

CHICAGO TITLE INSURANCE COMPANY

Policy No. 72156-48652119

2nd UPDATED GUARANTEE

RECEIVED
APR 23 2025

Kittitas County CDS

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 21, 2025 at 7:30 a.m.

Issued by:

AmeriTitle, LLC

503 N Pearl St., Ste 101

Ellensburg, WA 98926

(509) 925-1477

Hannah Hall

Authorized Signer

CHICAGO TITLE INSURANCE COMPANY



By:

[Signature]

President

ATTEST

[Signature]

Secretary

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

Subdivision Guarantee Policy Number: 72156-48652119

2nd UPDATED SUBDIVISION GUARANTEE

Order No.: 669532AM
Guarantee No.: 72156-48652119
Dated: March 21, 2025 at 7:30 a.m.

Liability: \$1,000.00
Fee: \$350.00
Tax: \$29.05

Your Reference:

Assured: Encompass Engineering & Surveying

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:

See attached Exhibit 'A'

Title to said real property is vested in:

John Michael Curley, a married man presumptively subject to the community interest of Nicolle Kristine Curley, his spouse, as to Tract 1; and
Don C. Miller and Jennifer Miller, husband and wife, as to Parcels A, B, and C

END OF SCHEDULE A

(SCHEDULE B)

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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. 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: 2025
Tax Type: County
Total Annual Tax: \$8,170.28
Tax ID #: 015534
Taxing Entity: Kittitas County Treasurer
First Installment: \$4,085.14
First Installment Status: Due
First Installment Due/Paid Date: April 30, 2025
Second Installment: \$4,085.14
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2025

Tax Year: 2025
Tax Type: County
Total Annual Tax: \$1,665.62
Tax ID #: 025534
Taxing Entity: Kittitas County Treasurer
First Installment: \$832.81

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First Installment Status: Due
First Installment Due/Paid Date: April 30, 2025
Second Installment: \$832.81
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2025

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 therefore.

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

8. Right of way for Cash Ditch as described in Notice of Water Right filed by Oscar Cash on April 14 1891.
9. Reservation of Oil, gas, minerals, or other hydrocarbons, including the terms and provisions contained therein, in deed from Oscar Cash.
Recorded: October 29, 1902
[Book: 7 of Deeds, Page 139](#)
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.
10. Reservation of Oil, gas, minerals, or other hydrocarbons, including the terms and provisions contained therein, in deed from Northwestern Improvement Company, a New Jersey Corporation.
Recorded: February 23, 1906
Book: 12 of Deeds, Page 350
Instrument No.: [14981](#)
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.
11. The provisions contained in deed from the City of Cle Elum,
Recorded: August 3, 1908,
Volume 18 of Deeds, page 31
Instrument No.: [21716](#).
As follows: "Reservation of all water ditches and water rights appurtenant to this property and other land."
12. Reservation of Oil, gas, minerals, or other hydrocarbons, including the terms and provisions contained therein, in deed from Northwestern Improvement Company.
Recorded: November 29, 1941
Book: 64, Page 367
Instrument No.: [165385](#)
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. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Granted To: Town of South Cle Elum
Purpose: The use of an electric power line
Recorded: February 3, 1958
Instrument No.: [268534](#)
Book 101, Page 597
Affects: Portion of the South Half of the Southeast Quarter of said Section 33
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: Town of South Cle Elum
Purpose: The use of an electric power line
Recorded: February 3, 1958
Instrument No.: [268535](#)

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Book 101, Page 585

Affects: Portion of the South Half of the Southeast Quarter of said Section 33

15. Conveyance and Assignment, and the terms and conditions thereof;
Grantee: Puget Sound Power & Light Company
Purpose: To assign easements
Dated: March 13, 1958
Recorded: April 1, 1958, in Volume 102, page 81
Auditor's File No.: [269403](#)
16. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Granted To: The Town of South Cle Elum, a municipal corporation
Purpose: The right to construct, lay, and maintain a water supply pipeline and an easement fifteen feet in width
Recorded: March 22, 1984
Instrument No.: [478067](#)
Affects: A portion of said premises
17. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Granted To: City of Cle Elum, a municipal corporation
Purpose: Ingress, egress and utilities
Recorded: August 19, 1997
Instrument No.: [199708190026](#)
Affects: A portion of said premises
18. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Granted To: The City of Cle Elum
Purpose: Ingress, egress and utilities
Recorded: August 19, 1997
Instrument No.: [199708190028](#)
Affects: A portion of said premises
19. Effect, if any, of a Notice of Title,
From: Timothy Martin
Recorded: February 28, 2022
Instrument No.: [202202280048](#)
20. A Deed of Trust, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:
Amount: \$1,400,000.00
Trustor/Grantor: John Michael Curley, an unmarried man
Trustee: Aldridge Pite LLP
Beneficiary: Mortgage Electronic Registration Systems, Inc. (MERS), solely as nominee for Homebridge Financial Services, Inc.
Dated: July 6, 2022
Recorded: July 8, 2022
Instrument No.: [202207080031](#)
Affects: Said premises and other land
21. A Deed of Trust, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:
Amount: \$250,000.00
Trustor/Grantor: John Michael Curley, a married man presumptively subject to the community interest of Nicole Kristine Curley, his spouse
Trustee: AmeriTitle, LLC
Beneficiary: Cashmere Valley Bank
Dated: April 28, 2023

