

RECEIVED
AUG 29 2023

CHICAGO TITLE INSURANCE COMPANY

Kittitas County CDS

Policy No. 72156-48322138

UPDATED 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: August 17, 2023

Issued by:

AmeriTitle, LLC
503 N Pearl St., Ste 101
Ellensburg, WA 98926
(509)925-1477

Hannah Hall

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: 72156-48322138

UPDATED SUBDIVISION GUARANTEE

Order No.: 600936AM
Guarantee No.: 72156-48322138
Dated: August 17, 2023

Liability: \$1,000.00
Fee: \$350.00
Tax: \$29.40

Your Reference:

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:

All of that part of the Northeast Quarter of the Northwest Quarter and the Northwest Quarter of the Northeast Quarter of Section 11, Township 18 North, Range 17 East, W.M., in the County of Kittitas, State of Washington, which is described as follows:

A tract of land bounded by a line beginning at a point which is 23.4 feet North 89°33' West of the quarter section corner on the North side of said Section, and running thence North 89°33' West along said section line 854.5 feet; thence deflecting to the left 144°08' and running South 53°41' East 782 feet; thence deflecting to the left 90° and running thence North 36°19' East 492.2 feet; and thence deflecting to the left 84°34' and running North 48°15' West 89.5 feet to the point of beginning.

TRACT 2:

That portion of the Southeast Quarter of the Southwest Quarter of Section 2, Township 18 North, Range 17 East, W.M., in the County of Kittitas, State of Washington, described as follows:

Beginning 20.0 feet North 55°29' West of a point on the section line, which is 910.0 feet West of the Quarter Section corner on the South boundary line of said Section 2; thence running North 55°29' West, 343.1 feet along the right of way line of the County Road; thence North 36°55' East, 199.6 feet. thence South 55°29' East, 304.2 feet; thence South 25°53' West, 200.8 feet to the place of beginning;

EXCEPT any portion thereof lying South and West of the Northeasterly right-of-way of the Thorp Highway;

AND

EXCEPT that portion thereof lying within Parcel "W" as described and/or delineated on that certain survey as recorded April 22, 1996 in Book 21 of Surveys, Page 247, under Auditor's File No. [199604220015](#), records of Kittitas County, Washington; being a portion of the Southwest Quarter of Section 2, Township 18 North, Range 17 East, W.M., in the County of Kittitas, State of Washington.

TRACT 3:

That portion of the Southeast Quarter of the Southwest Quarter of Section 2, Township 18 North, Range 17 East, W.M., in the County of Kittitas, State of Washington, which is described as follows:

Beginning at the Southeast corner of said quarter of quarter section; thence North along the East line of said quarter of quarter section, 130 feet; thence Northwesterly parallel to the centerline of the Burlington Northern Railway Company right of way, 950 feet; thence South 37°15' West, 197 feet; thence South 36°55' West, 528 feet, more or less, to the Northeasterly right of way of Thorp Highway County Road; thence Southeasterly along said right of way to the South line of said quarter of quarter section; thence East along said South line to the point of beginning,

EXCEPT

1) That portion thereof which lies within the right of way of Burlington Northern Railway Company.

2) That portion thereof which lies within the following described tract:

Beginning 20.0 feet North 55°29' West of a point on the section line, which is 910.0 feet West of the Quarter Section corner on the South boundary line of said Section 2; thence running North 55°29' West, 343.1 feet along the right of way line of the County Road; thence North 36°55' East, 199.6 feet. thence South 55°29' East, 304.2 feet; thence South 25°53' West, 200.8 feet to the place of beginning.

Title to said real property is vested in:

Reta M. Hutchinson, trustee of the Hutchinson Family Revocable Living Trust Agreement dated May 12, 1999, as to Tracts 1 and 2, and the heirs and devisees of Richard O. Hutchinson, deceased, and Reta M. Hutchinson, unmarried, as to Tract 3

END OF SCHEDULE A

(SCHEDULE B)

Order No: 600936AM
Policy No: 72156-48322138

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: 2023
Tax Type: County
Total Annual Tax: \$2,197.31
Tax ID #: 343233
Taxing Entity: Kittitas County Treasurer
First Installment: \$1,099.65
First Installment Status: Paid
First Installment Due/Paid Date: April 30, 2023
Second Installment: \$1,098.65
Second Installment Status: Paid
Second Installment Due/Paid Date: October 31, 2023

