

CHICAGO TITLE INSURANCE COMPANY

RECEIVED
MAY 21 2024

Policy No. 72156-48423620

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: March 25, 2024

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]*

ATTEST
[Signature]

President

Secretary

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

Subdivision Guarantee Policy Number: 72156-48423620

SUBDIVISION GUARANTEE

Order No.: 611962AM
Guarantee No.: 72156-48423620
Dated: March 25, 2024

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

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:

Justin Lee Henderson, a single person, and Thomas L. Henderson and Tracy A. Henderson, husband and wife, as to Lot 1;

Robin Bynum, also shown of record as Robin Hull, Robin Haas, and Robin Wheeler, presumptively subject to the community interest of her spouse, if married, as to Lot 2

END OF SCHEDULE A

(SCHEDULE B)

Order No: 611962AM
Policy No: 72156-48423620

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: \$3,718.69
Tax ID #: 705134
Taxing Entity: Kittitas County Treasurer
First Installment: \$1,859.35
First Installment Status: Due
First Installment Due/Paid Date: April 30, 2024
Second Installment: \$1,859.34
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2024

Tax Year: 2024
Tax Type: County
Subdivision Guarantee Policy Number: 72156-48423620

Total Annual Tax: \$3,286.24
Tax ID #: 11960
Taxing Entity: Kittitas County Treasurer
First Installment: \$1,643.12
First Installment Status: Due
First Installment Due/Paid Date: April 30, 2024
Second Installment: \$1,643.12
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2024

7. Communication assessment for the year 2024, which becomes delinquent after April 30, 2024, if not paid.
Amount: \$0.00
Parcel No. : 705134

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. Communication assessment for the year 2024, which becomes delinquent after April 30, 2024, if not paid.
Amount: \$35.00
Parcel No. : 11960

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.

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. 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: May 4, 1998
Instrument No.: [199805040014](#)

11. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by survey,
Recorded: May 13, 1994
Book: 20 of Surveys Page: 43 and 44
Instrument No.: [570757](#)
 - a) Location of fencelines in relation to boundaries
 - b) Location of creek
 - c) Notes thereon

12. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by Wheeler Short Plat,
Recorded: June 16, 1998
Book: E of Short Plats Page: 237 and 238
Instrument No.: [199806160008](#)
Matters shown:

Subdivision Guarantee Policy Number: 72156-48423620

- a) Dedication thereon
 - b) Notes thereon
 - c) Fencelines in relation to boundaries
 - d) Location of Caribou Creek shown thereon
13. A Deed of Trust, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:
Amount: \$149,600.00
Trustor/Grantor: Justin Lee Henderson, a single person and Thomas L. Henderson and Tracy A. Henderson, husband and wife
Trustee: AmeriTitle
Beneficiary: Yakima Federal Savings and Loan Association
Dated: January 9, 2008
Recorded: January 16, 2008
Instrument No.: [200801160035](#)
Affects: Lot 1
14. A Deed of Trust, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:
Amount: \$168,040.00
Trustor/Grantor: Robin L. Hull, a single person, as her separate estate
Trustee: Stewart Title of Kittitas County
Beneficiary: Mortgage Electronic Registration Systems, Inc. (MERS), solely as nominee for Golf Savings Bank, a Washington Stock Savings Bank
Recorded: May 11, 2009
Instrument No.: [200905110064](#)
Affects: Lot 2
- The beneficial interest under said Deed of Trust was assigned of record to Ocwen Loan Servicing LLC, by assignment
Recorded: July 31, 2014
Instrument No.: [201407310035](#)
15. 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 Caribou Creek, if it is navigable.
16. Any question of location, boundary or area related to the Caribou Creek, including, but not limited to, any past or future changes in it.
17. 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.

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.

