

NO. 0099862

LIABILITY 1,000.00

FEE \$ 215.40

CHICAGO TITLE INSURANCE COMPANY

a corporation, herein called the Company,

GUARANTEES

Policy No. 72030- 4333

CRUSE & ASSOCIATES

herein called the Assured, against actual loss not exceeding the liability amount stated above which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

LIABILITY EXCLUSIONS AND LIMITATIONS

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 above.

Dated: OCTOBER 21, 2005 AT 8:00 A.M.

CHICAGO TITLE INSURANCE COMPANY

By


Authorized Signature

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.

Issued by:
AMERITITLE
P.O. BOX 617
101 WEST 5TH AVENUE
ELLENSBURG, WA 98926
(509) 925-1477



SUBDIVISION GUARANTEE

Office File Number : 0099862
Guarantee Number : 48 0035 72030 4333
Dated : August 19, 2005, at 8:00am
Liability Amount : \$ 1,000.00
Premium : \$ 200.00
Tax : \$ 15.40

Your Reference : Rogers

Name of 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:

Lot 5C, of CASASSA CREST NO. 5 SHORT PLAT, Kittitas County Short Plat No. #96-44, as recorded August 15, 1997, in Book E of Short Plats, pages 202 and 203, under Auditor's File No. 199708150044 records of Kittitas County, State of Washington; being a portion of the Southeast Quarter of Section 7, Township 19 North, Range 16 East, W.M. in the County of Kittitas, State of Washington.

Title to said real property is vested in:

FLOYD ALEXIS ROGERS, TRUSTEE OF THE ROGERS PERSONAL RESIDENCE TRUST II DATED OCTOBER 3, 2000

END OF SCHEDULE A

(SCHEDULE B)

File No. 0099862

Guarantee Number: 48 0035 72030 4333

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 for the year 2005 have been paid.
Amount : \$2,577.74
Tax Parcel No. : 19.16.07053.0003 (R12461)
5. 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 June 5, 1958, under Kittitas County Auditor's File No. 270451.
In favor of : The United States of America
For : Power service line and access road
Affects : A 30 foot strip of land for service line and a 14 foot strip of land for access road over and across a portion of said premises lying in Section 7
6. Pendency of Yakima County Superior Court Cause No. 77-2-01484-5, State of Washington, Department of Ecology, Plaintiff, vs. James J. Acquavella, et al, Defendants; notice of which is given by Lis Pendens recorded on October 14, 1977, in Volume 90, page 589, under Kittitas County recording number 417302, and supplemental notice of Lis Pendens recorded June 4, 1980, in Volume 131, page 63, under Auditor's File No. 442263; being an action for the determination of the rights to divert, withdraw, or otherwise make use of the surface waters of the Yakima River Drainage Basin, in accordance with the provisions of Chapters 90.03 and 90.44 Revised Code of Washington. (Attorney for Plaintiff: Charles B. Roe, Jr., Senior Assistant Attorney General)
7. 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 December 14, 1978, under Kittitas County Auditor's File No. 428670.
In favor of : Boise Cascade Corporation, a Delaware corporation
For : Roads
Affects : A strip of land sixty feet in width or wider as may be necessary to accommodate needed cuts and fills over and across a portion of said premises lying in Section 7

(SCHEDULE B)

File No. 0099862

Guarantee Number: 48 0035 72030 4333

8. 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 August 17, 1987, under Kittitas County Auditor's File No. 506734.

In favor of : Puget Sound Power and Light Company, a Washington corporation
For : One or more electric transmission and/or distribution lines
Affects : A right of way 15 feet in width, over, across and under a portion of said premises lying in Section 7

9. Reservations contained in Deed

Executed by : PCTC, Inc., A Delaware corporation (formerly known as Plum Creek Timber Company, Inc., and BN Timberlands, Inc.)

Recorded : June 30, 1989

Auditor's No. : 521473

As follows : Grantors reserves unto itself;

(A)All oils, gas and other hydrocarbons, regardless of gravity and whether produced in liquid or gaseous form (including, without limitation, all gas occurring in coal or lignite seams, beds or deposits, but except as occurring in coal or lignite seams, beds or deposits when vented as a non-commercial substance in conjunction with coal or lignite development or extraction operations) and all substances necessarily produced in association with such oil, gas and other hydrocarbons in, on or under the subject property (such oil, gas and other hydrocarbons, together with such substances, are collectively called "reserved oil and gas"), together with rights of ingress and egress for the purpose of drilling for, exploring for, producing, storing, treating, transporting and processing reserved oil and gas with the right to remove any and all property grantor places on the subject property, provided such rights of ingress and egress shall be subject to the provisions set forth below; and

