

**ALTA COMMITMENT FOR TITLE INSURANCE
SCHEDULE A**



ISSUED BY
STEWART TITLE GUARANTY COMPANY

Transaction Identification Data, for which the Company assumes no liability as set forth in Commitment Condition 5.e.:

Issuing Agent: Kittitas Title and Escrow
Issuing Office: 208 W Ninth, Ste. 6, Ellensburg, WA 98926
Customer Reference No.:
Issuing Office File Number: 611590AM
Property Address: NKA Riverbottom Rd., Ellensburg, WA 98926
Commitment No.: 1

SCHEDULE A

1. Commitment date: **October 19, 2023 at 8:00 A.M.**

2. Policy to be issued:

(a) 2021 ALTA Owner's Policy Standard Coverage Extended Coverage

Rate Type: General Schedule/Prior Policy

Proposed Policy Amount: \$74,500.00

Premium: \$529.00

Sales Tax: \$44.44

Proposed Insured:

Bert E. Siltman

3. The estate or interest in the Land at the Commitment Date is:

FEE SIMPLE

4. The Title is, at the Commitment Date, vested in:

MTA Ranch, LLC, a Washington limited liability company

5. The Land is described as follows:

See attached Exhibit 'A'

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File No.: 611590AM

010-UN ALTA Commitment for Title Insurance Without Arbitration (07-01-2021)

Page 5

AMERICAN
LAND TITLE
ASSOCIATION



**ALTA COMMITMENT FOR TITLE INSURANCE
SCHEDULE A**



ISSUED BY
STEWART TITLE GUARANTY COMPANY

Issuing Office File Number: 611590AM

**SCHEDULE B, PART I
REQUIREMENTS**

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. Additional requirements and/or exceptions may be added as details of the transaction are disclosed to, or become known by the Company.
6. 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: SEC. 23; TWP. 17; RGE. 18; NW 1/4 NW 1/4 TAX NO. 5 LESS .01 CO. RD.
7. Your order for title work calls for a search of property that is identified only by a street address or tax identification number. Based on our records, we believe that the description in this commitment describes the land you have requested we insure, however, we can give no assurance of this.

To prevent errors and to be certain that the proper parcel of land will appear on the documents and on the policy of title insurance, we require verification of the legal description used for this commitment.

8. All documents recorded after December 31, 1996 must comply with the "Document Standardization Bill", a summary of which is available on request. Failure to comply with the bill will result in the County Auditor refusing to record document(s) without a specialized cover sheet and an extra \$50.00 recording fee.

Format:

Margins to be 3" on top of first page, 1" on sides and bottom, 1" on top, sides and bottom of each succeeding page. Font size of 8 points or larger and paper size of no more than 8 1/2" by 14".

No attachments on pages such as stapled or taped notary seals, pressure seals must be smudged.

Information must appear on the first page:

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File No.: 611590AM

010-UN ALTA Commitment for Title Insurance Without Arbitration (07-01-2021)

Page 6

AMERICAN
LAND TITLE
ASSOCIATION



**ALTA COMMITMENT FOR TITLE INSURANCE
SCHEDULE A**



ISSUED BY
STEWART TITLE GUARANTY COMPANY

Issuing Office File Number: 611590AM

Title or title of document. If assignment or reconveyance reference to auditor's file number of subject deed of trust.

Names of grantor(s) and grantee(s) with reference to additional names on following page(s), if any. Abbreviated legal description (lot, block, plat name or section, township, range and quarter section for unplatted).

Assessor's tax parcel number(s).

Return address which may appear in the upper left .

9. In order to expedite recording for our clients, we E-Record whenever possible. There is an additional charge of \$5.42 per document when E-Recording. When E-Recording documents require excise clearance, checks must be made payable to Kittitas Title and Escrow.
10. The interest of the proposed insured will be subject to the community interest of the spouse or domestic partner, if married or in a domestic partnership at date of acquiring said interest, and further subject to matters which the records may disclose against the name of said spouse or domestic partner.
11. In the event that the property described herein is occupied or intended to be occupied by the owner and a spouse or registered domestic partner as a homestead, the conveyance or encumbrance of the property must be executed and acknowledged by both spouses or both registered domestic partners, pursuant to RCW 6.13 which now provides for an automatic homestead on such property.
12. **Pursuant to information previously provided to the Company, we note the following party/parties is/are authorized to sign on behalf of the named entity. In the event of any revision to said authorization, the Company must be notified immediately, and provided with evidence of the identity and authority of any party/parties to execute the forthcoming instrument(s); the Company makes no further commitment pending review of any such evidence.**

