

Iron Mt. SP-01-129

UPDATED
SUBDIVISION GUARANTEE



Office File Number : 0102498
Guarantee Number : 48 0035 72030 6300
Dated : July 3, 2008, at 8:00am
Liability Amount : \$ 1,000.00
Premium : \$ 200.00
Tax : \$ 15.40

Your Reference : WIDNER/DOSIER

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:

PARCEL 1:

That portion of Parcels A and B of that certain survey as recorded September 18, 1996 in Book 22 of Surveys at pages 79 and 80, under Auditor's File No. 199609180018, records of Kittitas County, State of Washington, which lies westerly of the westerly right of way boundary of the Kittitas Reclamation District right of way; being a portion of the Northwest Quarter of Section 1, Township 19 North, Range 15 East, W.M., in the County of Kittitas, State of Washington.

EXCEPTING therefrom: Parcel 4 of that certain Survey as recorded August 12, 2004, in Book 30 of Surveys, pages 116 and 117, under Auditor's File No. 200408120040, records of Kittitas County, Washington; being a portion of the Northwest Quarter of Section 1, Township 19 North, Range 15 East, W.M., in the County of Kittitas, State of Washington.

PARCEL 2:

A not more than 30 foot wide non-exclusive roadway easement for ingress and egress, along an existing private road (the Western edge of which easement shall coincide with the Western edge of said private road) located near the Eastern boundary of and in the Northeast corner of the Northeast 1/4 of said Section 2, from Pays Road to the Northwest 1/4 of the Northwest 1/4 of said Section 1.

AND

A 20 foot wide non-exclusive roadway easement for ingress and egress, along the West boundary of the North 72.15 acres of Lots 4 and 3 of said Section 1, between the South boundary of said North 72.15 acres and the intersection of said West boundary with the North boundary of an existing private road running from Pays Road, which existing private road is the subject matter of the next above described easement.

Title to said real property is vested in:

PATRICK M. WIDNER, AN UNMARRIED MAN; PHILIP M. WIDNER AND KIMBERLY J. WIDNER, HUSBAND AND WIFE; AND THELMA J. DOSIER AND THE HEIRS AND DEVISEES OF TIMOTHY A. DOSIER DECEASED, AS TO PARCEL A AND THELMA JO DOSIER, TRUSTEE OF THE TIMOTHY A. DOSIER TESTAMENTARY TRUST UNDER WILL DATED OCTOBER 19, 2004, AS TO PARCEL B

END OF SCHEDULE A

(SCHEDULE B)

File No. 0102498

Guarantee Number: 48 0035 72030 6300

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 second half of the year 2008, which become delinquent after October 31, 2008, if not paid.
Amount : \$487.76
Tax No. : 19-15-01000-0004 (385534)

NOTE: First half 2008 taxes and assessments have been paid in the amount of \$487.77.
General taxes and assessments for the full year: \$975.53.

Affects: Portion of Parcel A and other land

General taxes and assessments for the year 2008 have been paid.

Amount : \$64.61
Tax Parcel No. : 19-15-01000-0033 (192836)
Affects : Portion Parcel B

5. 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 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.

6. 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 therefor.

To obtain assessment information, please contact the Kittitas Reclamation District: 509-925-6158.

(SCHEDULE B)

File No. 0102498

Guarantee Number: 48 0035 72030 6300

7. Exceptions and Reservations as contained in Instrument
From : Northern Pacific Railroad Company, a corporation
Dated : November 8, 1900
Recorded : January 8, 1902, in Book 1 of Deeds, Page 498

Said reservation was modified by agreement dated August 7, 1947 and recorded in Book 77 of Deeds, Page 143, as follows:

"Excepting and reserving unto the party of the first part, its successors and assigns, forever, all coal or iron upon or in said lands, together with the use of such of the surface as may be necessary for exploring for and mining or otherwise extracting and carrying away the same; but the Party of the first part, its successors and assigns, they shall pay to the party of the second part, or to his heirs or assigns, the market value at the time mining operations are commenced or such portion of the surface as may be used for such operations, or injured thereby, including any improvements thereon."

