: April 30, 2022
Second Installment: \$0.00
Second Installment Status: Paid
Second Installment Due/Paid Date: October 31, 2022
Affects: Portion of Tract 1
6. Tax Year: 2022
Tax Type: County
Total Annual Tax: \$1,794.61
Tax ID #: 144835
Taxing Entity: Kittitas County Treasurer
First Installment: \$897.31
First Installment Status: Paid
First Installment Due/Paid Date: April 30, 2022
Second Installment: \$897.30
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2022
Affects: Portion of Tract 2
7. Tax Year: 2022
Tax Type: County
Total Annual Tax: \$282.94
Tax ID #: 634835
Taxing Entity: Kittitas County Treasurer
First Installment: \$141.47
First Installment Status: Paid
First Installment Due/Paid Date: April 30, 2022
Second Installment: \$141.47
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2022
Affects: Portion of Tract 2
8. Tax Year: 2022
Tax Type: County
Total Annual Tax: \$5,527.81
Tax ID #: 959264
Taxing Entity: Kittitas County Treasurer
First Installment: \$2,763.91
First Installment Status: Paid
First Installment Due/Paid Date: April 30, 2022
Second Installment: \$2,763.90
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2022
Affects: Tract 3
9. Water Metering assessment for the year 2022, which becomes delinquent after October 31, 2022, if not paid.
Amount: \$180.00 (Paid)
Parcel No. : 959264
Affects: Tract 3

10. Tax Year: 2022
Tax Type: County
Total Annual Tax: \$2,368.89
Tax ID #: 154835
Taxing Entity: Kittitas County Treasurer
First Installment: \$1,184.45
First Installment Status: Paid
First Installment Due/Paid Date: April 30, 2022
Second Installment: \$1,184.44
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2022
Affects: Tract 4
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. An irrigation ditch over and across Section 14, as appropriated by W.M. Mack, Wm. McClellan and E.B. Mason, by Notice of Water Right dated May 23, 1890, recorded in Book 1 of Water Rights, page 4.
13. Reservation of Oil, gas, minerals, or other hydrocarbons, including the terms and provisions contained therein, in deed from Northern Pacific Railway Company.
Recorded: September 23, 1901
[Book: 1 of Deeds, Page 499](#)
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 to Fred Musser.
Dated: May 16, 1903
[Book: 1 of Deeds, Page 556](#)
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. Reservation of Oil, gas, minerals, or other hydrocarbons, including the terms and provisions contained therein, in deed from Northwestern Improvement Company, a corporation.
Recorded: October 15, 1915
Instrument No.: [41472](#)
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.
16. Easement for irrigation ditch or ditches, carrying water from the Teanaway River, with point of diversion in the Southwest Quarter of the Southwest Quarter of Section 13, Township 20 North, Range 16 East, W.M., as shown in Certificate of Water Rights from the State of Washington, recorded in Book 4 of Water Rights, pages 128, 129, 130, 131, 171 and 192.
17. Reservation of Oil, gas, minerals, or other hydrocarbons, including the terms and provisions contained therein, in deed from William Bettas.
Recorded: April 14, 1948
[Book: 78 of Deeds, Page 254](#)
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.

18. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Granted To: Shirley J. Danko Bednar (formerly Shirley J. Danko), individually and as Administratrix of the estate of Clyde Danko, deceased, her heirs, successors and assigns
Purpose: Roadway 60 feet in width
Recorded: November 21, 1968
Instrument No.: [351201](#)
Volume 131, Page 362
Affects: Northeast Quarter of the Southeast Quarter and Southeast Quarter of the Northeast Quarter of Section 14, Township 20 North, Range 16 East, W.M.
19. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Purpose: Roadway
Recorded: March 12, 1971
Instrument No.: [366403](#)
Affects: A portion of said premises
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: Blaine Anderson and Diane Anderson, husband and wife
Purpose: Easement for access and egress purposes only
Recorded: January 7, 1985
Instrument No.: [485114](#)
Volume 218, Page 494
Affects: A strip of land 30 feet in width along an existing road from the County Road North of Engstrom's remaining adjacent property to the Anderson property in the Southeast Quarter of the Southeast Quarter of said Section 14 lying North and East of the Teanaway River.
21. The provisions contained in instrument,
Recorded: September 11, 1989,
In Volume 295, page 176
Instrument No.: [523448](#).
As follows:
"Reservations by Seller of the right to place a pump in the Triple M Ditch only for the purpose of pumping a maximum of .36 cubic feet per second of water of Musser Creek, the rights to which water are reserved by Seller. The pump shall be located at a point depicted on Exhibit A attached hereto and by this reference incorporated herein, and if the pump is removed or remains unused for a period of five (5) years, this right shall automatically terminate."
(Affects said premises and other land)
22. Agreement for Purchase of Power and the terms and conditions contained therein
Between: Public Utility District No. 1
And: Bill Randal
Recorded: August 21, 1990
Instrument No.: [532314](#)
Affects: His house South of Teanaway Rd in the Southwest Quarter of said Section 13
23. Agreement for Purchase of Power and the terms and conditions contained therein
Between: Public Utility District No. 1
And: Bill Randal
Recorded: August 21, 1990
Instrument No.: [532315](#)
Affects: His second house South of Teanaway Rd in the Southwest Quarter of said Section 13

