

# CHICAGO TITLE INSURANCE COMPANY

**Policy No. 72156-48545203**

## 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: June 17, 2024

Issued by:

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

***Steven Dougherty***  
Authorized Signer

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

Subdivision Guarantee Policy Number: 72156-48545203

CHICAGO TITLE INSURANCE COMPANY



By:

*(Signature)*

President

ATTEST

*(Signature)*

Secretary

RECEIVED  
SEP 27 2024

Kittitas County CDS

# **SUBDIVISION GUARANTEE**

Order No.: 640422AM  
Guarantee No.: 72156-48545203  
Dated: June 17, 2024 at 7:30 A.M.

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

Assured: APS Survey & Mapping, Inc. and John Ahlers

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:

Owens Road Storage, LLC, a Washington Limited Liability Company as to Tract A; and Affordable Washington Backflow, LLC, a Washington Limited Liability Company as to Tract B

**END OF SCHEDULE A**

Subdivision Guarantee Policy Number: 72156-48545203

(SCHEDULE B)

Order No: 640422AM  
Policy No: 72156-48545203

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: 2024  
Tax Type: County  
Total Annual Tax: \$4,107.00  
Tax ID #: 344835  
Taxing Entity: Kittitas County Treasurer  
First Installment: \$2,053.50  
First Installment Status: Paid  
First Installment Due/Paid Date: April 30, 2024  
Second Installment: \$2,053.50  
Second Installment Status: Due  
Second Installment Due/Paid Date: October 31, 2024  
Affects: TRACT A

Subdivision Guarantee Policy Number: 72156-48545203

Tax Year: 2022  
Tax Type: County  
Total Annual Tax: \$1,850.94  
Tax ID #: 364835  
Taxing Entity: Kittitas County Treasurer  
First Installment: \$925.47  
First Installment Status: Delinquent  
First Installment Due/Paid Date: April 30, 2022  
Second Installment: \$925.47  
Second Installment Status: Delinquent  
Second Installment Due/Paid Date: October 31, 2022  
Affects: TRACT B

Tax Year: 2023  
Tax Type: County  
Total Annual Tax: \$2,738.06  
Tax ID #: 364835  
Taxing Entity: Kittitas County Treasurer  
First Installment: \$1,369.03  
First Installment Status: Delinquent  
First Installment Due/Paid Date: April 30, 2023  
Second Installment: \$1,369.03  
Second Installment Status: Delinquent  
Second Installment Due/Paid Date: October 31, 2023  
Affects: TRACT B

Tax Year: 2024  
Tax Type: County  
Total Annual Tax: \$2,452.28  
Tax ID #: 364835  
Taxing Entity: Kittitas County Treasurer  
First Installment: \$1,226.14  
First Installment Status: Delinquent  
First Installment Due/Paid Date: April 30, 2024  
Second Installment: \$1,226.14  
Second Installment Status: Due  
Second Installment Due/Paid Date: October 31, 2024  
Affects: TRACT B

**The following affect TRACT A:**

7. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:  
Granted To: Northwestern Improvement Company  
Purpose: Electric transmission line  
Recorded: February 23, 1927  
Instrument No.: [85056](#)  
Volume 45, Page 177
8. Reservation of Oil, gas, minerals, or other hydrocarbons, including the terms and provisions contained therein, in deed from Northwestern Improvement Company.  
Recorded: August 19, 1953  
Volume: 92, Page 217  
Instrument No.: [239172](#)  
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.
9. Relinquishment of right of access to State Highway and of light, view and air, under terms of deed to the State of Washington.  
Recorded: December 24, 1964  
Instrument No.: [317770](#)
10. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:  
Granted To: Puget Sound Power & Light Company  
Purpose: Electric transmission line  
Recorded: September 1, 1967  
Instrument No.: [341380](#)
11. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by survey,  
Recorded: November 22, 2005  
Book: 32 of Surveys, Page: 14  
Instrument No.: [200511220003](#)  
Matters shown:  
a) Location of fenceline in relation to property boundaries  
b) Location of parking area from adjacent property  
c) Location of existing access d) Location of Younger Ditch.
12. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by survey,  
Recorded: July 29, 2019  
Book: 42 of Surveys, Page: 84  
Instrument No.: [201907290035](#)  
Matters shown:  
a) Approximate location of the Younger Irrigation Ditch  
b) Location of a 8'x15' Tank in relation to property boundaries  
c) Northerly edge R/W Interstate I-90
13. The lack of a right of access to and from the Land as a result of the absence of an easement, public right, license or permit to cross the Burlington Northern Santa Fe Railroad.