The interest excepted above has not been examined and subsequent transactions affecting said interest or taxes levied against same are not reflected in this title report.

8. Amendatory Contract, governing reclamation and irrigation matters;
Parties : The United States of America and the Kittitas Reclamation District
Dated : January 20, 1949
Recorded : May 25, 1949, in Volume 82 of Deeds, page 69
Auditor's File No. : 208267
Affects : Said premises and other lands within the said irrigation district. Said contract governs construction, charges, protection of water rights, irrigation rights, obligations, responsibilities and all related matters.
9. 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)
10. Easement "Q", 20 feet in width as delineated on that certain survey recorded July 13, 1989 in Book 16 of Surveys at Page 37, under Auditor's File No. 521744, Records of Kittitas County, Washington; affecting a portion of Government Lot 4 and the South 1/2 of the Northwest 1/4 of Section 1, Township 19 North, Range 15 East, W.M., Kittitas County, Washington.
11. Easement, and the terms and conditions thereof, affecting a portion of said premises and for the purposes hereinafter stated, as reserved by instrument recorded on January 18, 1990, in Volume 301, page 94, under Kittitas County Auditor's File No. 526545.
For : ingress, egress and utilities

CONTINUED

(SCHEDULE B)

File No. 0102498

Guarantee Number: 48 0035 72030 6300

12. The following note as disclosed on survey recorded July 13, 1989, in Book 16 of Surveys, page 37, under Auditor's File No. 521744.

"An old fence meanders southerly of the true property line varying in proximity from 10' to 100'+."

Affects the Northerly portion of said premises.

13. Easement for electric transmission and distribution line, together with necessary appurtenances, as granted by instrument recorded on April 6, 1990 in Volume 304, Page 391 in the office of the recording officer of Kittitas County, Washington under recording number 528220.

To : Puget Sound Power & Light Company, a Washington corporation
Affects : Ten (10) feet in width having five (5) feet of such width on each side of a centerline as constructed or to be constructed lying within the above described property and other land

14. Easement "C" 20' width, as delineated on Survey recorded July 21, 1992, in Book 18 of Surveys, Page 105, under Auditor's File No. 546065.

15. The effect, if any, of fenceline lying inside the Northerly boundary of said premises as disclosed by Survey recorded September 18, 1996 in Book 22 of Surveys, pages 79 and 80, under Auditor's File No. 199609180018.

16. Easement "R", 40' in width as delineated on Survey recorded September 18, 1996, in Book 22 of Surveys, Pages 79 and 80, under Kittitas County Auditor's File No. 199609180018.

17. Easement, and the terms and conditions thereof, affecting a portion of said premises and for the purposes hereinafter stated, as conveyed by instrument recorded on June 6, 1996, under Kittitas County Auditor's File No. 199606060017.

In favor of : Puget Sound Power & Light Company, a Washington corporation
For : An Easement Area ten (10) feet in width having five (5) feet of such width on each side of the centerline of Grantee's facilities located as constructed or to be constructed, extended or relocated on the above described property
Affects : A strip of land 10' in width. The exact location cannot be determined from the legal description contained therein.

18. Easement, and the terms and conditions thereof, affecting a portion of said premises and for the purposes hereinafter stated, as conveyed by instrument recorded on June 6, 1996, under Kittitas County Auditor's File No. 199606060018.