Recorded: May 3, 2023
Instrument No.: [202305030013](#)
Affects: Said premises and other land

22. Effect, if any, of a Quit Claim Deed,
From: John Michael Curley Jr.
To: John Michael Curley Jr, Trustee of the Curley Separate Property Trust
Recorded: May 18, 2023
Instrument No.: [202305180029](#)
Affects: Said premises and other land

Said conveyance must also be executed by Nicolle Kristine Curley, as grantor.

23. Any right, title and interest, if any, of John Michael Curley Jr, Trustee of the Curley Separate Property Trust,
As disclosed by: Quit Claim Deed
Recorded: May 18, 2023
Instrument No.: [202305180029](#)
24. A pending court action as disclosed by a recorded notice:
Plaintiff: John Michael Curley, Jr, individually and as Trustee of the Curley Separate Property Trust
Defendant: Mark S. Vetter and Amy L. Vetter, husband and wife; Tamara "Tami" Bator, a married person as her separate property; and Jim Miller and Cheryl Miller, husband and wife
Court: Kittitas County Superior Court
Case No.: [24-2-00196-19](#)
Nature of Action: Complain for Declaratory Judgment, Permanent Injunction, and Damages
Filed: June 20, 2024
Affects: Said premises and other land

END OF EXCEPTIONS

Notes:

Note No. 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.

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: Ptns N Half NE Quarter of Section 4, Township 19 N, Range 15 E, W.M., and ptn SE Quarter of Section 33, Township 20 N, Range 15 E, W.M.

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

EXHIBIT 'A'

File No. 669532AM

Tract 1:

That portion of the West 705 feet of the East 1,425 feet of the North Half of the Northeast Quarter of Section 4, Township 19 North, Range 15 East, W.M., in the County of Kittitas, State of Washington, which lies North of the North right of way line of the Kittitas Reclamation District main canal.

PARCEL A:

That portion of the East 720.00 feet of the Southeast Quarter of the Southeast Quarter of Section 33, Township 20 North, Range 15 East, W.M., Kittitas County, State of Washington which lies South of the South boundary of the County Road (Reservoir Canyon Road);

EXCEPT that portion conveyed to the City of Cle Elum by warranty deed recorded under Auditor's File No. 14981.

AND EXCEPT that portion lying Northerly and Easterly of the following described line:

COMMENCING at the Southeast corner of said Section 33;

THENCE North 0°04'54" West along the East line thereof 152.00 feet to To the point of beginning for said line description;

THENCE South 83°05'24" West 334.60 feet

THENCE North 2°29'48" West 41.82 feet more or less to the South boundary of said County Road (Reservoir Canyon Road) and the terminus of said line description.

PARCEL B:

All that part of the Southeast Quarter of the Southeast Quarter of Section 33, Township 20 North, Range 15 East, W.M., in the County of Kittitas, State of Washington, described as follows:

COMMENCING at the Southeast corner of said Section 33; running

THENCE North along the East line thereof, 152 feet to a point;

THENCE South 83° West to the intersection with the South line of said Section 33;

THENCE East along said South line of Section 33 to the place of beginning;

EXCEPTING THEREFROM any portion of the West 705 feet of the East 1,425 feet of the Southeast Quarter of said Section 33.

AND ALSO EXCEPTING any portion lying Easterly of the following described line:

BEGINNING at the Southeast corner of said Section 33;

THENCE running West along the South line of said Section, 318 feet to the true point of beginning of said line;

THENCE running North 05°00'00" West to the intersection of said line with the North line of the above described parcel and the terminus of said line.

