

# CHICAGO TITLE INSURANCE COMPANY

**Policy No. 72156-48322125**

## 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: June 23, 2023

Issued by:

AmeriTitle, LLC

503 N Pearl St., Ste 101

Ellensburg, WA 98926

(509)925-1477

**Hannah Hall**

Authorized Signer

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

CHICAGO TITLE INSURANCE COMPANY



By:

A handwritten signature in black ink, appearing to read "Alma N. [unclear]".

President

ATTEST

A handwritten signature in black ink, appearing to read "John C. [unclear]".

Secretary

Subdivision Guarantee Policy Number: 72156-48322125

# SUBDIVISION GUARANTEE

Order No.: 596698AM  
Guarantee No.: 72156-48322125  
Dated: June 23, 2023 at 7:30 A.M.

Liability: \$1,000.00  
Fee: \$350.00  
Tax: \$29.40  
Work Charge: \$150.00  
Sales Tax: \$12.60

Your Reference: Domerie Park Lots BLA

Assured: Lathrop, Winbauer, Harrel & Slothower LLP and Suncadia Resort LLC, a Delaware limited liability company

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:

Lots 17-71, 17-72, 17-73, 17-74, and 17-75, of [SUNCADIA - PHASE 3 DIVISION 17 \(TUMBLE CREEK\)](#), in the County of Kittitas, State of Washington, as per plat thereof recorded in Book 13 of Plats, Pages 215 through 228, records of said County.

Title to said real property is vested in:

Suncadia Resort LLC, a Delaware Limited Liability Company

**END OF SCHEDULE A**

**(SCHEDULE B)**

Order No: 596698AM  
Policy No: 72156-48322125

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: 2023  
Tax Type: County  
Total Annual Tax: \$3,716.96  
Tax ID #: 962442 (Affects: Lot 17-71)  
Taxing Entity: Kittitas County Treasurer  
First Installment: \$1,858.48  
First Installment Status: Paid  
First Installment Due/Paid Date: April 30, 2023  
Second Installment: \$1,858.48  
Second Installment Status: Due  
Second Installment Due/Paid Date: October 31, 2023

7. Tax Year: 2023  
Tax Type: County  
Total Annual Tax: \$3,735.05  
Tax ID #: 962443 (Affects: Lot 17-72)  
Taxing Entity: Kittitas County Treasurer  
First Installment: \$1,867.53  
First Installment Status: Paid  
First Installment Due/Paid Date: April 30, 2023  
Second Installment: \$1,867.52  
Second Installment Status: Due  
Second Installment Due/Paid Date: October 31, 2023
8. Tax Year: 2023  
Tax Type: County  
Total Annual Tax: \$3,789.32  
Tax ID #: 962444 (Affects: Lot 17-73)  
Taxing Entity: Kittitas County Treasurer  
First Installment: \$1,894.66  
First Installment Status: Paid  
First Installment Due/Paid Date: April 30, 2023  
Second Installment: \$1,894.66  
Second Installment Status: Due  
Second Installment Due/Paid Date: October 31, 2023
9. Tax Year: 2023  
Tax Type: County  
Total Annual Tax: \$3,816.45  
Tax ID #: 962445 (Affects: Lots 17-74)  
Taxing Entity: Kittitas County Treasurer  
First Installment: \$1,908.23  
First Installment Status: Paid  
First Installment Due/Paid Date: April 30, 2023  
Second Installment: \$1,908.22  
Second Installment Status: Due  
Second Installment Due/Paid Date: October 31, 2023
10. Tax Year: 2023  
Tax Type: County  
Total Annual Tax: \$3,377.17  
Tax ID #: 962446 (Affects: Lot 17-75)  
Taxing Entity: Kittitas County Treasurer  
First Installment: \$1,688.59  
First Installment Status: Paid  
First Installment Due/Paid Date: April 30, 2023  
Second Installment: \$1,688.58  
Second Installment Status: Due  
Second Installment Due/Paid Date: October 31, 2023
11. Liens, levies and assessments of the Tumble Creek Village Association.
12. Liens, levies and assessments of the Suncadia Residential Owner's Association.
13. Liens, levies and assessments of the Suncadia Community Council.
14. Liens, levies and assessments of the Community Enhancement as set forth in Second Amended and Restated Covenant recorded July 20, 2004, under Auditor's File No. [200407200039](#), in the amount of 0.5% of the gross purchase price payable upon any transfer of ownership, unless the

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transfer is exempt as provided in said covenant.

Said instrument provides for the lien of a fee which is due upon transfer of the Land. The transfer-conveyance fee is required to be paid upon any sale, exchange, assignment, option, assignment of lease, transfer, or conveyance of said Land.