In favor of : Puget Sound Power & Light Company, a Washington corporation
For : Construction, operation, maintenance, repair, replacement, improvement, removal, enlargement and use of one or more electric distribution systems
Affects : Portion said premises

CONTINUED

(SCHEDULE B)

File No. 0102498

Guarantee Number: 48 0035 72030 6300

19. Declaration of Easement, and the terms and conditions thereof, recorded December 29, 1997, under Auditor's File No. 199712290038, entered into by and between Philip M. Widner and Kimberly J. Widner, husband and wife, and Timothy A. Dosier and Thelma J. Dosier, husband and wife, to establish a non-exclusive forty feet (40') easement for ingress, egress and utilities purposes, over, under and upon a strip of land which is delineated and more particularly described as Easement "R" on that certain survey as recorded September 18, 1996 in Book 22 of Surveys, Page 79, under Auditor's File No. 199609180018, which easement shall run with the land and benefit all said Parcels A, B, C and D. Said instrument further provides as follows: "At such time as any owners or future owners of said Parcels A, B, C or D utilize said easement for roadway purposes then such owners shall equally share in the maintenance of that portion of the roadway used by such owners."
20. Agreement entered into by and between Philip M. Widner and Kimberly J. Widner, husband and wife, Seller, and Robert M. Deter and Molly C. Deter, husband and wife, Purchaser, dated December 1, 1997, recorded December 29, 1997 under Auditor's File No. 199712290040, as to the easements described in Parcels 2 and 3 of the legal description attached to said instrument, as follows:
- "Purchaser/Grantee shall share in the maintenance of that portion of the existing roadway located on Parcels 2 and 3 above, that is used by Purchaser/Grantee, their heirs and assigns, on a prorate basis with all other owners of properties who are legally obligated to share in such maintenance."
21. 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 30, 2000, under Kittitas County Auditor's File No. 200006300048.
- In favor of : Philip M. Widner and Kimberly J. Widner
For : The right to use Easement "R"
Affects : Portion said premises
22. 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 30, 2000, under Kittitas County Auditor's File No. 200006300049.
- In favor of : Timothy A. Dosier and Thelma J. Dosier
For : The right to use Easement "C"
Affects : Portion said premises
23. DEED OF TRUST, and the terms and conditions thereof:
- Grantor : Patrick M. Widner, an unmarried man
Trustee : AmeriTitle
Beneficiary : Philip M. Widner and Kimberly J. Widner, husband and wife, and Timothy A. Dosier and Thelma J. Dosier, husband and wife
Amount : \$126,875.00, plus interest
Dated : March 17, 2005
Recorded : March 30, 2005
Auditor's File No. : 200503300054
Affects : Portion said premises

CONTINUED

(SCHEDULE B)

File No. 0102498

Guarantee Number: 48 0035 72030 6300

24. Terms, covenants, conditions and provisions of a real estate contract recorded January 18, 1990 under Auditor's File No. 526545 and the effect of any failure to comply with the terms, covenants, conditions and provisions thereof.

Said contract provides in part as follows:

"Purchaser agrees to construct a graveled year-round access road and to install a power line to Seller's remaining twenty acres lying adjacent to the Southwest corner of the above described real property, which road and power line shall run along the West 20 feet of the above described real property and shall be completed to Seller's satisfaction by no later than June 30, 1990."

25. Timothy A. Dosier died February 13, 2007 leaving a non-intervention Will admitted to probate October 5, 2007 under Kittitas County Probate Case No. 07-4-00071-2. Thelma Jo Dosier is authorized as Personal Representative to administer the estate without intervention of court and to mortgage, sell and convey or contract to convey decedent's interest in said premises. (Attorney for Estate: Jeffrey D. Winter, P.S.)

Affects Parcel A

26. Maintenance provisions as set forth in Declaration of Nonexclusive Ingress, Egress, and Utility Easements recorded April 30, 2008 under Auditor's File No. 200804300020 between Donald E. Torget and Marie E. Torget, husband and wife and Thelma J. Dosier, Philip M. Widner and Kimberly J. Widner, husband and wife and Patrick M. Widner.

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.