NOTE 2: We note the title to the following manufactured home located on said premises has been eliminated, as disclosed by Manufactured Home Application for Title Elimination;

Recorded: March 15, 2010

Auditor's File No.: [201003150040](#)

Manufactured Home: 2008 FLTWD 72x68 ORFL748AB31893FE

NOTE 3: We note the title to the following manufactured home located on said premises has been eliminated, as disclosed by Manufactured Home Application for Title Elimination;

Recorded: January 14, 1999

Auditor's File No.: [199901140031](#)

Manufactured Home: 1998 Greenhill 27x66

NOTE 4: 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: Lots 1 & 2 of WHEELER SHORT PLAT, SP 98-04, Bk E/Pg(s) 237-238; being ptn Section 31, Township 18N, Range 20E, 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. 611962AM

Lots 1 and 2 of WHEELER SHORT PLAT, SP 98-04, recorded June 16, 1998, in Book E of Short Plats at Page(s) 237 and 238, under recording number [199806160008](#), records of Kittitas County, State of Washington; being a portion of Section 31, Township 18 North, Range 20 East, W.M., in the County of Kittitas, State of Washington.

WHEELER SHORT PLAT
PART OF SECTION 31, T. 18 N., R. 20 E., W.M.
KITITAS COUNTY, WASHINGTON

RECEIVING NO. 17238-15-0001

SP-98-04

DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT GEORGE R. WHEELER, A SINGLE PERSON, AND DIANA L. GRAND, A MARRIED WOMAN AS HER SEPARATE PROPERTY, THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED REAL PROPERTY, DO HEREBY DECLARE, SUBMIT AND PLAT AS HEREIN DESCRIBED, AND DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL ROADS, STREETS, AVENUES, PLACES OR WHATEVER PUBLIC PROPERTY SHOWN HEREON WHICH SHALL BE MAINTAINED BY THE KITITAS COUNTY DEPARTMENT OF PUBLIC WORKS.

IN WITNESS WHEREOF, WE HAVE SET OUR HANDS THIS 12TH DAY OF June, A.D. 1998.

George R. Wheeler
GEORGE R. WHEELER

Diana L. Grand
DIANA L. GRAND

ACKNOWLEDGEMENT

STATE OF WASHINGTON } ss.
COUNTY OF KITITAS }

THIS IS TO CERTIFY THAT ON THIS 12TH DAY OF June, A.D. 1998, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED GEORGE R. WHEELER, A SINGLE PERSON, TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING DEDICATION AND ACKNOWLEDGED TO ME THAT HE SIGNED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN MENTIONED.

WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR FIRST WRITTEN.

Robin J. Raaf
ROBIN J. RAAF

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, COMMISSION EXPIRES 12/31/99 AT ELLENBURG.

ACKNOWLEDGEMENT

STATE OF WASHINGTON } ss.
COUNTY OF KITITAS }

THIS IS TO CERTIFY THAT ON THIS 12TH DAY OF June, A.D. 1998, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED DIANA L. GRAND, A MARRIED WOMAN AS HER SEPARATE PROPERTY, TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING DEDICATION AND ACKNOWLEDGED TO ME THAT SHE SIGNED THE SAME AS HER FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN MENTIONED.

WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR FIRST WRITTEN.

Robin J. Raaf
ROBIN J. RAAF

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, COMMISSION EXPIRES 12/31/99 AT ELLENBURG.

ORIGINAL PARCEL DESCRIPTION

THAT PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 18 NORTH, RANGE 20 EAST, 3RD. MERIDIAN, OF KITITAS COUNTY, STATE OF WASHINGTON, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER, AT WHICH POINT IS THE TRUE POINT OF BEGINNING, THENCE SOUTH 89°20'37" EAST ALONG THE NORTH LINE OF SAID QUARTER OF QUARTER SECTION 1336.64 FEET, MORE OR LESS, TO THE WEST POINT OF WAY BOUNDARY OF THE COUNTY ROAD; THENCE SOUTH 34°36'30" WEST ALONG SAID RIGHT OF WAY BOUNDARY, 82.57 FEET; THENCE SOUTH 40°17'12" WEST ALONG SAID RIGHT OF WAY BOUNDARY, 178.49 FEET; THENCE SOUTH 23°12'28" WEST ALONG SAID RIGHT OF WAY BOUNDARY, 134.87 FEET; THENCE NORTH 72°39'41" WEST, 1181.34 FEET TO THE TRUE POINT OF BEGINNING.

AND

PARCEL "A" OF THAT CERTAIN SURVEY AS RECORDED MAY 13, 1994 IN BOOK 20 OF SURVEYS, PAGES 43 AND 44, UNDER AUDITOR'S FILE NO. 570757, RECORDS OF KITITAS COUNTY, STATE OF WASHINGTON, BEING A PORTION OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 18 NORTH, RANGE 20 EAST, 3RD., KITITAS COUNTY, STATE OF WASHINGTON.