Entity: MTA Ranch LLC

Authorized Signatories: Mark T. Anderson, as Managing Member and Sole Member

13. **Our examination of the title to the subject property discloses no open Deeds of Trust or Mortgages of record. The accuracy of this conclusion should be confirmed in writing prior to closing of the proposed transaction.**

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File No.: 611590AM

010-UN ALTA Commitment for Title Insurance Without Arbitration (07-01-2021)

Page 7

AMERICAN
LAND TITLE
ASSOCIATION



**ALTA COMMITMENT FOR TITLE INSURANCE
SCHEDULE A**



ISSUED BY
STEWART TITLE GUARANTY COMPANY

Issuing Office File Number: 611590AM

NOTES

- A. Any map or sketch enclosed as an attachment herewith is furnished for informational 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. Due to current conflicts or potential conflicts between state and federal law, which conflicts may extend to local law, regarding marijuana, if the transaction to be insured involves property which is currently used or is to be used in connection with a marijuana enterprise, including but not limited to the cultivation, storage, distribution, transport, manufacture, or sale of marijuana and/or products containing marijuana, the Company declines to close or insure the transaction, and this Commitment shall automatically be considered null and void and of no force and effect.
- C. In the event this transaction fails to close and this commitment is cancelled a fee will be charged complying with the state insurance code.

According to the available County Assessor's Office records or information provided to the company, the purported address of said Land is:

NKA Riverbottom Rd., Ellensburg, WA 98926

- D. As of the date hereof there are no matters against Bert E. Siltman which would appear as exceptions in the policy to issue, except as shown herein.
- E. We find the following activity in the past 24 months regarding transfer of title to subject property:
Statutory Warranty Deed :
Grantor: CIRE, LLC, a Washington Limited Liability Company
Grantee: MTA Ranch, LLC, a Washington limited liability company
Recorded: 5th day of October, 2023
Auditor's File No.: 202310050039
- F. If a deed of trust is contemplated as a part of this transaction, the correct name to be entered as the trustee is Kittitas Title and Escrow

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File No.: 611590AM

010-UN ALTA Commitment for Title Insurance Without Arbitration (07-01-2021)

Page 8

AMERICAN
LAND TITLE
ASSOCIATION



**ALTA COMMITMENT FOR TITLE INSURANCE
SCHEDULE A**



ISSUED BY
STEWART TITLE GUARANTY COMPANY

Issuing Office File Number: 611590AM

**SCHEDULE B, PART II
EXCEPTIONS**

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document will be excepted from coverage.

The Policy will not insure against loss or damage resulting from the terms and conditions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I - Requirements are met.
2. Taxes or assessments which are not shown as existing liens by the public records.
3. (i) Unpatented mining claims; (ii) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (iii) water rights, claims or title to water; whether or not the matters described in (i), (ii) & (iii) are shown in the public records; (iv) Indian tribal codes or regulations, Indian treaty or aboriginal rights, including easements or equitable servitudes.
4. Extended coverage exceptions, as follows:
 1. Rights or claims of parties in possession not shown by the public records.
 2. Easements, claims of easements or encumbrances which are not shown by the public records.
 3. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey and inspection of the premises and which are not shown by the public records.
 4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Any service, installation, connection, maintenance, tap, capacity, construction or reimbursement charges for sewer, water, electricity or other utilities, or for garbage collection and disposal.
6. Any titles or rights asserted by anyone, including but not limited to persons, corporations, governments, or other entities, to tidelands, or lands comprising the shores or bottoms of navigable rivers, lakes, bays, ocean or gulf, or lands beyond the line of the harbor or bulkhead lines as established or changed by the United States Government, or riparian rights, if any.
7. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land,

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File No.: 611590AM

010-UN ALTA Commitment for Title Insurance Without Arbitration (07-01-2021)

Page 9

AMERICAN
LAND TITLE
ASSOCIATION



**ALTA COMMITMENT FOR TITLE INSURANCE
SCHEDULE A**



ISSUED BY
STEWART TITLE GUARANTY COMPANY

Issuing Office File Number: 611590AM

together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records or listed in Schedule B. 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.