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

AW/kdb/lmc/lam

SUBDIVISION GUARANTEE

Office File Number : 0102498
Guarantee Number : 48 0035 72030 6300
Dated : September 22, 2006, at 8:00am
Liability Amount : \$ 1,000.00
Premium : \$ 200.00
Tax : \$ 15.40

Your Reference : WIDNER/DOSIER

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:

PARCEL 1:

That portion of Parcels A and B of that certain survey as recorded September 18, 1996 in Book 22 of Surveys at pages 79 and 80, under Auditor's File No. 199609180018, records of Kittitas County, State of Washington, which lies westerly of the westerly right of way boundary of the Kittitas Reclamation District right of way; being a portion of the Northwest Quarter of Section 1, Township 19 North, Range 15 East, W.M., in the County of Kittitas, State of Washington.

PARCEL 2:

A not more than 30 foot wide non-exclusive roadway easement for ingress and egress, along an existing private road (the Western edge of which easement shall coincide with the Western edge of said private road) located near the Eastern boundary of and in the Northeast corner of the Northeast 1/4 of said Section 2, from Pays Road to the Northwest 1/4 of the Northwest 1/4 of said Section 1.

AND

A 20 foot wide non-exclusive roadway easement for ingress and egress, along the West boundary of the North 72.15 acres of Lots 4 and 3 of said Section 1, between the South boundary of said North 72.15 acres and the intersection of said West boundary with the North boundary of an existing private road running from Pays Road, which existing private road is the subject matter of the next above described easement.

Title to said real property is vested in:

PATRICK M. WIDNER, AN UNMARRIED MAN; PHILIP M. WIDNER AND KIMBERLY J. WIDNER, HUSBAND AND WIFE; AND TIMOTHY A. DOSIER AND THELMA J. DOSIER, HUSBAND AND WIFE, AS TO PARCEL A AND TIMOTHY A. DOSIER AND THELMA J. DOSIER, HUSBAND AND WIFE, AS TO PARCEL B

END OF SCHEDULE A

RECEIVED

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Kittitas County
CDS

(SCHEDULE B)

File No. 0102498

Guarantee Number: 48 0035 72030 6300

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 second half of the year 2006, which become delinquent after October 31, 2006, if not paid.
Amount : \$569.98
Tax No. : 19-15-01000-0004 (385534)

NOTE: First half 2006 taxes and assessments have been paid in the amount of \$569.98.
General taxes and assessments for the full year: \$1,139.96.

Affects: Parcel A

5. General taxes and assessments for the year 2006 have been paid.
Amount : \$67.79
Tax Parcel No. : 19-15-01000-0033 (192836)
Affects : Portion Parcel B
6. 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 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.

7. 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 therefor.

To obtain assessment information, please contact the Kittitas Reclamation District: 509-925-6158.

(SCHEDULE B)

File No. 0102498

Guarantee Number: 48 0035 72030 6300

8. Exceptions and Reservations as contained in Instrument
From : Northern Pacific Railroad Company, a corporation
Dated : November 8, 1900
Recorded : January 8, 1902, in Book 1 of Deeds, Page 498

Said reservation was modified by agreement dated August 7, 1947 and recorded in Book 77 of Deeds, Page 143, as follows:

"Excepting and reserving unto the party of the first part, its successors and assigns, forever, all coal or iron upon or in said lands, together with the use of such of the surface as may be necessary for exploring for and mining or otherwise extracting and carrying away the same; but the Party of the first part, its successors and assigns, they shall pay to the party of the second part, or to his heirs or assigns, the market value at the time mining operations are commenced or such portion of the surface as may be used for such operations, or injured thereby, including any improvements thereon."

The interest excepted above has not been examined and subsequent transactions affecting said interest or taxes levied against same are not reflected in this title report.

