# CHICAGO TITLE INSURANCE COMPANY

# Policy No. 72156-46305964

# **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: March 13, 2018

Issued by:

AmeriTitle, Inc.

101 W Fifth

Ellensburg, WA 98926

(509)925-1477

Authorized Signer

CHICAGO TITLE INSURANCE COMPANY

By: (GM/MPAIL)

-

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

# **UPDATED SUBDIVISION GUARANTEE**

Order No.: 226049AM

Guarantee No.: 72156-46305964

Dated: July 24, 2018

Liability: \$1,000.00

Fee: \$350.00

Tax: \$28.70

Your Reference: 11 Paintbrush Lane, NKA Paintbrush Lane and Double O Road

Assured: Teanaway Ridge, L.L.C

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 A:

Parcel 2A of that certain Survey as recorded April 17, 2006, in Book 32 of Surveys, pages 134 through 137, under Auditor's File No. 200604170033, records of Kittitas County, Washington; being a portion of the Southwest Quarter of Section 1, Township 20 North, Range 14 East, W.M. and of the Northwest Quarter of Section 12, Township 20 North, Range 14 East, W.M.;

# EXCEPT:

1. That portion of the Northwest Quarter of Section 12, Township 20 North, Range 14 East, W.M., situate in Kittitas County, State of Washington, more particularly described as follows:

Starting at the Southwest corner of Lot 9 as shown on the certain survey recorded August 18, 2003 at 4:02 p.m. in Volume 29 of Surveys on page 48, records of Kittitas County, under Kittitas County Auditors Number 200308180073; thence South 65°14′5″ East 558.56 feet to a O'Hare Aluminum Survey Cap the true point of beginning; thence South 0°46′1″ West 294.86 feet to a O'Hare Aluminum Survey Cap; thence North 43°52′59″ West 209.77 feet; thence North 46°7′3″ East 207.22 feet to the true point of beginning.

As conveyed by Deed to Paul J. Allen recorded January 5, 2006 under Auditor's File No. 200601050059.

- 2. Plat of Evergreen Ridge P.U.D. Phase 1, Division 3, in the County of Kittitas, State of Washington, as per plat thereof recorded in Book 11 of Plats, pages 153 and 154, records of said County.
- 3. That portion of Lots B and C of that certain survey as recorded in Book 34 of Surveys at page 22, under Auditor's File No. 200704270063, records of Kittitas County, State of Washington, which is bounded by a line described as follows:

Commencing at the Southwest corner of the Southwest Quarter of the Southwest Quarter of Section 1, Township 20 North, Range 14 East, W.M., Kittitas County, State of Washington; thence South 89°11'40" East, along the South boundary line of said Southwest Quarter of the Southwest Quarter, 1,322.41 feet to the Southeast corner of

said Southwest Quarter of the Southwest Quarter and the true point of beginning of said line; thence North 00°39'26" East, along the East boundary line of said Southwest Quarter of the Southwest Quarter, 167.67 feet to the Northwesterly boundary line of said Lot C; thence North 46°36'59" East, along said Northwesterly boundary line, 47.95 feet to the Northerly most corner of said Lot C; thence South 43°13'54" East, along the Northeasterly boundary line of said Lot C, 99.95 feet to the Northeasterly common corner of said Lots B and C; thence South 00°00'03" West, along the Easterly boundary line of said Lot B, 149.50 feet to the Southeasterly corner of said Lot B; thence South 45°39'16" West, along the Southeasterly boundary line of said Lot B, 148.68 feet to the East boundary line of the Northwest Quarter of the Northwest Quarter of Section 12 of said Township and Range; thence North 00°30'01" East 125.65 feet, along said East boundary line of said Northwest Quarter of the Northwest Quarter to the true point of beginning and terminus of said line.

Being a portion of the Southeast Quarter of the Southwest Quarter of said Section 1, and a portion of the Northeast Quarter of the Northwest Quarter of said Section 12, all situated in Kittitas County, State of Washington.

As conveyed by Deed to DeAnn Reeves recorded May 13, 2010, under Auditor's File No. 201005130004.