8. Lien of real estate excise sales tax upon any sale of said premises, if unpaid. Forms can be obtained on the Department of Revenue website <https://dor.wa.gov/forms-publications/forms-subject/real-estate-excise-tax-forms>.

Any questions regarding the applicability or calculation of the excise tax should be directed to the Kittitas County Treasurer <https://www.co.kittitas.wa.us/treasurer/default.aspx>.

9. 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: \$1,094.04
Tax ID #: 458933
Taxing Entity: Kittitas County Treasurer
First Installment: \$567.96
First Installment Status: Paid
First Installment Due/Paid Date: May 11, 2023
Second Installment: \$547.02
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2023
Levy Code: 3
Land use/DOR code: 81
Land Value: \$156,900.00
Improvements: \$12,380.00

10. Levies and assessments of the West Side Irrigation Irrigation District, and the rights, powers and easements of said district as by law provided.
11. Unrecorded leaseholds, if any, and the rights of vendors and holders of security interest in personal property of tenants to remove said personal property at the expiration of the term.

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File No.: 611590AM

010-UN ALTA Commitment for Title Insurance Without Arbitration (07-01-2021)

Page 10



**ALTA COMMITMENT FOR TITLE INSURANCE
SCHEDULE A**



ISSUED BY
STEWART TITLE GUARANTY COMPANY

Issuing Office File Number: 611590AM

12. An easement and/or right-of-way including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Granted To: Frank N. Smith
Purpose: An undivided one-half interest in and to that certain irrigating ditch and all other stated purposes.
Recorded: May 12, 1917
Instrument No.: [45930](#)
Affects: The legal description contained in said easement is not sufficient to determine its exact location.
13. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Granted To: Frank N. Smith
Purpose: Right-of-way for the purposes of maintaining, repairing, and operating said ditch and all other stated purposes
Recorded: August 13, 1920
Instrument No.: [55554](#)
Affects: The legal description contained in said easement is not sufficient to determine its exact location.
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: Puget Sound Energy, Inc., a Washington Corporation
Purpose: Place a gas pipeline or pipelines and all other stated purposes
Recorded: November 5, 1998
Instrument No.: [199811050026](#)
Affects: The legal description contained in said easement is not sufficient to determine its exact location within said premises.
15. Right-of-way for irrigation ditch leading from the West Side canal to lands in the Northeast Quarter of said Section 23, as disclosed by action in Superior Court of Kittitas County brought in 1918, entitled, "J.B. Fogarty and Elizabeth E. Fogarty, husband and wife, vs C.E. Thompson", being Civil Cause No. 5853

16. A Record of Survey, including the terms and provisions thereof,
Recorded: December 15, 1993
Instrument No.: [566144](#)
Book: 19 of Surveys, Page(s): 193

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File No.: 611590AM

010-UN ALTA Commitment for Title Insurance Without Arbitration (07-01-2021)

Page 11

AMERICAN
LAND TITLE
ASSOCIATION



**ALTA COMMITMENT FOR TITLE INSURANCE
SCHEDULE A**



ISSUED BY
STEWART TITLE GUARANTY COMPANY

Issuing Office File Number: 611590AM

17. A Record of Survey, including the terms and provisions thereof,
Recorded: January 30, 1997
Instrument No.: [199701300017](#)
Book: 22 of Surveys, Page(s): 153
18. A Record of Survey, including the terms and provisions thereof,
Recorded: March 1, 2022
Instrument No.: [202203010019](#)
Book: 44 of Surveys, Page(s): 142

END OF SCHEDULE B

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File No.: 611590AM

010-UN ALTA Commitment for Title Insurance Without Arbitration (07-01-2021)

Page 12



**ALTA COMMITMENT FOR TITLE INSURANCE
SCHEDULE A**



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STEWART TITLE GUARANTY COMPANY

Issuing Office File Number: 611590AM

EXHIBIT 'A'

File No. 611590AM

That portion of the Northwest Quarter of the Northwest Quarter of Section 23, Township 17 North, Range 18 East, W. M., Kittitas County, State of Washington, which is described as follows:

A tract of land bounded by a line beginning at the Northwest corner of said quarter of quarter section, and running;

Thence East, along the North boundary line thereof, 924 feet;

Thence South, 165 feet;

Thence West, parallel with the North boundary line of said quarter of quarter section, 924 feet to the West boundary line of said quarter of quarter section; and

Thence North, along the West boundary line thereof, 165 feet to the point of beginning, excepting therefrom right of way of Riverbottom County Road along the West side thereof.

