

CHICAGO TITLE INSURANCE COMPANY
a corporation, herein called the Company,
GUARANTEES

Policy No. WA2011-46-0119037-2013.72030-89853807

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: 09/16/2013

CHICAGO TITLE INSURANCE COMPANY
By Maureen Wyatt
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.

WA2011 0119037
AmeriTitle
503 North Pearl St
Ellensburg, WA 98926

CHICAGO TITLE INSURANCE COMPANY



By: [Signature] President
ATTEST [Signature] Secretary

SUBDIVISION GUARANTEE

Office File Number : 0119037
Guarantee Number : WA2011-46-0119037-2013.72030-89853807
Dated : September 16, 2013, at 8:00 am
Liability Amount : \$ 1,000.00
Premium : \$ 250.00
Tax : \$ 20.00

Your Reference : MARY BRAIN – 906-1/2 VISTA RD., ELLENSBURG, WA 98926

Name of Assured: CRUSE AND 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:

The East 271.2 feet of Tract 84; and the East 70 feet of the West 210 feet of the South 80 feet of Tract 84, STATE ADDITION TO THE CITY OF ELLENSBURG NO. 1, in the County of Kittitas, State of Washington, as per plat thereof recorded in Book 2 of Plats, Page 48, records of said County, and that portion of said Tract 84 which is described as follows:

Beginning at a point on the West boundary line of said Tract, 80 feet North of the Southwest corner thereof; thence North on the West line of said Tract, 23.55 feet to the Southwest corner of PATRICK ADDITION TO THE CITY OF ELLENSBURG, as per plat thereof recorded in Book 3 of Plats, Page 41, records of said County, thence East, along the South line of said addition, and beyond, a distance of 210.0 feet; thence South 23.55 feet; thence West 210.0 feet to the point of beginning;

AND

That part of Tract 84, STATE ADDITION TO THE CITY OF ELLENSBURG NO. 1, in the County of Kittitas, State of Washington, as per plat thereof recorded in Book 2 of Plats, Page 48, records of said County, which is described as follows:

A tract of land bounded by a line beginning at a point on the North boundary line of said Tract, 210.0 feet East of the Northwest corner of said Tract 84, and running East on said North boundary line 134.3 feet; thence South, parallel with the West boundary line of said Tract, 324.29 feet, to a point on the South boundary line of said Tract; thence West on said South boundary line 134.3 feet; and thence North 324.3 feet to the point of beginning;

EXCEPT that portion of said Tract 84 described as follows:

Beginning at a point on the North line of Tract 84, which is 210.0 feet East of the Northwest corner thereof; thence running East 4.00 feet; thence South parallel with the West boundary of said tract, 220.76 feet; thence West 4.0 feet; thence North parallel with the West boundary of said tract, 220.76 feet to the point of beginning.

Title to said real property is vested in:

MARY A. BRAIN, AS HER SEPARATE PROPERTY

END OF SCHEDULE A

(SCHEDULE B)

File No. 0119037

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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. Notice of possible (present and future) tap or connection charges levied, or to be levied, by the City of Ellensburg, notice of which is given by instrument recorded February 3, 1978, under Kittitas County Auditor's File No. 420037.
5. Assessments, maintenance and operating provisions of the Cascade Irrigation District as set forth in Resolution Numbers 01-2006 and 02-2006 recorded February 8, 2006 under Auditor's File Nos. 200602080001 and 200602080002, revised and amended in Resolution Number 04-2008 recorded March 12, 2008 under Auditor's File No. 200803120028.
6. Exceptions and reservations contained in Deed whereby the grantor excepts and reserves all oils, gases, coal, ores, minerals, fossils, etc., and the right of entry for opening, developing and working mines, etc., provided that no rights shall be exercised until provision has been made for full payment of all damages sustained by reason of such entry;
From : The State of Washington
Recorded : August 15, 1949, in Volume 82 of Deeds, page 516
Recording No. : 209978
7. 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 March 29, 1962, in Volume 109, page 709, under Kittitas County Auditor's File No. 295910.
In favor of : Warren O. Kidder and Bernice B. Kidder, husband and wife
For : Joint use of a road
Affects : A portion of said premises
8. 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)

(SCHEDULE B)

File No. 0119037

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7. Overlap as to a strip of land 4.0 feet in width and 220.76 feet in length created by erroneous legal description contained in deed from Lewis W. Brain, a married man, Grantor, to Mary A. Brain, his wife, Grantee, dated May 24, 1996, recorded May 28, 1996 under Auditor's File No. 199605280018, which may create a cloud on title of Deanna R. Kidder, fee owner of Tax Parcel 774034, as described in Statutory Warranty Deed recorded June 29, 2000 under Kittitas County Auditor's File No. 200006290023. Said 4 foot strip had been previously conveyed by Lewis W. Brain and Barbara A. Brain, Grantor, by deed dated March 18, 1960, recorded March 22, 1960, in Book 106, Page 8, under Auditor's File No. 231549.
8. Pre-Annexation Agreement/Outside Utility Agreement/Annexation Covenant, and the terms and conditions thereof, entered into by and between the City of Ellensburg and Mary Brain, Owner, and binding upon their respective heirs, successors and assigns, dated October 29, 1999, recorded November 12, 1999 under Auditor's File No. 199911120045.

END OF EXCEPTIONS

Notes:

1. Suggested abbreviated legal (for use when a standardized cover sheet is required for recording):
Ptn Tract 84, STATE ADDITION TO THE CITY OF ELLENSBURG NO. 1, BOOK 2 / PG 48.
2. General taxes and assessments for the year 2013 have been paid.
Amount : \$2,365.24
Tax Parcel No. : 18-18-36077-0006 (784034)
3. Cascade Irrigation District assessments for the year 2013 have been paid.
Amount : \$145.35
Parcel No. : 784034-100-1
4. 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

MW/hh

1 cc: Marsha / Cruse & Associates