9. Easement, and the terms and conditions thereof, affecting a portion of said premises and for the purposes hereinafter stated, as conveyed by instrument dated April 20, 1944 and recorded in Book 68 of Deeds, Page 85;
In favor of : A. J. Carrico and Anna M. Carrico, husband and wife
For : Underground pipeline for the conveyance of domestic water to and upon the North 72.15 acres of Government Lots 4 and 3 of said Section 1
Affects : South 1/2 of the Northwest 1/4 of said Section 1, and North 1/2 of the Northeast 1/4 of the Southeast 1/4 of said Section 2
10. Easement, and the terms and conditions thereof, affecting a portion of said premises and for the purposes hereinafter stated, as conveyed by instrument dated April 20, 1944 and recorded in Book 68 of Deeds, Page 85;
In favor of : A. J. Carrico and Anna M. Carrico, husband and wife
For : the right to the use of water from a small irrigation ditch for stock purposes
Affects : South 1/2 of the Northwest 1/4 of said Section 1
11. Amendatory Contract, governing reclamation and irrigation matters;
Parties : The United States of America and the Kittitas Reclamation District
Dated : January 20, 1949
Recorded : May 25, 1949, in Volume 82 of Deeds, page 69
Auditor's File No. : 208267
Affects : Said premises and other lands within the said irrigation district. Said contract governs construction, charges, protection of water rights, irrigation rights, obligations, responsibilities and all related matters.

CONTINUED

(SCHEDULE B)

File No. 0102498

Guarantee Number: 48 0035 72030 6300

12. 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)
13. Easement "Q", 20 feet in width as delineated on that certain survey recorded July 13, 1989 in Book 16 of Surveys at Page 37, under Auditor's File No. 521744, Records of Kittitas County, Washington; affecting a portion of Government Lot 4 and the South 1/2 of the Northwest 1/4 of Section 1, Township 19 North, Range 15 East, W.M., Kittitas County, Washington.
14. Easement, and the terms and conditions thereof, affecting a portion of said premises and for the purposes hereinafter stated, as reserved by instrument recorded on January 18, 1990, in Volume 301, page 94, under Kittitas County Auditor's File No. 526545.
For : ingress, egress and utilities
15. The following note as disclosed on survey recorded July 13, 1989, in Book 16 of Surveys, page 37, under Auditor's File No. 521744.

"An old fence meanders southerly of the true property line varying in proximity from 10' to 100'+."

Affects the Northerly portion of said premises.
16. Easement for electric transmission and distribution line, together with necessary appurtenances, as granted by instrument recorded on April 6, 1990 in Volume 304, Page 391 in the office of the recording officer of Kittitas County, Washington under recording number 528220.

To : Puget Sound Power & Light Company, a Washington corporation
Affects : Ten (10) feet in width having five (5) feet of such width on each side of a centerline as constructed or to be constructed lying within the above described property and other land
17. Easement "C" 20' width, as delineated on Survey recorded July 21, 1992, in Book 18 of Surveys, Page 105, under Auditor's File No. 546065.
18. The effect, if any, of fenceline lying inside the Northerly boundary of said premises as disclosed by Survey recorded September 18, 1996 in Book 22 of Surveys, pages 79 and 80, under Auditor's File No. 199609180018.
19. Easement "R", 40' in width as delineated on Survey recorded September 18, 1996, in Book 22 of Surveys, Pages 79 and 80, under Kittitas County Auditor's File No. 199609180018.

CONTINUED

(SCHEDULE B)