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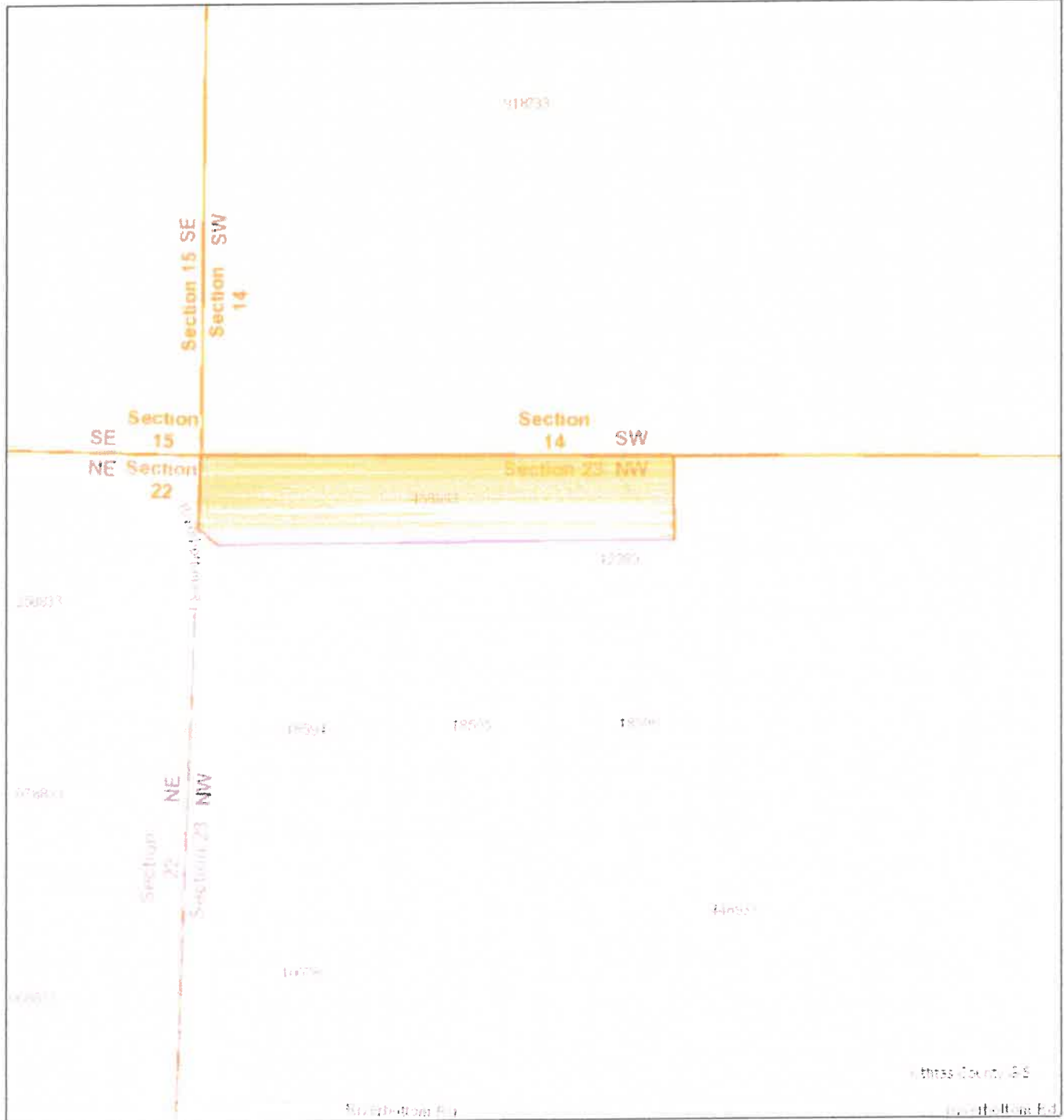
File No.: 611590AM

010-UN ALTA Commitment for Title Insurance Without Arbitration (07-01-2021)

Page 13



Tax Map-Parcel 458933



Date: 10/23/2023

1 inch equals 370 feet



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