NOTES

1. THIS SURVEY WAS PERFORMED USING A TOPCON GTS-30 TOTAL STATION. THE CONTROLLING MONUMENTS AND PROPERTY CORNERS SHOWN HEREON WERE LOCATED, STAKED AND CHECKED FROM A CLOSED FIELD TRAVERSE IN EXCESS OF 1:10,000 UNIFORM CLOSURE AFTER AIRMAITH ADJUSTMENT.
2. A PUBLIC UTILITY EASEMENT 10 FEET IN WIDTH IS RESERVED ALONG ALL LOT LINES. THE 10 FOOT EASEMENT SHALL ABUT THE EXISTING PLAT BOUNDARY AND SHALL BE DIVIDED 5 FEET ON EACH SIDE OF INTERIOR LOT LINES. SAID EASEMENT SHALL ALSO BE USED FOR IRRIGATION.
3. FOR SECTION SUBDIVISION, CORNER DOCUMENTATION AND ADDITIONAL SURVEY INFORMATION, SEE BOOK 20 OF SURVEYS, PAGES 43-44, AND THE SURVEYS REFERENCED THEREON. THE BASIS OF ELEVATIONS SHOWN HEREON IS THE SAME AS SAID SURVEY OF RECORD.
4. FOR ROW 1210.140 LANDOWNERS ARE RESPONSIBLE FOR CONTROLLING AND PREVENTING THE SPREAD OF NOXIOUS WEEDS. ACCORDINGLY, THE KITITAS COUNTY NOXIOUS WEED BOARD RECOMMENDS IMMEDIATE RESEEDING OF AREAS DISTURBED BY DEVELOPMENT TO PRECLUDE THE PROLIFERATION OF NOXIOUS WEEDS.
5. ACCORDING TO KITITAS RECLAMATION DISTRICT (KRD) RECORDS, LOT 1 HAS 3 IRRIGABLE ACRES AND LOT 2 HAS 7 IRRIGABLE ACRES. KRD WATER MAY ONLY BE APPLIED TO IRRIGABLE ACRES.
6. FULL PAYMENT OF ANNUAL KRD ASSESSMENT IS REQUIRED REGARDLESS OF THE USE OR NON-USE OF WATER BY THE OWNER.
7. THE LANDOWNERS MUST PROVIDE FOR THE APPOINTMENT OF ONE WATER MASTER FOR EACH TURNOUT, WHO SHALL BE RESPONSIBLE FOR ORDERING WATER FOR THE ENTIRE PLAT. THE WATER MASTER WILL BE RESPONSIBLE FOR KEEPING WATER USE RECORDS FOR EACH LOT, KRD WILL ONLY BE RESPONSIBLE FOR KEEPING RECORDS ON THE TOTAL WATER ORDERED AT THE KRD TURNOUT.
8. KRD OPERATIONS AND MAINTENANCE ROADS ARE FOR DISTRICT USE ONLY. RESIDENTIAL AND RECREATIONAL USE IS PROHIBITED.
9. ANY FURTHER SUBDIVISION OF THESE LOTS MAY RESULT IN FURTHER ACCESS REQUIREMENTS.
10. AN APPROVED ACCESS PERMIT WILL BE REQUIRED FROM THE DEPARTMENT OF PUBLIC WORKS PRIOR TO PERFORMING WORK WITHIN COUNTY ROAD RIGHT OF WAY.
11. MAINTENANCE OF THE ACCESS IS THE RESPONSIBILITY OF THE PROPERTY OWNERS WHO BENEFIT FROM ITS USE.



AUDITOR'S CERTIFICATE

I have compared this plat with the original of the same and find it correct in all respects.
ATTEST: *[Signature]*
REBECCA E. HEDDERLEY, Auditor
KITITAS COUNTY AUDITOR

CRUSE & NELSON
PROFESSIONAL LAND SURVEYORS
217 E. Fourth St.
Ellensburg, WA 98926
(509) 925-4747
P.O. Box 989
(509) 925-4747
WHEELER SHORT PLAT

F/238
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