

**CHICAGO TITLE INSURANCE COMPANY**

**2<sup>nd</sup> AMENDED GUARANTEE**  
**Guarantee Number 7251247-235120004**

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 ASSUANCES OTHER THAN AS CONTAINED HEREIN, PLEASE CONTACT THE COMPANY FOR FURTHER INFORMATION AS TO THE AVAILABILITY AND COST.

Dated: January 21, 2026

**CHICAGO TITLE INSURANCE COMPANY**

**CHICAGO TITLE INSURANCE COMPANY**

Countersigned By:

*Hannah Hall*  
Authorized Signatory



By: *[Signature]* President  
ATTEST *[Signature]* Secretary

## SCHEDULE A

Your Reference:

Our No. 1031869

Guarantee No. 7251247-235120004

Liability: \$1,000.00

Fee: \$350.00

Sales Tax: \$29.40

1. Name of Assured: Cruse & Associates
2. Date of Guarantee: January 2<sup>nd</sup>, 2026 at 7:30 A.M.

The assurances referred to on the face page are:

That, according to those public records which, 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:

M & M Lowe Family L.L.C., a Washington Limited Liability Company

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://www.klickitatcountytreasurer.org/> or call their office at (509) 962-7535.

Tax Year: 2026  
Tax Type: County  
Total Annual Tax: \$50.48  
Tax ID #: 956132 (Affects: Tract 1, Parcel 1)  
Taxing Entity: Kittitas County Treasurer  
First Installment: \$25.24  
First Installment Status: Due  
First Installment Due/Paid Date: April 30, 2026  
Second Installment: \$25.24  
Second Installment Status: Due  
Second Installment Due/Paid Date: October 31, 2026

Tax Year: 2026  
Tax Type: County  
Total Annual Tax: \$50.48  
Tax ID #: 956133 (Affects: Tract 1, Parcel 2)  
Taxing Entity: Kittitas County Treasurer  
First Installment: \$25.24  
First Installment Status: Due  
First Installment Due/Paid Date: April 30, 2026  
Second Installment: \$25.24  
Second Installment Status: Due  
Second Installment Due/Paid Date: October 31, 2026

Tax Year: 2026  
Tax Type: County  
Total Annual Tax: \$50.48  
Tax ID #: 324633 (Affects: Tract 2, Parcel A)  
Taxing Entity: Kittitas County Treasurer  
First Installment: \$25.24  
First Installment Status: Due  
First Installment Due/Paid Date: April 30, 2026  
Second Installment: \$25.24  
Second Installment Status: Due  
Second Installment Due/Paid Date: October 31, 2026

Tax Year: 2026  
Tax Type: County  
Total Annual Tax: \$50.48  
Tax ID #: 594632 (Affects: Tract 2, Parcel B)  
Taxing Entity: Kittitas County Treasurer  
First Installment: \$25.24  
First Installment Status: Due  
First Installment Due/Paid Date: April 30, 2026  
Second Installment: \$25.24  
Second Installment Status: Due  
Second Installment Due/Paid Date: October 31, 2026

Tax Year: 2026  
Tax Type: County  
Total Annual Tax: \$50.48  
Tax ID #: 644633 (Affects: Tract 2, Parcel C)  
Taxing Entity: Kittitas County Treasurer  
First Installment: \$25.24  
First Installment Status: Due  
First Installment Due/Paid Date: April 30, 2026  
Second Installment: \$25.24  
Second Installment Status: Due  
Second Installment Due/Paid Date: October 31, 2026

Tax Year: 2026  
Tax Type: County  
Total Annual Tax: \$50.48  
Tax ID #: 956122 (Affects: Tract 2, Parcel D)  
Taxing Entity: Kittitas County Treasurer  
First Installment: \$25.24  
First Installment Status: Due  
First Installment Due/Paid Date: April 30, 2026  
Second Installment: \$25.24  
Second Installment Status: Due  
Second Installment Due/Paid Date: October 31, 2026

Tax Year: 2026  
Tax Type: County  
Total Annual Tax: \$50.48  
Tax ID #: 956123 (Affects: Tract 2, Parcel E)  
Taxing Entity: Kittitas County Treasurer  
First Installment: \$25.24  
First Installment Status: Due  
First Installment Due/Paid Date: April 30, 2026  
Second Installment: \$25.24  
Second Installment Status: Due  
Second Installment Due/Paid Date: October 31, 2026

Tax Year: 2026  
Tax Type: County  
Total Annual Tax: \$50.48  
Tax ID #: 956124 (Affects: Tract 2, Parcel F)  
Taxing Entity: Kittitas County Treasurer  
First Installment: \$25.24  
First Installment Status: Due  
First Installment Due/Paid Date: April 30, 2026  
Second Installment: \$25.24  
Second Installment Status: Due  
Second Installment Due/Paid Date: October 31, 2026