4. That portion of said Parcel 2A bounded by a line described as follows:

Beginning at the North Quarter corner of said Section 12; thence North 89°11'40" West along the North boundary of the Northwest Quarter of said Section 12, 577.86 feet to the Northeasterly corner of Lot 10 of the Evergreen Ridge P.U.D. – Phase 1, Division 3 Plat as recorded in Book 11 of Plats at pages 153 and 154, recorded under Auditor's File No. 200806180013, records of Kittitas County, State of Washington; thence South 43°11'29" East along the Easterly boundary of said plat, 435.02 feet to the beginning of a curve to the right having a radius of 200.00 feet; thence along said curve to the right an arc length of 100.69 feet, through a central angle of 28°50'46"; thence South 14°20'43" East along the Easterly boundary of said plat, 177.11 feet to the Northeasterly corner of Lot 18 of said plat and also being the true point of beginning of said line; thence North 60°40'38" East, 36.23 feet; thence South 14°20'43" East, 221.89 feet; thence South 75°39'17" West, 35.00 feet to the Southeasterly corner of said Lot 19; thence North 14°20'43" West along the Easterly boundary of said Lot 18 and Lot 19, 212.52 feet to the true point of beginning and terminus of said line.

As conveyed by Deed to PQD Construction, Inc., recorded September 23, 2011, under Auditor's File No. 201109230030 and 201109230031.

5. A portion of the Southeast Quarter of the Southwest Quarter of Section 1, Township 20 North, Range 14 East, W.M., described as follows:

A portion of that property described in Book 29 of Surveys, pages 47 and 48, recorded August 18, 2003 described as follows: Beginning at the Southeast corner of Tax Lot 12 as shown on the above referenced survey; thence North 46°44'23" East 298.05 feet to the true point of beginning; thence North 0°41'46" East 68.46 feet to the Northeast corner of Tax Lot 12; thence North 0°41'46" East 153.17 feet to the Northeast corner of Tax Lot 9; thence South 44°05'26" East 143.54 feet; thence South 0°12'25" East 156.78 feet; thence North 43°15'37" West 100 feet; thence South 46°44'23" West 47.52 feet to the true point of beginning and as shown as the hatched area on the above referenced survey as conveyed by Deed to James and Donna Ankrom recorded March 30, 2016 under Auditor's File No. 201603300031.

- 6. Plat of Evergreen Ridge P.U.D. Phase 1 Division 4 in the County of Kittitas, State of Washington, as per plat thereof recorded in Book 12 of Plats, pages 39 through 41, records of said County.
- 7. That portion of Parcel 2A of that certain survey as recorded April 17, 2006, in Book 32 of Surveys, pages 134 through 137, under Auditor's File No. 200604170033, records of Kittitas County, State of Washington lying within the Southeast Quarter of the Southwest Quarter of Section 1, Township 20 North, Range 14 East, W.M., Kittitas County, State of Washington which is bounded by a line described as follows:

Beginning at the Southeast corner of said Southwest Quarter of said Section 1; thence North 89°11'40" West along the South boundary of said Southwest Quarter, 639.96 feet to the true point of beginning of said line, said point also being the Northeast corner of Lot 9 of the Evergreen Ridge P.U.D. - Phase 1, Division 3 Plat as recorded in Book 11 of Plats at pages 153 and 154, recorded under Auditor's File No. 200806180013, records of Kittitas County, State of Washington; thence North 48°57'08" East, 46.00 feet; thence North 41°02'52" West, 103.89 feet; thence South 48°57'08" West, 161.97 feet more or less to said South boundary of said Southwest Quarter; thence South 89°11'40" East, 155.70 feet to the true point of beginning and terminus of said line as conveyed by Deed to PQD Construction Inc. recorded August 7, 2014 under Auditor's File No. 201408070004.

- 8. That portion of said Parcel 2A lying within Section 1, Township 20 North, Range 14 East, W.M.
- 9. That portion of said Parcel 2A in the Northeast Quarter of the Northwest Quarter of Section 12 lying North of Lots 31 and 32 of Evergreen Ridge P.U.D. Phase 1 Division 2 in the County of Kittitas, State of Washington, as per plat thereof recorded in Book 9 of Plats, pages 227 and 228, records of said County.
- 10. That portion of said Parcel 2A in the Northeast Quarter of the Northwest Quarter of Section 12 lying Northerly, Easterly and Southerly of the Plat of Evergreen Ridge P.U.D. Phase 1, Division 3 in the County of Kittitas, State of Washington, as per plat thereof recorded in Book 11 of Plats, pages 153 and 154, records of said County.

Tract B:

Utility Tract A, Evergreen Ridge P.U.D. Phase 1 - Division 1, in the County of Kittitas, State of Washington, as per plat thereof recorded in Book 9 of Plats, pages 47 and 48.