PARCEL C:

That portion of the East 720.0 feet of the Northeast Quarter of the Northeast Quarter of Section 4,

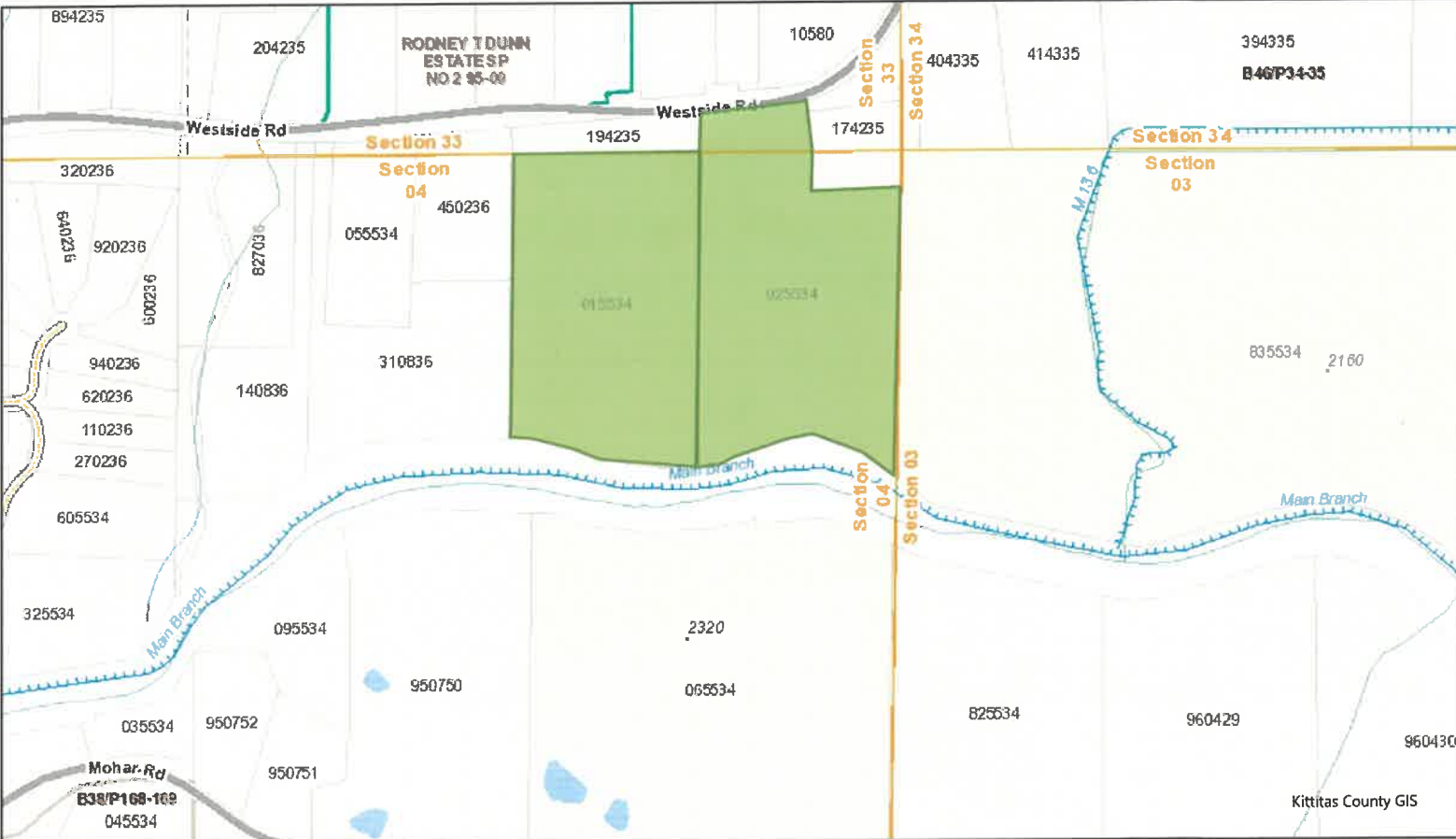
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Township 19 North, Range 15 East, W.M., Kittitas County, State of Washington, which lies North of the North boundary of the Kittitas Reclamation District's main canal (Highline Canal),

EXCEPT the following described tracts of land:

BEGINNING at the Northeast corner of said Section 4;
THENCE running West along said Section line 318 feet;
THENCE running South 5° East 168 feet;
THENCE running North 85° East, 288 feet;
THENCE running North 148 feet to the place of beginning.

Curley/Miller Land



Date: 3/31/2025

Disclaimer:
Kittitas County makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data, its use, or its interpretation. Kittitas County does not guarantee the accuracy of the material contained herein and is not responsible for any use, misuse or representations by others regarding this information or its derivatives.