24. Agreement for Purchase of Power and the terms and conditions contained therein
Between: Public Utility District No. 1
And: Bill Randal
Recorded: August 21, 1990
Instrument No.: [532316](#)
Affects: His barn South of Teanaway Rd in the Southwest Quarter of said Section 13
25. Agreement for Purchase of Power and the terms and conditions contained therein
Between: Public Utility District No. 1
And: Bill Randal
Recorded: August 21, 1990
Instrument No.: [532317](#)
Affects: His pump station South of Teanaway Rd in the Southwest Quarter of said Section 13
26. Terms and Provisions of Settlement Agreement between Teanaway River Ranch Associates, Teanaway Valley Farms, Inc., William S. Randall and Kathleen R. Randall and William Evenden and Karen Evenden, Kittitas County Cause No. 95-2-00172-9, as disclosed by Memorandum of Settlement recorded October 14, 1997 under Auditor's File No. [199710140031](#), involving various rights and responsibilities of the owners of the property to that certain irrigation ditch known as the Giles-Castor Ditch, also known as the Hilda Peterson Ditch, which traversed and cross the property of the Randalls and Evendens and benefitted the property identified as that owned by the Teanaway River Ranch Associates and others.
27. Agreement regarding appurtenant utility easement and the terms and conditions contained therein
Between: William A. Evenden and Karen Evenden, husband and wife
And: Teanaway Valley Farms, Inc., a Washington corporation
Recorded: September 30, 2002
Instrument No.: [200209300062](#)
28. 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 23, 2002
Instrument No.: [200210230001](#)
29. Agreement regarding appurtenant powerline easement and the terms and conditions contained therein
Between: T. Olin Nichols
And: Teanaway Valley Farms, Inc., a Washington corporation
Recorded: November 20, 2002
Instrument No.: [200211200032](#)
30. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Purpose: Access and shared well easement
Recorded: July 25, 2014
Instrument No.: [201407250039](#)
Affects: A portion of said premises
31. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by Downs Short Plat,
Recorded: December 1, 2014
Book: L of Short Plats, Pages: 57 and 58
Instrument No.: [201412010025](#)
Matters shown:
 - a) Fence lines in relation to boundaries
 - b) 10' irrigation easement
 - c) Well easement
 - d) 60' private access

32. Declaration of Covenant (Onsite Septic System) and the terms and conditions contained therein
Between: Charles W. Rosenberry II and Lanora Welker Rosenberry
And: State of Washington Department of Ecology
Recorded: February 6, 2014
Instrument No.: [201402060003](#)
Affects: Tract 4
33. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Purpose: Access easement and shared well
Recorded: July 25, 2014
Instrument No.: [201407250039](#)
Affects: Tract 3

Note: Said document contains maintenance provisions.
34. Declaration of Covenant (Onsite Septic System) and the terms and conditions contained therein
Between: Charles W. Rosenberry II and Lanora Welker Rosenberry
And: State of Washington Department of Ecology
Recorded: December 7, 2016
Instrument No.: [201612070050](#)
Affects: Tract 3
35. 2 Party Shared Well Water Users Agreement and the terms and conditions contained therein
Grantor: Lanora Rosenberry
Recorded: April 9, 2019
Instrument No.: [201904090010](#)
Affects: Tract 3
36. Kittitas County Public Health Department Water Metering Agreement and the terms and conditions contained therein
Between: Lanora Rosenberry
And: The County of Kittitas, a municipal corporation of the State of Washington acting by and through the Kittitas County Public Health Department
Recorded: April 1, 2019
Instrument No.: [201904010021](#)
Affects: Tract 3
37. Declaration of Easement for Ingress, Egress and Utilities, and the terms and conditions contained therein
Grantor: Lanora Welker Rosenberry
Recorded: October 28, 2020
Instrument No.: [202010280043](#)

Note: This document contains maintenance provisions.
38. 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 Teanaway River, if it is navigable.
39. Any question of location, boundary or area related to the Teanaway River, including, but not limited to, any past or future changes in it.
40. 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 Mason Creek and Musser Creek, if it is navigable.
41. Any question of location, boundary or area related to the Mason Creek and Musser Creek, including, but not limited to, any past or future changes in it.
42. 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.

Subdivision Guarantee Policy Number: 72156-48087071

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: Parcels 1 and 2, Book 16/pgs 61-63; Ptn SW Quarter Section 13 and ptn SE Quarter Section 14, all in Township 20N, Range 16E, W.M. and ptn of SE Quarter of NE Quarter, and ptn of NE Quarter of SE Quarter of Section 14 AND ptn of SW Quarter of NW Quarter of Section 13, ALL in Township 20N, Range 16E, W.M.; and Lot 2 Downs S.P. Book L of Short Plats pgs 57 and 58.

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