Title to said real property is vested in:

Teanaway Ridge, L.L.C., a Washington limited liability company

**END OF SCHEDULE A** 

# (SCHEDULE B)

Order No:

226049AM

Policy No:

72156-46305964

Subject to the matters shown below under Exceptions, which Exceptions are not necessarily shown in the order of their priority.

### **EXCEPTIONS:**

- 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: 2018
Tax Type: County

Total Annual Tax: \$4,114.92

Tax ID #: 792534

Taxing Entity: Kittitas County Treasurer

First Installment: \$2,057.46 First Installment Status: Paid

First Installment Due/Paid Date: April 30, 2018

Second Installment: \$2,057.46 Second Installment Status: Due

Second Installment Due/Paid Date: October 31, 2018

Affects: Parcel A

7. Taxes, including any assessments collected therewith, Parcel #20201, for the year 2018 in the amount of \$0.00 which are payable but not delinquent.

Taxes as shown herein include the following exemption(s): Utility Tract Affects: Parcel B

 Liens, levies and assessments of the Mountain Ridge Resort Communities Owner's Association as shown in Declaration of Covenants recorded under Auditor's File No. 200409010047 and 2004092800063 and 200412300040.

Affects: Tract B

- Water connection/hook-up fee as shown in Declaraction of Covenants recorded under Auditor's File No. 200409010047 and 200409280063 and 20041230040.
   Affects: Tract B
- Possible sewer connection fee as shown in Declaration of Covenants recorded under Auditor's File No. 200409010047 and 2004092800063 and 200412300040.
   Affects: Tract B
- 11. The provisions contained in Instrument,

Recorded: September 17, 1906.

Instrument No.: 16604.

As follows: "The grantors hereby grant to the grantee its successors and assigns, the right and power of making and maintaining such air shafts and drains as may be necessary to the working and mining of said coal deposits. The said grantee agrees to make reasonable compensation for damages done to the house and barn of said grantors by the said air shafts, and agrees to maintain said air shafts and drains in proper condition. Access to said air shafts and drains is granted to said grantee its successors, and assigns and agents provided it shall not be made a traveling way. The grantors expressly waive all claims to lateral, adjacent, and subjacent support and agree not to hold the grantee, its successors or assigns liable for any injury to the surface or buildings arising from any depression or subsidence of the surface due to the use of the underlying soil for mining purposes. The grantors agree to maintain necessary drains and to use the surface so as not to interfere with or injure the grantees or its successors' mines, shafts, or tunnels."

Affects: Portion of the Northwest Quarter

12. Reservation of Oil, gas, minerals, or other hydrocarbons, including the terms and provisions contained therein, in deed from Roslyn Fuel Company.

Dated: December 16, 1916

Book: 31 of Deeds, Page 132

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.

13. Reservation of Oil, gas, minerals, or other hydrocarbons, including the terms and provisions contained therein, in deed from The Roslyn Fuel Company.

Dated: December 22, 1927

Book: 46 of Deeds, Page 94

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: County of Kittitas, State of Washington

Purpose: Right of way Dated: May 6, 1931

Book 49 of Deeds, Page 382

15. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:

Granted To: Winston Bros. Co.

Purpose: Easement with rights to drive trucks, maintain electric transmission lines and generally Subdivision Guarantee Policy Number: 72156-46305964

to occupy the surface of the described premises

Recorded: January 16, 1933 Instrument No.: 111285 Volume 52 of Deeds, Page 518

Affects: The West half of said Section 12 and other land

16. Reservation of Oil, gas, minerals, or other hydrocarbons, including the terms and provisions contained therein, in deed from William C. Shaw and Madeline Shaw, his wife, A.W. Klavon and Marion Klavon, his wife, and Frank Watzel and Elizabeth Watzel, his wife.

Recorded: August 15, 1941 Instrument No.: 163358

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.

An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:

Granted To: A. Whitner Allen and Marian R. Allen, his wife

Purpose: Pipeline for water Recorded: June 25, 1964 Instrument No.: 313648 Volume 115, Page 597

Affects: A portion of the Northwest Quarter of the Northwest Quarter of said Section 12 and other land

An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:

Granted To: Robert H. Mason and Greta Mason, his wife; A. Whitner Allen and Marian R. Allen, his wife; Milton C. Young and Violette M. Young, his wife; Orval C. Scott and Geraldine Scott, his wife; Ray E. Cottet and Jean M. Cottet, his wife; Anthony G. Sandona and Loretta M. Sandona, his wife; and Walter F. Miller and Laurita B. Miller, his wife

