

CHICAGO TITLE INSURANCE COMPANY RECEIVED
Policy No. 72156-48322145 SEP 18 2023

Kittitas County CDS

GUARANTEE

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: August 23, 2023

Issued by:
AmeriTitle, LLC
503 N Pearl St., Ste 101
Ellensburg, WA 98926
(509)925-1477

CHICAGO TITLE INSURANCE COMPANY



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

Hannah Hall
Authorized Signer

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

Subdivision Guarantee Policy Number: 72156-48322145

SUBDIVISION GUARANTEE

Order No.: 604875AM
Guarantee No.: 72156-48322145
Dated: August 23, 2023

Liability: \$1,000.00
Fee: \$350.00
Tax: \$29.40

Your Reference:

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:

See attached Exhibit 'A'

Title to said real property is vested in:

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

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. 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: 2023
Tax Type: County
Total Annual Tax: \$3,654.27
Tax ID #: 711136
Taxing Entity: Kittitas County Treasurer
First Installment: \$1,827.14
First Installment Status: Paid
First Installment Due/Paid Date: April 30, 2023
Second Installment: \$1,827.13
Second Installment Status: Paid
Second Installment Due/Paid Date: October 31, 2023

5. Tax Year: 2023
Tax Type: County
Total Annual Tax: \$401.97
Tax ID #: 914633
Taxing Entity: Kittitas County Treasurer
First Installment: \$200.99
First Installment Status: Paid
First Installment Due/Paid Date: April 30, 2023
Second Installment: \$200.98
Second Installment Status: Paid
Second Installment Due/Paid Date: October 31, 2023

Subdivision Guarantee Policy Number: 72156-48322145

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 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.

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. 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 2 Parcel C

9. 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.

10. 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 2 Parcel C

11. 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 2 Parcel C

12. 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 2 Parcel C

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: 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 2, Parcel C, to intersect the Southwestern right-of-way boundary of Badger Pocket Road.
14. 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
15. 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
16. 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
17. 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](#)
18. 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](#)
19. An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein and such other exceptions as may appear necessary upon recording thereof,
Lessor: McCallen & Sons, Inc., a Washington corporation, as receiver for Jensen Hay Farms, LLC
Subdivision Guarantee Policy Number: 72156-48322145

and Dennis L. Jensen and Shelly M. Jensen
Lessee: Tyler, Leonard, and Canaan Deaton
Disclosed by: Assignment and Assumption of Lease dated July __, 2023, granting Lessor's
interest to M&M Lowe Family, L.L.C., a Washington Limited Liability Company, said document
having been disclosed to the Company
Date: April 15, 2023

20. A Mortgage, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:
Amount \$2,621,500.00
Mortgagor: M&M Lowe Family LLC, a 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 LLC
Mortgagee: AgWest Farm Credit, FLCA
Recorded: July 20, 2023
Instrument No.: [202307200006](#)
Affects: Said premises and other land
21. 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.
22. Rights of tenants under existing leases or tenancies, as disclosed by information provided to the company.

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:

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. 604875AM

Tract 1:

The Northwest Quarter of the Northeast Quarter of Section 17, Township 16 North, Range 20 East, W.M., in the County of Kittitas, State of Washington;

EXCEPT:

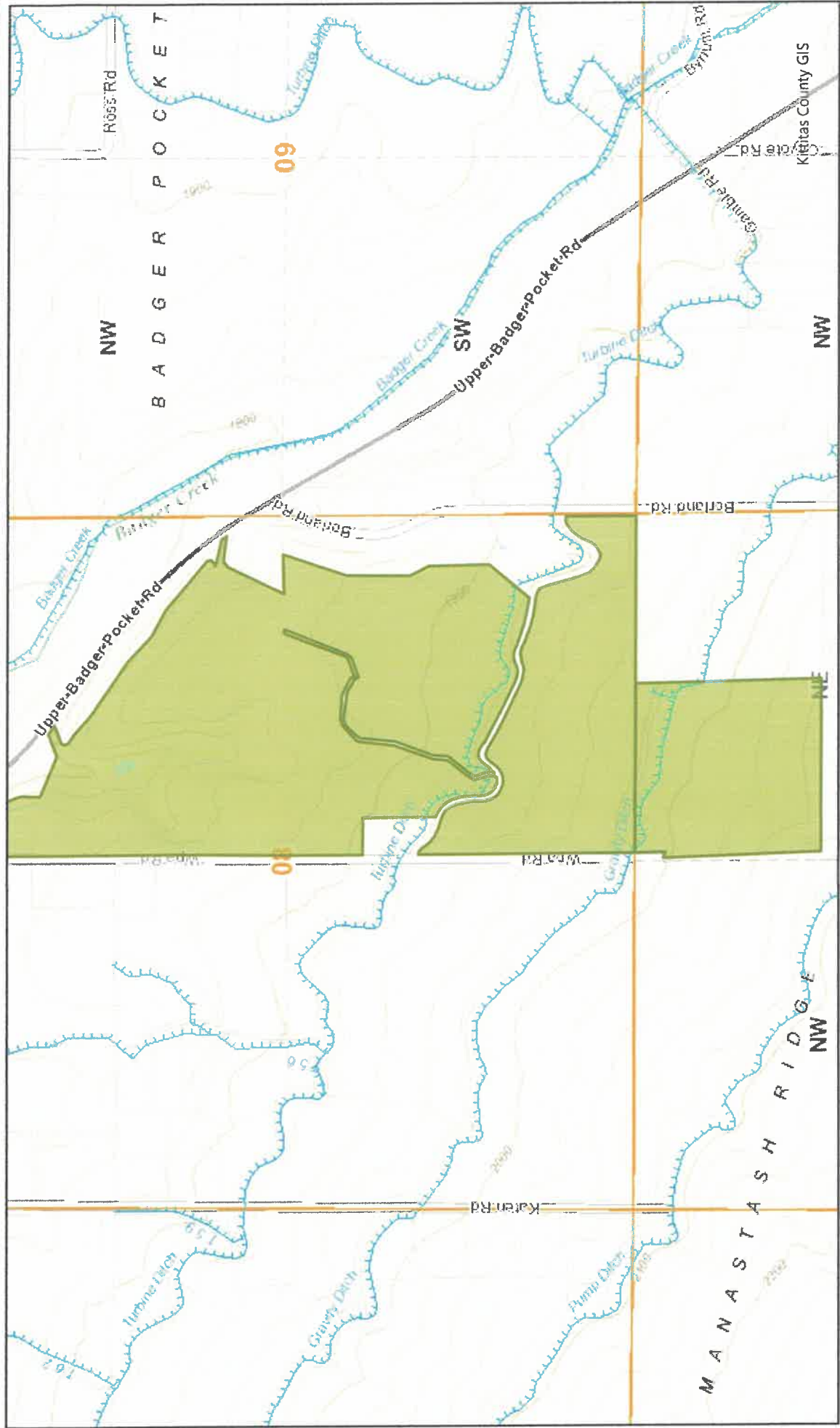
1. Rights of way 50 feet and 30 feet in width for canals in the North Half of the Northeast Quarter of said Section 17, granted to the United States of America, by deed dated June 6, 1932, recorded in Book 52 of Deeds, Page 413, under Kittitas County Recording No. [110567](#);
2. That portion of the Northwest Quarter of the Northeast Quarter of said Section 17 described as follows: Beginning at the Northwest corner of said subdivision, and running thence South, along the midsection line, a distance of 200 feet; thence Easterly, parallel with the North line of said section, 20 feet; thence North, parallel with the midsection line, 200 feet to the North line of said section; thence Westerly, along the North line of said section, 20 feet to the point of beginning;
3. That portion of the North Half of the Northeast Quarter of said Section lying North of the Kittitas Reclamation District Gravity Lateral, and East of Lateral No. 7.4, being more particularly described as follows: Beginning at a post on the North line, and 20 feet West of the Northeast corner of Section 17, being on the West right of way line of county road; thence South 1°03' East, 880.0 feet to the North line of the right of way of Gravity Lateral; thence Northwesterly along the alignment of said lateral to the intersection with Lateral 7.4; thence North 13°36' East along Lateral No. 7.4, 209.8 feet to a point on the North line of Section 17, 15 feet East of the one-sixteenth corner; thence North 88°50' East on the section line 1,297.0 feet to the point of beginning.

Tract 2:

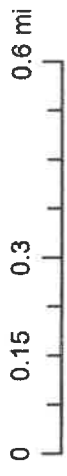
Parcel J of that certain survey recorded July 5, 2023, in Book 45 of Surveys at pages 174 through 181, under Auditor's File No. [202307050012](#), records of Kittitas County, Washington; being a portion of the Northeast and Southeast Quarters of Section 8, Township 16 North, Range 20 East, W.M., in the County of Kittitas, State of Washington.

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691 Borland Rd & WPA Rd



1 inch equals 1,505 feet



Date: 8/23/2023

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.