(B)All minerals, metals and ores of every kind and nature and whether surface or subsurface in, on or under the subject property except for reserved oil and gas and all sources of geothermal energy (such minerals and sources are called the "reserved minerals", and including without limitation and without regard to their intended use of current commercial value:

(1)Coal, lignite, and peat (including gas occurring in coal or lignite seams, beds or deposits to the extent the same is vented as a non-commercial substance in conjunction with coal or lignite development or extraction operations);

(2)Precious metals such as gold and silver and other metals such as copper, iron, lead and zinc;

(3)Industrial minerals, including without limitation talc, calcium carbonate, mica and kaolin;

(4)Fissionable source materials, including without limitation uranium, vanadium and thorium;

(SCHEDULE B)

File No. 0099862

Guarantee Number: 48 0035 72030 4333

(EXCEPTION NO. 9 CONTINUED)

(5) Sand, clay, gravel, aggregate, granite, stone, rock, including without limitation decorative rock and rock of unique character; provided, grantee may use so much of the items described in this clause (5) as it reasonable requires in connection with its use and enjoyment of the subject property or with the construction, maintenance, and repair of roads serving the subject property, so long as the use of such items is incidental to such other uses and is not a primary use;

(6) All other naturally occurring elements, compounds, and substances, whether similar or dissimilar, metallic or non-metallic, in whatsoever form and whether occurring, found, extracted or removed in solid, liquids or gaseous state; and

(7) All of the constituent products of all or any of the foregoing and all other substances necessarily produced in association therewith., Together with rights of ingress and egress for the purpose of prospecting and exploring for reserved minerals by any means, and for the purpose of drilling, extracting, mining, developing, producing, treating and processing reserved minerals by all methods, (including without limitation mining by strip, auger, open pit, in-situ combustion, solution, and underground methods), and of erecting, operating, maintaining and working any mining, extraction, production, treatment or processing facility by all. Procedures, whether such means, methods, or procedures are now known or hereafter discovered, and of taking out, storing, stockpiling, removing transporting and marketing reserved minerals, together with the right to commingle reserved mineral or any other material produced from the subject property with minerals or any other material produced from any other property and to use the subject property for any of the aforesaid activities with respect to such minerals and materials when related to like activities involving reserved minerals.

Except that portion thereof released by deed recorded February 7, 1992 under Auditor's File No. 546455.

Affects : Said premises lying in Section 7

10. Agreement, and the terms and conditions thereof, executed by and between the parties herein named;

Between : PCTC, Inc., a Delaware corporation (formerly known as Plum Creek Timber Company, Inc., and BN Timberlands, Inc.) as Grantors; and 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

Auditor's File No. : 539737

Affects : Said premises lying in Section 7

(SCHEDULE B)

File No. 0099862

Guarantee Number: 48 0035 72030 4333

11. Partial Waiver of Surface Use Rights.
Dated : February 13, 1992
Recorded : April 8, 1996
Auditor's File No. : 199604080028
By : Meridian Oil Inc.
Affects : Said premises lying in Section 7
12. An easement affecting the portion of said premises and for the purposes stated herein, and incidental purposes.
For : Non-exclusive sixty (60) foot wide easement and right-of-way for ingress, egress and utilities
In favor of : Plum Creek Timber Company, L.P., a Delaware limited partnership
Recorded : September 30, 1996
Auditor's File No. : 199609300052
Affects : Portion of said premises lying in Section 7
13. Matters disclosed on the Casassa Crest #5 Short Plat #96-44 recorded August 15, 1997, Book E, Pages 202 and 203, under Auditor's File No. 199708150044, including but not limited to the following:
 - a) Dedication
 - b) Location of private access easement (Palouse Road)
 - c) Notes as contained thereon
14. Declaration, recorded August 22, 1997, under Kittitas County Auditor's File No. 199708220024, but omitting any covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, 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.
15. Water User's Declaration, and the terms and conditions thereof, executed by and between the parties herein named;
Between : Beaconsfield Associates II and General Public
Dated : October 24, 1997
Recorded : October 28, 1997
Auditor's File No. : 199710280028
16. Terms and conditions of the trust under which title is vested.

END OF EXCEPTIONS

Notes:

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.

(SCHEDULE B)

File No. 0099862

Guarantee Number: 48 0035 72030 4333

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

CDF/bj

2cc: Marsha/Cruse & Associates