15. The provisions contained in Instrument from Plum Creek Timber Company, L.P., a Delaware Limited Partnership,  
Recorded: October 11, 1996,  
Instrument No.: [199610110015](#)  
As follows: "Excepting therefrom all oil, gas and other hydrocarbons, together with the rights of ingress and egress as reserved in that certain Deed to Plum Creek Timber Company, L.P., from PCTC, Inc. executed on June 21, 1989 and recorded June 30, 1989 in the records of Kittitas County, Washington under Auditor's File No. [521473](#), as such reservation was modified by the certain Partial Waiver of Surface Use Rights dated February 13, 1996 and recorded April 8, 1996, in the records of Kittitas County, Washington, under Auditor's File No. [199604080028](#)."
16. Agreement and the terms and conditions contained therein  
Between: Mountainstar Resort Development, LLC  
And: Puget Sound Energy, Inc.  
Purpose: Agreement and Covenant for Collection and Payment of Combine Qualification Payment for Extension of Natural Gas Service  
Recorded: April 16, 2004  
Instrument No.: [200404160016](#)
17. Agreement and the terms and conditions contained therein  
Between: Kittitas County, a Washington municipal corporation  
And: Suncadia LLC, a Delaware limited liability company  
Purpose: Amended and Restated Development Agreement relating to the development commonly known as Suncadia Master Planned Resort  
Recorded: April 16, 2009  
Instrument No.: [200904160090](#)

Resolution No. 2009-78 adopting the Seventh Amendment to Development Agreement, and the terms and conditions thereof, recorded June 12, 2009, under Auditor's File No. [200906120039](#).

Assignment of Reserved Rights recorded June 21, 2022 under Auditor's File No. [202206210030](#) to Suncadia Resort LLC, a Delaware Limited Liability Company.

18. Declaration of Non-Exclusive Easement (Jenkins Drive) including the terms, provisions and restrictions therein, recorded October 5, 2004, under Auditor's File No. [200410050012](#).
19. Declaration of Non-Exclusive Easement (Tumble Creek Drive) including the terms, provisions and restrictions therein, recorded October 5, 2004, under Auditor's File No. [200410050015](#).
20. 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 8, 2004  
Instrument No.: [200410080057](#)

Modification(s) of said covenants, conditions and restrictions  
Recorded: May 2, 2022  
Instrument No: [202205020078](#)

Further modifications of said covenants, conditions and restrictions  
Recorded: May 9, 2022  
Instrument No.: [202205090018](#)

21. 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: July 20, 2004  
Instrument No.: [200407200037](#)
- Modification(s) of said covenants, conditions and restrictions  
Recorded: May 2, 2022  
Instrument No: [202205020078](#)
22. 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: July 20, 2004  
Instrument No.: [200407200038](#)
- Modification(s) of said covenants, conditions and restrictions  
Recorded: May 2, 2022  
Instrument No: [202205020034](#)
23. 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: July 20, 2004  
Instrument No.: [200407200039](#)
- Modification(s) of said covenants, conditions and restrictions  
Recorded: May 2, 2022  
Instrument No: [202205020059](#)
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: Puget Sound Energy, Inc., a Washington corporation  
Purpose: Transmission, distribution and sale of electricity and natural gas  
Recorded: January 27, 2010  
Instrument No.: [201001270024](#)  
Affects: 10 foot strip adjoining all roads shown on the plat
25. The provisions contained in The Plat of Suncadia, Phase 3, Division 17 (Tumble Creek),  
Recorded: April 19, 2022, in Book 13 of Plats, Pages 215 through 228  
Instrument No.: [202204190029](#).  
As follows:  
a) Dedication thereon  
b) Notes thereon  
c) Easement reservations thereon  
d) Storm drainage easement affecting Lots 17-20, 17-26 and 17-27  
e) Slope easement affecting Lots 17-1 and 17-2
26. A Deed of Trust, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:  
Amount: \$43,000,000.00  
Trustor/Grantor: Suncadia Resort LLC, a Delaware Limited Liability Company; New Suncadia Hospitality, LLC, a Delaware Limited Liability Company; and Lodge at Suncadia LLC, a Washington Limited Liability Company  
Trustee: AmeriTitle, LLC, a Delaware Limited Liability Company

Beneficiary: CIBC Bank USA, an Illinois state chartered bank  
Dated: August 3, 2021  
Recorded: August 4, 2021  
Instrument No.: [202108040070](#)  
Affects: This and other property

Assignment of Rents, given in connection with the above Deed of Trust  
Recorded: August 4, 2021  
Instrument No.: [202108040071](#)

27. A Financing Statement filed in the Office of the County Recorder showing:  
Debtor: Suncadia Resort LLC  
Secured Party: CIBC Bank USA, an Illinois state chartered bank  
Recorded: August 4, 2021  
Instrument No.: [202108040073](#)  
Affects: This and other property

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: Puget Sound Energy, Inc.  
Purpose: Utility systems  
Recorded: June 5, 2023  
Instrument No.: [202306050011](#)  
Affects: A portion of said premises

**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: Lots 17-71 through 17-75, inclusive, of [SUNCADIA - PHASE 3 DIVISION 17 \(TUMBLE CREEK\)](#), Bk 13/Pgs 215-228.

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**