Purpose: Ingress and egress of an access road

Recorded: April 2, 1965 Instrument No.: 319989 Volume 118, Page 269

Affects: A strip of land 30 feet in width in the Northwest Quarter of the Northwest Quarter of said Section 12, having a total length of 1697.90 feet

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: Orval C. Scott and Geraldine Scott, his wife; Delbert H. Swap and Marion L. Swap, his wife; and Albert Galanti and Leah A. Galanti, his wife

Purpose: Ingress and egress of an access road

Recorded: August 19, 1966 Instrument No.: 332170 Volume 123, Page 50

Affects: A strip of land 30 feet in width in the Northwest Quarter of the Northwest Quarter of said

Section 12, having a total length of 1,245.95 feet

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: Orval C. Scott and Geraldine Scott, husband and wife, and Clarence Anderson, a single person

Purpose: Access road Recorded: October 16, 1968

Instrument No.: 350491 Volume 131, Page 21

Affects: A strip of land 30 feet in width from State Highway No. 903 across the Northwest Quarter

of said Section 12

An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:

Granted To: Sunny Lands Development Corporation

Purpose: Water main pipeline Recorded: May 10, 1971 Instrument No.: 367515

Affects: That portion of said premises in the Southwest Quarter of the Northwest Quarter.

Assignment of Sunny Lands Development Corporation's interest to Pineloch Sun Beach Club, Inc., by instrument recorded under Auditor's File No. 374523.

22. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:

Granted To: Sunny Lands Development Company, a Washington corporation

Purpose: Constructing, installing, repairing, maintaining and operating a water pipe line and all necessary connections and appurtenances thereto and includes the rights of ingress and egress for the purpose of enjoying said easement

Recorded: May 10, 1971 Instrument No.: 367516 Volume 20, Page 261

Affects: A strip of land 10 feet in width affecting that portion of said premises in the Northwest

Quarter of the Northwest Quarter

23. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:

Granted To: Sunny Lands Development Corporation, a Washington corporation

Purpose: A water main pipe line

Recorded: May 10, 1971 Instrument No.: 367517 Volume 20, Page 264

Affects: A strip of land 10 feet in width which lies 5 feet on either side of the centerline as

described in said instrument

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: Robert H. Mason and Greta Mason, his wife

Purpose: Pipeline for water Recorded: October 18, 1972 Instrument No.: 378668 Volume 34, Page 293

Affects: A portion of the Northwest Quarter of the Northwest Quarter of said Section

An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:

Granted To: Delbert Harold Swap and Marion Lenore Swap, his wife, and Albert Galanti and Leah Annette Galanti, his wife

Purpose: Ingress and egress Recorded: December 12, 1972 Instrument No.: 379565

Volume 35, Page 600

Affects: A strip of land 30 feet in width in the Northwest Quarter of the Northwest Quarter of said Section 12, having a total length of 1697.90 feet.

An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:

Granted To: Orval C. Scott and Geraldine Scott, his wife

Purpose: Access road Recorded: October 20, 1975 Instrument No.: 400601 Volume 65, Page 568

Affects: A strip of land 30 feet in width in the Northwest Quarter of the Northwest Quarter of said Section 12, having a total length of 1,697.90 feet

- 27. At the request of the insured, we have agreed to eliminate any reference in the policy to issue as to the pendency of Yakima County Superior Court Cause No. 77-2-01484-5 on the agreed-upon understanding that there are no provisions in said policy which afford, or are intended to afford, insurance that there is a present or continuing right to use surface waters of the Yakima River Drainage Basin. The sole purpose of said paragraph appearing in our Guarantee was to advise the insured that such an action is pending of record and that judgment adjudicating such surface waters are being sought in accordance with the statutes of the State.
- An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:

Granted To: Roslyn Telephone Company, a Washington corporation

Purpose: To construct, reconstruct, operate and maintain a telephone line or system

Recorded: July 2, 1981

Instrument Nos.: 453292, 453293, 453294, 453295

Volume 150, Pages 642 through 645

Affects: The roads within the Northwest Quarter of said Section 12 "more commonly known as the Oddson Development

29. Easement Exchange Agreement and the terms and conditions contained therein Between: Plum Creek Timber Company, Inc., a Delaware corporation, Alpine Veneers, Inc., an Oregon corporation, and the United States National Bank of Oregon

Recorded: August 9, 1984 Volume 209 Page: 379 Instrument No.: 481279

30. Reservation of Oil, gas, minerals, or other hydrocarbons, including the terms and provisions contained therein, in deed from PCTC, Inc., a Delaware Corporation (Formerly known as Plum Creek Timber Company, Inc., and BN Timberlands, Inc.).

