

CHICAGO TITLE INSURANCE COMPANY

Policy No. 72156-48322170

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: May 14, 2024

Issued by:

AmeriTitle, LLC

503 N Pearl St., Ste 101

Ellensburg, WA 98926


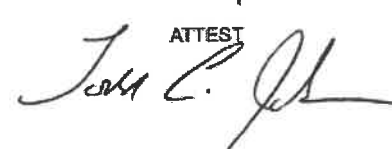
(509)925-1477



Kittitas County CDS



CHICAGO TITLE INSURANCE COMPANY

By: 
President
ATTEST 
Secretary

Kami Sinclair

Authorized Signer

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

Subdivision Guarantee Policy Number: 72156-48322170

SUBDIVISION GUARANTEE

Order No.: 613731AM
Guarantee No.: 72156-48322170
Dated: May 14, 2024

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

Your Reference: 703 Equinox Dr., Cle Elum, WA 98922

Assured: Bill Smith

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:

Cake Box, LLC, a Washington limited liability company

END OF SCHEDULE A

Subdivision Guarantee Policy Number: 72156-48322170

(SCHEDULE B)

Order No: 613731AM
Policy No: 72156-48322170

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: \$3,806.68
Tax ID #: 19964
Taxing Entity: Kittitas County Treasurer
First Installment: \$1,903.34
First Installment Status: Paid
First Installment Due/Paid Date: April 30, 2024
Second Installment: \$1,903.34
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2024

Subdivision Guarantee Policy Number: 72156-48322170

7. Liens, levies and assessments of the Suncadia Residential Owner's Association.
8. Liens, levies and assessments of the Suncadia Community Council.
9. Liens, levies and assessments of the Assessments for Community Enhancement as set forth in Second Amended and Restated Covenant recorded July 20, 2004, under Auditor's File No. [200407200039](#), in the amount of 0.5% of the gross purchase price payable upon any transfer of ownership, unless the transfer is exempt as provided in said covenant

Said instrument provides for the lien of a fee which is due upon transfer of the Land. The transfer-conveyance fee is required to be paid upon any sale, exchange, assignment, option, assignment of lease, transfer, or conveyance of said Land.

10. Reservation of Oil, gas, minerals, or other hydrocarbons, including the terms and provisions contained therein, in deed from Plum Creek Timber Company, L.P., a Delaware Limited Partnership.

Recorded: October 11, 1996

Instrument No.: [199610110015](#)

As follows:

"Excepting therefrom all oil, gas and other hydrocarbons, together with the rights of ingress and egress as reserved in that certain Deed to Plum Creek Timber Company, L.P., from PCTC, Inc. executed on June 21, 1989 and recorded June 30, 1989 in the records of Kittitas County, Washington under Auditor's File No. [521473](#), as such reservation was modified by the certain Partial Waiver of Surface Use Rights dated February 13, 1996 and recorded April 8, 1996, in the records of Kittitas County, Washington, under Auditor's File No. [199604080028](#)."

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. Agreement and the terms and conditions contained therein
Between: Kittitas County, a Washington municipal corporation
And: Suncadia LLC, a Delaware Limited Liability Company
Purpose: Amended and Restated Development Agreement
Recorded: April 16, 2009
Instrument No.: [200904160090](#)

Said document amends and restates the 2000 Agreement recorded October 24, 2000 under Kittitas County Auditor's File No. 200010240006.

Resolution No. 2009-78 adopting the Seventh Amendment to Development Agreement, and the terms and conditions thereof, recorded June 12, 2009, under Auditor's File No. [200906120039](#).

Assignment of Reserved Rights from New Suncadia LLC, a Delaware Limited Liability Company to Suncadia Resort LLC, a Delaware Limited Liability Company, recorded June 21, 2022 under Auditor's File No. [202206210030](#).

12. 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: July 20, 2004

Instrument No.: [200407200037](#)

Modification(s) of said covenants, conditions and restrictions

Recorded: March 17, 2005

Instrument No.: [200503170033](#)

Further modifications of said covenants, conditions and restrictions

Recorded: May 4, 2005

Instrument No.: [200505040002](#)

Further modifications of said covenants, conditions and restrictions

Recorded: April 19, 2006

Instrument No.: [200604190029](#)

Further modifications of said covenants, conditions and restrictions

Recorded: July 19, 2006

Instrument No.: [200607190002](#)

Further modifications of said covenants, conditions and restrictions

Recorded: September 28, 2006

Instrument No.: [200609280022](#)

Assignment and Assumption of said covenants, conditions and restrictions

Recorded: August 4, 2021

Instrument No.: [202108040069](#)

Further modifications of said covenants, conditions and restrictions

Recorded: February 22, 2024

Instrument No.: [202402220020](#)

13. 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: July 20, 2004

Instrument No.: [200407200038](#)

Said document amends documents recorded under Auditor's File No.'s 200308210007, 200311180020 and 200401080027.

Assignment and Assumption of said covenants, conditions and restrictions

Recorded: August 4, 2021

Instrument No.: [202108040069](#)

14. 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: July 20, 2004
Instrument No.: [200407200039](#)
- Modification(s) of said covenants, conditions and restrictions
Recorded: October 27, 2006
Instrument No.: [200610270011](#)
- Assignment and Assumption of said covenants, conditions and restrictions
Recorded: August 4, 2021
Instrument No.: [202108040069](#)
15. The provisions contained in Plat of Mountainstar Phase 1, Division 2 (Plat Alteration), in Book 9 of Plats, pages 157 through 187,
Recorded: June 16, 2005,
Instrument No.: [200506160038](#).
As follows:
a) Notes, Restrictions and Conditions thereon
b) Dedication thereon.
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: Suncadia Water Company & Suncadia Environmental Company, LLC
Purpose: Golf easements, sewer and water easements, trail easements and drainage easements
Recorded: June 16, 2005
Instrument No.: [200506160039](#)
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: Puget Sound Energy, Inc., a Washington corporation
Purpose: Transmission, distribution and sale of electricity and natural gas
Recorded: January 27, 2010
Instrument No.: [201001270024](#)

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: Lot 86-87, MOUNTAINSTAR PHASE 1, DIVISION 2 (Plat Alteration), Book 9 of Plats, pgs 157-187, Book 9 of Plats, pgs 8-38.

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. 613731AM

Lots 86 and 87, of [MOUNTAINSTAR PHASE 1, DIVISION 2 \(Plat Alteration\)](#), in the County of Kittitas, State of Washington, as per plat thereof recorded in Book 9 of Plats, pages 157 through 187, altering plat originally recorded in Book 9 of Plats, pages 8 through 38, records of said County.