File No. 0102498

Guarantee Number: 48 0035 72030 6300

20. Easement, and the terms and conditions thereof, affecting a portion of said premises and for the purposes hereinafter stated, as conveyed by instrument recorded on June 6, 1996, under Kittitas County Auditor's File No. 199606060017.
In favor of : Puget Sound Power & Light Company, a Washington corporation
For : An Easement Area ten (10) feet in width having five (5) feet of such width on each side of the centerline of Grantee's facilities located as constructed or to be constructed, extended or relocated on the above described property
Affects : A strip of land 10' in width. The exact location cannot be determined from the legal description contained therein.
21. Easement, and the terms and conditions thereof, affecting a portion of said premises and for the purposes hereinafter stated, as conveyed by instrument recorded on June 6, 1996, under Kittitas County Auditor's File No. 199606060018.
In favor of : Puget Sound Power & Light Company, a Washington corporation
For : Construction, operation, maintenance, repair, replacement, improvement, removal, enlargement and use of one or more electric distribution systems
Affects : Portion said premises
22. Declaration of Easement, and the terms and conditions thereof, recorded December 29, 1997, under Auditor's File No. 199712290038, entered into by and between Philip M. Widner and Kimberly J. Widner, husband and wife, and Timothy A. Dosier and Thelma J. Dosier, husband and wife, to establish a non-exclusive forty feet (40') easement for ingress, egress and utilities purposes, over, under and upon a strip of land which is delineated and more particularly described as Easement "R" on that certain survey as recorded September 18, 1996 in Book 22 of Surveys, Page 79, under Auditor's File No. 199609180018, which easement shall run with the land and benefit all said Parcels A, B, C and D. Said instrument further provides as follows: "At such time as any owners or future owners of said Parcels A, B, C or D utilize said easement for roadway purposes then such owners shall equally share in the maintenance of that portion of the roadway used by such owners."
23. Agreement entered into by and between Philip M. Widner and Kimberly J. Widner, husband and wife, Seller, and Robert M. Deter and Molly C. Deter, husband and wife, Purchaser, dated December 1, 1997, recorded December 29, 1997 under Auditor's File No. 199712290040, as to the easements described in Parcels 2 and 3 of the legal description attached to said instrument, as follows:

"Purchaser/Grantee shall share in the maintenance of that portion of the existing roadway located on Parcels 2 and 3 above, that is used by Purchaser/Grantee, their heirs and assigns, on a prorate basis with all other owners of properties who are legally obligated to share in such maintenance."
24. 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 30, 2000, under Kittitas County Auditor's File No. 200006300048.
In favor of : Philip M. Widner and Kimberly J. Widner
For : The right to use Easement "R"
Affects : Portion said premises
25. 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 30, 2000, under Kittitas County Auditor's File No. 200006300049.
In favor of : Timothy A. Dosier and Thelma J. Dosier
For : The right to use Easement "C"
Affects : Portion said premises

(SCHEDULE B)

File No. 0102498

Guarantee Number: 48 0035 72030 6300

26. DEED OF TRUST, and the terms and conditions thereof:
- Grantor : Patrick M. Widner, an unmarried man
 - Trustee : AmeriTitle
 - Beneficiary : Philip M. Widner and Kimberly J. Widner, husband and wife, and Timothy A. Dosier and Thelma J. Dosier, husband and wife
 - Amount : \$126,875.00, plus interest
 - Dated : March 17, 2005
 - Recorded : March 30, 2005
 - Auditor's File No. : 200503300054
 - Affects : Portion said premises

27. Terms, covenants, conditions and provisions of a real estate contract recorded January 18, 1990 under Auditor's File No. 526545 and the effect of any failure to comply with the terms, covenants, conditions and provisions thereof.

Said contract provides in part as follows:

"Purchaser agrees to construct a graveled year-round access road and to install a power line to Seller's remaining twenty acres lying adjacent to the Southwest corner of the above described real property, which road and power line shall run along the West 20 feet of the above described real property and shall be completed to Seller's satisfaction by no later than June 30, 1990."

28. Pendency of Superior Court
- Cause No. : 06-2-00238-8
 - Records of : Kittitas County, Washington
 - Plaintiff : Lonny White and Joanne White, husband and wife
 - Defendants : Philip M. Widner and Kimberly J. Widner, husband and wife; and Timothy A. Dosier and Thelma Dosier, husband and wife
 - Action for : Declaratory and Injunctive Relief and Quiet Title to Irrigation Easement under complaint filed
 - On : May 1, 2006
 - Attorney for Plaintiff : Douglas W. Nicholson

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.

CONTINUED

(SCHEDULE B)

(SCHEDULE B)

File No. 0102498

Guarantee Number: 48 0035 72030 6300

NOTES CONTINUED

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

AW/kdb