Recorded: June 30, 1989 Instrument No.: 521473

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.

31. Agreement and the terms and conditions contained therein

Between:PCTC, Inc., a Delaware corporation (formerly known as Plum Creek Timber Company, Inc., and BN Timberlands, Inc.) as grantors, Plum Creek Timber Company, L.P., as grantee, Meridian Minerals Company, a Montana corporation, as reserved mineral owner and Meridian Oil, Inc., a Delaware corporation, as reserved oil and gas owner.

Recorded: May 31, 1991 Instrument No.: 539737

32. Partial waiver of surface use rights.

Recorded April 8, 1996

Auditor's File No.

199604080028

Executed by :

Meridian Oil. Inc.

An easement including the terms and provisions thereof for the purpose shown below and rights 33. incidental thereto as set forth in instrument:

Granted To: Pineloch Sun Beach Club, Inc.

Purpose: A water pipeline Recorded: September 27, 1999

Instrument Nos.: 199909270010 and 199909270011

Affects: A strip of land 10 feet in width along Double "O" road

An easement including the terms and provisions thereof for the purpose shown below and rights 34 incidental thereto as set forth in instrument:

Granted To: Plum Creek Timber Company, L.P., its successors and assigns

Purpose: Ingress, egress and utilities Recorded: December 30, 1999 Instrument No.: 199912300037

Affects: A strip of land sixty feet in width over an existing road

Said instrument further provides in part as follows:

"Said easement may be relocated and developed at Grantee's expense with the approval of Grantor, which shall not be unreasonably withheld."

Assignment of Easement rights recorded under Auditor's File No. 201412180026

Covenants, conditions and restrictions, but omitting any covenant or restriction based on race, 35. 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: September 1, 2004 Instrument No.: 200409010047

Affects: Tract B

Covenants, conditions and restrictions, but omitting any covenant or restriction based on race, 36. 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: September 28, 2004 Instrument No.: 200409280063

Affects: Tract B

Modification(s) of said covenants, conditions and restrictions

Recorded: September 30, 2005 Instrument No: 200509300132

Affects: Tract B

37. 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: November 19, 2004 Instrument No.: 200411190054

Affects: Tract B

38. 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 30, 2004 Instrument No.: 200412300041

Affects: Tract B

39. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by Evergreen Ridge P.U.D. Phase 1 - Division 1

Recorded: September 7, 2004 Instrument No.: 200409070067

Matters shown:

- a) Note 4 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 five feet on each side
- b) Note 12 which states "an easement is hereby reserved for and conveyed to Puget Sound Energy, Inc., gas company, and electric company, telephone company, and cable company, and their respective successors and assigns under and upon the private street(s), if any; and the exterior ten (10) feet of all lots, tracts and spaces within the plat lying parallel with and adjoining all street(s); in which to construct, operate, maintain, repair, replace and enlarge underground pipes, conduits, cables and wires with all necessary or convenient underground or ground-mounted appurtenances thereto for the purpose of serving this subdivision and other property with electric, gas, telephone, television and other utility service together with the right to enter upon the streets, lots, tracts and spaces at all times for the purposes herein stated c) All other notes contained thereon

Affects: Tract B

40. 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 30, 2004 Instrument No.: 20041230040

Affects: Tract B

An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:

Granted To: DeAnn Reeves, an unmarried individual

Purpose: Ingress and egress Recorded: May 13, 2010 Instrument No.: 201005130006 Affects: A portion of said premises

42. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:

Granted To: Allen and Gayla Barton, husband and wife

Purpose: Ingress and egress Recorded: June 22, 2010 Instrument No.: 201006220030 Affects: A portion of said premises

43. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:

Granted To: Kirk Keppler and Joni Keppler

Recorded: February 17, 2016

Instrument No.: 201602170003 Affects: A portion of said premises

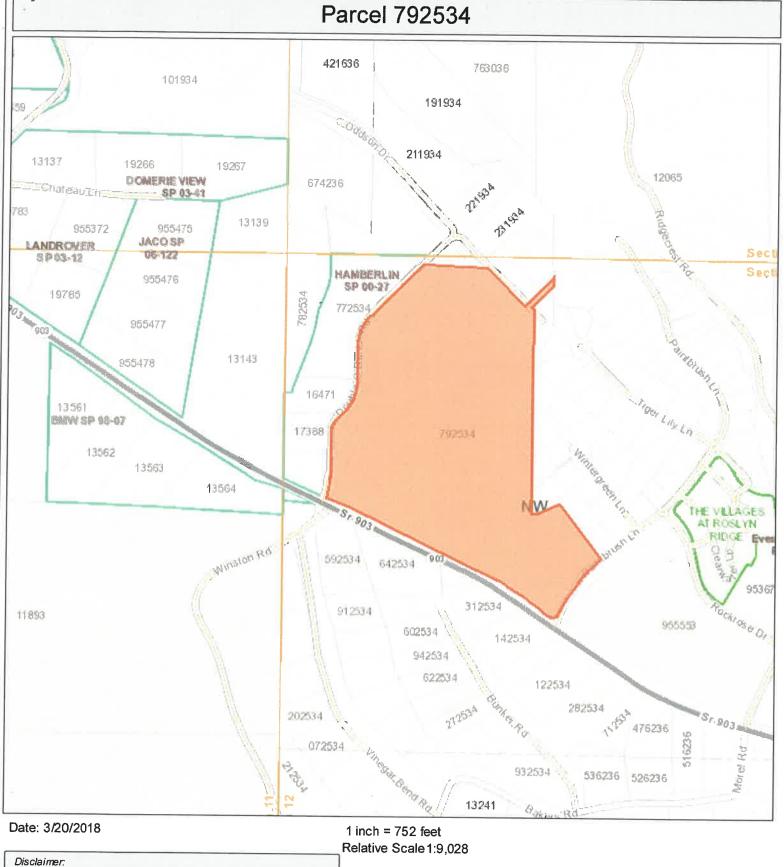
### **END OF EXCEPTIONS**

# Notes:

- a. 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.
- 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: Ptn. Parcel 2A, in Book 32 of Surveys, pages 134 through 137, ptn NW Quarter of Section 12, Township 20 N, Range 14 E, W.M.; and Utility Tract A, EVERGREEN RIDGE PUD, PH 1 DIV 1, Book 9 of Plats, pages 47 and 48.
- c. 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.

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).

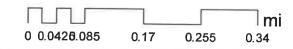
# **END OF GUARANTEE**

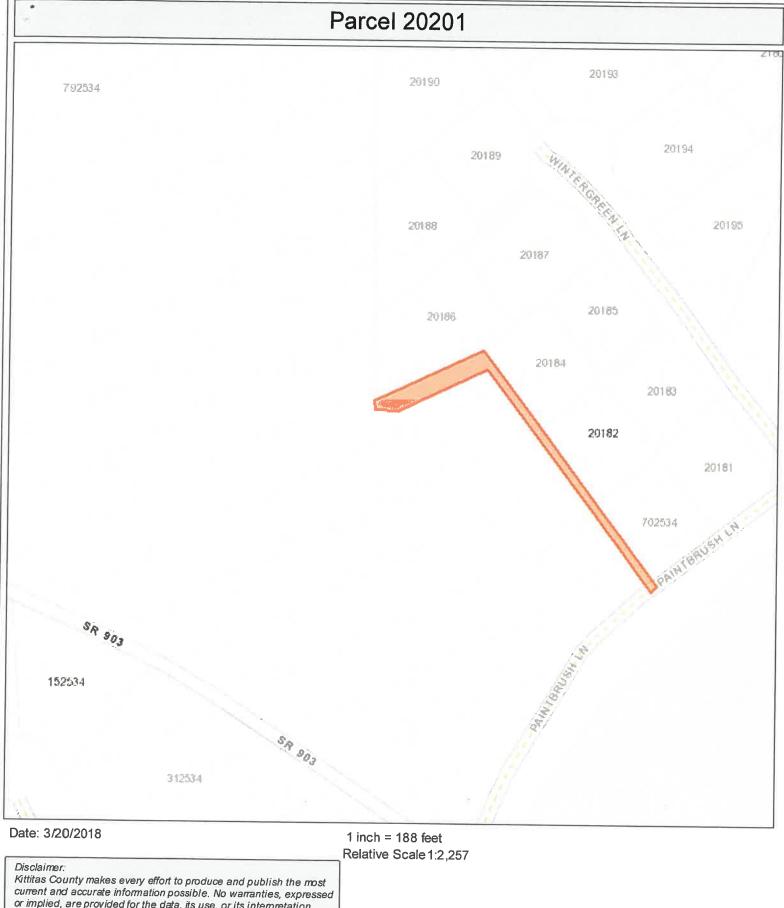


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