5. Tax Year: 2023
Tax Type: County
Total Annual Tax: \$2,346.64
Tax ID #: 399133
Taxing Entity: Kittitas County Treasurer
First Installment: \$1,173.32
First Installment Status: Paid
First Installment Due/Paid Date: April 30, 2023
Second Installment: \$1,732.32
Second Installment Status: Paid
Second Installment Due/Paid Date: October 31, 2023
6. Tax Year: 2023
Tax Type: County
Total Annual Tax: \$414.24
Tax ID #: 389133
Taxing Entity: Kittitas County Treasurer
First Installment: \$207.12
First Installment Status: Paid
First Installment Due/Paid Date: April 30, 2023
Second Installment: \$207.12
Second Installment Status: Paid
Second Installment Due/Paid Date: October 31, 2023
7. Communication assessment for the year 2023, which becomes delinquent after April 30, 2023, if not paid.
Amount: \$0.00
Parcel No. : 343233

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.

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. The provisions contained in Deed from J.J. Hanlon and Hattie Hanlon, husband and wife, Recorded: January 20, 1916, Instrument No.: [42290](#).
As follows: "Grantors reserve the right to cross the above described lands at all times for the purpose of having access to their lands and to prepare and maintain crossings therefrom...the Grantee, his successors and assigns, shall not be extend the dam or dike on the above described lands beyond its present limits."

11. The right of first refusal to lease/purchase disclosed by recitals set forth in document:
Recorded: May 2, 1979
Instrument No.: [432122](#)

Subdivision Guarantee Policy Number: 72156-48322138

In favor of: James and Helen Hutchinson, husband and wife, and John and Mary Mathews, Jr., husband and wife, and Paul Ivan Hutchinson, a single man

12. Easement, and the terms and conditions thereof, affecting a portion of said premises and for the purposes hereinafter stated, as granted by instrument recorded on May 16, 2008, under Kittitas County Auditor's File No. [200805160046](#).
In favor of: AT&T Corp. and AT&T Communications – East, Inc. (formerly AT&T Communications, Inc.)
For: The right to operate, maintain, upgrade and expand its existing cable, as well as to install new conduits and fiber or replacement technology within the easement
Affects: A strip of land sixteen and one-half feet (16 ½TM) in width affecting said premises and other land

Additional parcels added to said easement by Supplemental Notice filed October 19, 2009 under Auditor's File No. [200910190016](#).

13. Effect, if any, of a Quit Claim Deed,
From: Richard O. Hutchinson and Reta M. Hutchinson, (who acquired title as Rita M. Hutchinson), husband and wife
To: The Hutchinson Family Revocable Living Trust, dated May 12, 1999, Richard O. Hutchinson and Reta M. Hutchinson, trustees
Recorded: June 4, 1999
Instrument No.: [199906040068](#)

We note that deed lists the Assessor's Parcel Number for Tract 3 as included in said conveyance; however the description contained therein does not describe said premises.

Said discrepancy also appears on deeds recorded July 2, 2014 and November 5, 2014, under Auditor's File No. [201407020044](#) and [201411050011](#), respectively, which appear to ultimately attempt to convey the property to Reta M. Hutchinson, Trustee of the Hutchinson Family Revocable Living Trust dated May 12, 1999.

14. Any right, title and interest, if any, of Reta M. Hutchinson, trustee of the Hutchinson Family Revocable Living Trust dated May 12, 1999,
As disclosed by: Statutory Warranty Deed
Recorded: November 5, 2014
Instrument No.: [201411050011](#)

Said interest is also disclosed by the Kittitas County Tax Rolls.

15. Any invalidity or defect in the title of the vestees in the event that the trust referred to in the vesting portion of Schedule A is invalid or fails to grant sufficient powers to the trustee(s) or in the event there is a lack of compliance with the terms and provisions of the trust instrument.
16. 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 Yakima River, if it is navigable.
17. Any question of location, boundary or area related to the Yakima River, including, but not limited to, any past or future changes in it.
18. 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.

END OF EXCEPTIONS

Notes:

Note No. 1: 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.

Note No. 2: 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: Ptns NE NW and NW NE Section 11, and Ptn SE SW Section 2, all in Township 18N, Range 17E, 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