Tax Year: 2026  
Tax Type: County  
Total Annual Tax: \$50.48  
Tax ID #: 924633 (Affects: Tract 2, Parcel G)  
Taxing Entity: Kittitas County Treasurer  
First Installment: \$25.24  
First Installment Status: Due  
First Installment Due/Paid Date: April 30, 2026  
Second Installment: \$25.24  
Second Installment Status: Due  
Second Installment Due/Paid Date: October 31, 2026

Tax Year: 2026  
Tax Type: County  
Total Annual Tax: \$50.48  
Tax ID #: 956125 (Affects: Tract 2, Parcel H)  
Taxing Entity: Kittitas County Treasurer  
First Installment: \$25.24  
First Installment Status: Due  
First Installment Due/Paid Date: April 30, 2026  
Second Installment: \$25.24  
Second Installment Status: Due  
Second Installment Due/Paid Date: October 31, 2026

Tax Year: 2026  
Tax Type: County  
Total Annual Tax: \$50.48  
Tax ID #: 956129 (Affects: Tract 3)  
Taxing Entity: Kittitas County Treasurer  
First Installment: \$25.24  
First Installment Status: Due  
First Installment Due/Paid Date: April 30, 2026  
Second Installment: \$25.24  
Second Installment Status: Due  
Second Installment Due/Paid Date: October 31, 2026

Tax Year: 2026  
Tax Type: County  
Total Annual Tax: \$1,344.12  
Tax ID #: 711136 (Affects: Tract 4, Parcel L)  
Taxing Entity: Kittitas County Treasurer  
First Installment: \$672.06  
First Installment Status: Due  
First Installment Due/Paid Date: April 30, 2026  
Second Installment: \$672.06  
Second Installment Status: Due  
Second Installment Due/Paid Date: October 31, 2026

Tax Year: 2026  
Tax Type: County  
Total Annual Tax: \$3,105.08  
Tax ID #: 914633 (Affects: Tract 4, Parcel M)  
Taxing Entity: Kittitas County Treasurer  
First Installment: \$1,552.54  
First Installment Status: Due  
First Installment Due/Paid Date: April 30, 2026  
Second Installment: \$1,552.54  
Second Installment Status: Due  
Second Installment Due/Paid Date: October 31, 2026

7. Communication assessment for the year 2026, which becomes delinquent after April 30, 2026, if not paid.  
Amount: \$35.00  
Parcel No. : 594632 (Affects Tract 2, Parcel B)

Note: This exception is for informational purposes only and will be removed from the final policy as the assessment is not a lien on real property.

8. 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 the 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.

9. 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.

10. Reservation of Oil, gas, minerals, or other hydrocarbons, including the terms and provisions contained therein, in deed from Northern Pacific Railway Company, a corporation.  
Recorded: May 26, 1926  
Book: 43 of Deeds, Page 364  
Instrument No.: [81969](#)  
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. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:  
From: Edwin N. Storms and Helen Storms, husband and wife  
Recorded: September 17, 1941  
Book 60 of Deeds, Page 70  
Instrument No.: [164028](#)  
Affects: Tract 11-B
12. Reservation of Oil, gas, minerals, or other hydrocarbons, including the terms and provisions contained therein, in deed from Northern Pacific Railroad Company.  
Recorded: March 16, 1942  
Book: 67, Page 517  
Instrument No.: [177177](#)  
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. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by survey,  
Recorded: January 3, 2002  
Book: 27 of Surveys Page: 54  
Instrument No.: [200201030018](#)  
Matters shown:  
a) Notes contained thereon  
Affects: Portion of Tract 11-B
14. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by survey,  
Recorded: July 2, 2002  
Book: 27 of Surveys Page: 209  
Instrument No.: [200207020059](#)  
Matters shown:  
a) Location of existing fenceline in relation to perimeter boundaries  
b) Notes contained thereon  
Affects: Portion of Tract 11-B
15. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by survey,  
Recorded: February 12, 2004  
Book: 29 of Surveys Page: 249  
Instrument No.: [200402120031](#)  
Matters shown:  
a) Notes contained thereon  
Affects: Portion of Tract 11-B
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: Dennis Powell and Judy Powell, husband and wife  
Purpose: Existing access road off of Upper Badger Pocket Road  
Recorded: May 23, 2006  
Instrument No.: [200605230005](#)  
Affects: A strip of land, 40.00 feet in width, upon and over a portion of Tract 11-B, to intersect the Southwestern right-of-way boundary of Badger Pocket Road.

17. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by survey,  
Recorded: January 30, 2009  
Book: 36 of Surveys Pages: 12 and 13  
Instrument No.: [200901300015](#)  
Matters shown:
  - a) Easements thereon
  - b) Notes thereon
18. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by survey,  
Recorded: March 5, 2009  
Book: 36 of Surveys Pages: 44 and 45  
Instrument No.: [200903050001](#)  
Matters shown:
  - a) 10' irrigation easement along all lot lines
  - b) Easement W
  - c) All other notes contained thereon
19. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by survey,  
Recorded: April 2, 2009  
Book: 36 of Surveys Pages: 67 and 68  
Instrument No.: [200904020005](#)  
Matters shown:
  - a) Easements thereon
  - b) Ditch shown thereon
  - c) Kittitas Reclamation District Gravity Lateral shown thereon
  - d) Notes thereon
20. Covenants, conditions and restriction, 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: April 14, 2010  
Instrument No.: [201004140003](#)
21. A Mortgage, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:  
Amount \$271,500.00  
Mortgagor: M & M Lowe Family L.L.C., a Limited Liability Company, and Allan B Lowe and Juliana Salume Lowe, a married couple  
Mortgagee: Northwest Farm Credit Services, FLCA  
Recorded: April 29, 2016  
Instrument No.: [201604290044](#)  
Affects: A portion of said premises and other land
22. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by survey,  
Recorded: October 29, 2021  
Book: 44 Page: 75  
Instrument No.: [202110290017](#)  
Matters shown:
  - a) Easement "Z" shown thereon
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: Thomas H. Gorrie and Laverne M. Gorrie, husband and wife  
Purpose: Irrigation pipelines  
Recorded: December 8, 2021  
Instrument No.: [202112080044](#)  
Affects: A portion of said premises

24. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by survey,  
Recorded: July 5, 2023  
Book: 45 of Surveys Page: 174 through 181  
Instrument No.: [202307050012](#)  
Matters shown:  
a) Easement Q (to be established by separate document) as shown thereon  
b) Kittitas Reclamation District Laterals as shown thereon  
c) Drainage channel depicted thereon  
d) Fencelines shown thereon  
e) Notes thereon  
f) Improvements in relation to boundaries as shown thereon  
g) Fencelines in relation to boundaries as shown thereon
25. Agreement and the terms and conditions contained therein  
Between: McCallen & Sons, Inc., a general receiver for Jensen Hay Farms, LLC and certain business operations, assets, and real property of Dennis L. Jensen and Shelly M. Jensen and other Defendants  
And: Ronald M. Graff and Mary M. Graff  
Purpose: Agreement Fixing Boundary Line under RCW 58.04 and Deed  
Recorded: July 17, 2023  
Instrument No.: [202307170043](#)
26. Agreement and the terms and conditions contained therein  
Between: McCallen & Sons, Inc., as general receiver for Jensen Hay Farms, LLC and certain business operations, assets, and real property of Dennis L. Jensen and Shelly M. Jensen and other Defendants  
And: Kenneth E. Jensen and Gail A. Jensen  
Purpose: Agreement Fixing Boundary Line under RCW 58.04 and Deed  
Recorded: July 17, 2023  
Instrument No.: [202307170044](#)
27. A Mortgage to secure an indebtedness as shown below secured thereby:  
Amount \$2,350,000.00  
Mortgagor: M&M Lowe Family L.L.C., a Limited Liability Company, Donald Michael Lowe, aka D. Michael Lowe and Michael Lowe, and Meri D. Lowe, a married couple, and MMB Farm L.L.C., a Limited Liability Company  
Mortgagee: AgWest Farm Credit, FLCA, a corporation  
Dated: June 12, 2023  
Recorded: July 20, 2023  
Instrument No.: [202307200006](#)  
Affects: Said premises and other land
28. An unrecorded lease with certain terms, covenants, conditions and provisions and access rights, as may be set forth therein:  
Lessor: McCallen & Sons, Inc., Court-Appointed Receiver for Jensen Hay Farms LLC  
Lessee: Tyler, Leonard and Canaan Deaton  
Disclosed by: Subordination Agreement  
Recorded: August 25, 2023  
Instrument No.: [202308250037](#)
29. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by survey,  
Recorded: November 30, 2023  
Book: 46 Page: 9 through 15  
Instrument No.: [202311300033](#)  
Matters shown:  
a) Road right of ways  
b) Fencelines  
c) Kittitas Reclamation District laterals  
d) Ditch(es) shown thereon  
e) Notes thereon
30. A portion of the access to said premises is over Kittitas Reclamation District Lateral and therefore, access to said premises is subject to the terms, conditions, regulations and restrictions of the Kittitas Reclamation District.
31. Rights of the State of Washington in and to that portion of said premises, if any, lying in the bed or former bed of the Badger Creek and other unnamed creeks or streams, if it is navigable.
32. Any question of location, boundary or area related to the Badger Creek and other unnamed creeks or streams, including, but not limited to, any past or future changes in it.