**The following affect TRACT B:**

14. Right of way for Younger Ditch
15. Reservation of Oil, gas, minerals, or other hydrocarbons, including the terms and provisions contained therein, in deed from Northwestern Improvement Company, a Delaware Corporation.  
Recorded: August 19, 1953  
Book: 92, Page 217  
Instrument No.: [239172](#)  
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.
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: Northwest Fur Breeder's Cooperative, a corporation  
Purpose: Construction, maintenance and use of a roadway  
Recorded: July 6, 1962  
Instrument No.: [297962](#)  
Book 110, Page 377
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: Northwest Fur Breeder's Cooperative, a corporation  
Purpose: Utility poles, lines, wires and pipes, as needed, to supply electricity, telephone, water and other needed utilities to said lands of grantee  
Recorded: December 7, 1962  
Instrument No.: [301271](#)  
Book 111, Page 403
18. Relinquishment of all existing, future or potential easements for access, light, view and air, and all rights of ingress, egress and regress, to, from and between said premises and the highway or highways constructed on lands condemned by proceedings under Kittitas County Superior Court Cause No. 16095;  
By : State of Washington
19. 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  
Purpose: Construction and maintenance of underground water line  
Recorded: December 29, 1978  
Instrument No.: [428987](#)  
Book 109, Page 111
20. 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  
Purpose: Relocating Younger Ditch  
Recorded: December 29, 1978  
Instrument No.: [428990](#)  
Book 109, Page 338
21. 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, Washington  
Purpose: Sewer outfall pipe  
Entered: August 14, 2006  
Case No.: 04-2-00539-9

22. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by survey,  
Recorded: November 22, 2005  
Book: 32 of Surveys, Page: 14  
Instrument No.: [200511220003](#)  
Matters shown:  
a) Location of fenceline in relation to property boundaries  
b) Location of parking area from adjacent property  
c) Location of existing access d) Location of Younger Ditch.
23. Encroachment of parking area onto said premises on the West, as disclosed by Survey recorded November 22, 2005, Book 32, Page 14, under Auditor's File No. [200511220003](#).
24. Any right, title and interest of owner of land adjoining on the West as to that portion of said land between the edge of parking area and the property line, As disclosed by: Book 32 of Surveys, page 14  
Recorded: November 22, 2005  
Instrument No.: [200511220003](#)
25. A Deed of Trust, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:  
Amount: \$380,503.97  
Trustor/Grantor: Affordable Washington Backflow, LLC, a Washington limited liability company  
Trustee: Trustee Services, Inc.  
Beneficiary: Viewcrest Capital, LLC, a Washington limited liability company  
Dated: August 1, 2022  
Recorded: August 22, 2022  
Instrument No.: [202208220037](#)
26. Covenants, conditions and restrictions, 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: February 29, 2024  
Instrument No.: [202402290029](#)
27. This Guarantee makes no assurances, nor makes any representation as to future insurability against lack of access to and from the described Land.

#### END OF EXCEPTIONS

**Notes:**

- a) 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 NW Quarter of the NW Quarter of Section 36, Township 20N, Range 15E, W.M.
- b) Any map or sketch enclosed as an attachment herewith is furnished for informational 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**



## **EXHIBIT 'A'**

File No. 640422AM

### **TRACT A:**

#### **Parcel 1:**

That portion of the Northwest Quarter of the Northwest Quarter of Section 36, Township 20 North, Range 15 East, W.M., in the County of Kittitas, State of Washington, described as follows:

Commencing at the Northwest corner of Section 36; thence Easterly along the North boundary of said Section 36 a distance of 404 feet; thence Southerly and parallel with the West boundary of said Section 36 a distance of 375 feet to the true point of beginning; thence from the true point of beginning Southerly and parallel with the West boundary of said Section 36 a distance of 225 feet; thence Easterly and parallel with the North boundary of said Section 36, a distance of 325 feet; thence Northerly and parallel with the West boundary of said Section 36, a distance of 225 feet; thence Westerly a distance of 325 Feet to the true point of beginning.

EXCEPTING THEREFROM that portion thereof conveyed to State of Washington for Primary State Highway 2 by deed, recorded under Auditor's File No. 317770.

#### **Parcel 2:**

That portion of the Northwest Quarter of the Northwest Quarter of Section 36, Township 20 North, Range 18 East, W.M., in the County of Kittitas, State of Washington, described as follows:

Commencing at the Northwest corner of said Section 36; thence Easterly along the North boundary of said Section 36 a distance of 729 feet; thence Southerly and parallel with the West boundary of said Section 36 a distance of 375 feet to the true point of beginning; thence from the true point of beginning Southerly and parallel with the West boundary of said Section 36 a distance of 225 feet; thence Easterly and parallel with the North boundary of said Section 36 a distance of 50 feet; thence Northerly and parallel with the West boundary of said Section 36 a distance of 225 feet; thence Westerly a distance of 50 feet to the true point of beginning.

### **TRACT B:**

That portion of the Northwest Quarter of the Northwest Quarter of Section 36, Township 20 North, Range 15 East, W.M., in the County of Kittitas, State of Washington; lying North of PSH #2 (SR 90), South of a line 600 feet South of and parallel with the North boundary of the Northwest Quarter of the Northwest Quarter, and West of a line 779 feet East of and parallel with the West boundary of the Northwest Quarter of the Northwest Quarter;

AND

That portion of the Northwest Quarter of the Northwest Quarter of Section 36, Township 20 North, Range 15 East, W.M., in the County of Kittitas, State of Washington; lying North of PSH #2 (SR 90), South of the center line of Younger Ditch, East of a line 779 feet East of and parallel with the West boundary of the said Northwest Quarter.

Subdivision Guarantee Policy Number: 72156-48545203