33. Any prohibition or limitation on the use, occupancy, or improvements of the Land resulting from the rights of the public, appropriators, or riparian owners to use any waters, which may now cover the Land or to use any portion of the Land which is now or may formerly have been covered by water.
34. Notwithstanding Paragraph 4 of the covered risks of this policy, this policy does not insure against loss arising by reason of any lack of a right of access to and from the land.

We note that said property appears to get access via WPA County Road. However, the ownership and exact location of the road within said Section 17 is not a clear matter of record.

35. A Mortgage to secure an indebtedness as shown below secured thereby:  
Amount \$325,000.00  
Mortgagor: M & M Lowe Family L.L.C., a Washington limited liability company, Donald Michael Lowe, same person as D. Michael Lowe and Michael Lowe, and Meri D. Lowe, a married couple, and MMB Farm L.L.C., a Washington limited liability company  
Mortgagee: AgWest Farm Credit, PCA  
Dated: December 12, 2025  
Recorded: December 29, 2025  
Instrument No.: [202512290078](#)  
Affects: This and other land.

**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: Prcls 1 and 2, Bk 36/pgs 12-13; Prcls A-H, Bk 36/pgs 44-45, and Prcl B4, Bk 36/67; all being ptn E Half Section 17, Township 16N, Range 20E, W.M.; and Prcls L & M, Bk 46/pg. 9-15; being ptn Sections 8 & 17, Township 16N, Range 20E, W.M.
- C. All documents recorded after December 31, 1996 must comply with the "Document Standardization Bill", a summary of which is available on request. Failure to comply with the bill will result in the County Auditor refusing to record document(s) without a specialized cover sheet and an extra \$50.00 recording fee.

**Format:**

Margins to be 3" on top of first page, 1" on sides and bottom, 1" on top, sides and bottom of each succeeding page. Font size of 8 points or larger and paper size of no more than 8 ½" by 14".

No attachments on pages such as stapled or taped notary seals, pressure seals must be smudged.

Information must appear on the first page:

Title or title of document. If assignment or reconveyance reference to auditor's file number of subject deed of trust.

Names of grantor(s) and grantee(s) with reference to additional names on following page(s), if any. Abbreviated legal description (lot, block, plat name or section, township, range and quarter section for unplatted).

Assessor's tax parcel number(s).

Return address which may appear in the upper left.

- D. Additional Requirements and/or exceptions may be added as details of the transaction are disclosed to, or become known by the company.
- E. Pursuant to information previously provided to the Company, we note the following party/parties is/are authorized to sign on behalf of the named entity. In the event of any revision to said authorization, the Company must be notified immediately, and provided with evidence of the identity and authority of any party/parties to execute the forthcoming instrument(s); the Company makes no further commitment pending review of any such evidence.  
Entity: M & M Lowe Family LLC  
Authorized Signatories: Michael Lowe, as Managing Member, and  
Meri D. Lowe, as Managing Member
- F. 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.

G. 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).

## EXHIBIT 'A'

File No. 1031869

### TRACT 1

Parcels 1 and 2, of that certain survey recorded January 30, 2009 in Book 36 of Surveys, pages 12 and 13, under Auditor's File No. [200901300015](#), records of Kittitas County, Washington, being a portion of the East Half of Section 17, Township 16 North, Range 20 East, W.M., in the County of Kittitas, State of Washington.

### TRACT 2

Parcels A, B, C, D, E, F, G and H of that certain survey recorded March 5, 2009 in Book 36 of Surveys, at pages 44 and 45 under Auditor's File No. [200903050001](#), records of Kittitas County, Washington, being a portion of the Northeast Quarter of Section 17, Township 16 North, Range 20 East, W.M., in the County of Kittitas, State of Washington.

### TRACT 3

Parcels B4 of that certain survey recorded April 2, 2009 in Book 36 of Surveys at pages 67-68 under Auditor's File No. [200904020005](#), records of Kittitas County, Washington, being a portion of the East Half of Section 17, Township 16 North, Range 20 East, W.M., in the County of Kittitas, State of Washington.

### TRACT 4:

Parcels L and M of that certain Survey as recorded November 30, 2023, in Book 46 of Surveys, pages 9 through 15, under Auditor's File No. [202311300033](#), records of Kittitas County, Washington; being a portion of Sections 8 and 17, Township 16 North, Range 20 East, W.M., in the County of Kittitas, State of Washington.