

SUBDIVISION

Issued By:



CHICAGO TITLE INSURANCE COMPANY

Guarantee/Certificate Number:

500137498

CHICAGO TITLE INSURANCE COMPANY
a corporation, herein called the Company

GUARANTEES

TBD and TBD

herein called 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.

LIABILITY EXCLUSIONS AND LIMITATIONS

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.

Chicago Title Company of Washington
3002 Colby Ave., Suite 200
Everett, WA 98201

Countersigned By:

Brent Aune
Authorized Officer or Agent



Chicago Title Insurance Company

By:

Michael J. Nolan, President

Attest:

Marjorie Nemzura, Secretary

ISSUING OFFICE:
Title Officer: Builder Unit Chicago Title Company of Washington 3002 Colby Ave., Suite 200 Everett, WA 98201 Fax: (866)827-8844 Main Phone: (425)259-8223 Email: evebuilder@ctt.com

SCHEDULE A

Liability	Premium	Tax
\$1,000.00	\$350.00	\$34.65

Effective Date: August 11, 2022 at 08:00 AM

The assurances referred to on the face page are:

That, according to those public records which, under the recording laws, impart constructive notice of matter relative to the following described property:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Title to said real property is [vested in](#):

Smokey Point Holdings LLC, a Wyoming limited liability company, as to Parcels A through E; and
 Ideal Property Investment LLC, a Washington limited liability company, as to Parcel F

subject to the matters shown below under Exceptions, which Exceptions are not necessarily shown in the order of their priority.

END OF SCHEDULE A

EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): [310533-002-022-00](#), [310533-002-023-00](#), [310533-002-024-00](#), [310533-002-025-00](#),
[310533-003-006-00](#) and [310533-002-015-00](#)

PARCEL A:

THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON;

EXCEPT THE EAST 311.5 FEET THEREOF; AND

EXCEPT STATE RIGHT OF WAY ON WEST LINE OF SAID TRACT;

EXCEPT THE WEST 18.00 FEET FOR ROAD RIGHT-OF-WAY CONVEYED TO THE CITY OF MARYSVILLE PER DEED [RECORDING NO. 200709250285](#).

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

PARCEL B:

TRACT 2 OF SNOHOMISH COUNTY SHORT PLAT NO. SP 89 (5-73) RECORDED UNDER AUDITOR'S FILE NUMBER 2295163, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, BEING A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON;

EXCEPT THE WEST 8.00 FEET FOR ROAD RIGHT-OF-WAY CONVEYED TO THE CITY OF MARYSVILLE PER DEED [RECORDING NO. 200709180474](#).

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

PARCEL C:

TRACT 1 OF SNOHOMISH COUNTY SHORT PLAT NO. SP 89 (5-73) RECORDED UNDER AUDITOR'S FILE NUMBER 2295163, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, BEING A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON;

EXCEPT THE WEST 8.00 FEET FOR ROAD RIGHT-OF-WAY CONVEYED TO THE CITY OF MARYSVILLE PER DEED RECORDED UNDER [RECORDING NO. 200709250285](#).

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

PARCEL D:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON;

THENCE EAST ALONG THE NORTH LINE OF THE ABOVE SUBDIVISION FOR 660 FEET;

THENCE SOUTH ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER FOR 495.00 FEET TO POINT OF BEGINNING;

THENCE CONTINUE IN SAME DIRECTION FOR 165 FEET;

THENCE AT RIGHT ANGLE ALONG THE SOUTH LINE OF SUBDIVISION FOR 311.5 FEET;

THENCE NORTH AT RIGHT ANGLE 165 FEET;

THENCE EAST 311.5 FEET TO POINT OF BEGINNING.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

EXHIBIT "A"
Legal Description

PARCEL E:

THAT PORTION OF SECTION 33, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

THE NORTH HALF OF THE FOLLOWING DESCRIBED TRACT:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER;
THENCE SOUTH 98 FEET;
THENCE EAST 430 FEET;
THENCE NORTH 98 FEET;
THENCE WEST 430 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPT 35TH AVENUE N.E.;

EXCEPT THE WEST 20.00 FEET FOR ROAD RIGHT-OF-WAY CONVEYED TO CITY OF MARYSVILLE PER DEED [RECORDING NO. 200709250285](#).

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

PARCEL F:

LOT 1 OF BOUNDARY LINE ADJUSTMENT FILE NO. BLA19-008 RECORDED UNDER AUDITOR'S [FILE NO. 201911215001](#), RECORDS OF SNOHOMISH COUNTY, WASHINGTON, BEING A PORTION OF SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND LOTS 8 AND 9 OF SEARS ADDITION ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 28 OF PLATS, PAGE 72.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

SCHEDULE B

GENERAL EXCEPTIONS

- A. Rights or claims of parties in possession, or claiming possession, not shown by the Public Records.
- B. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
- C. Easements, prescriptive rights, rights-of-way, liens or encumbrances, or claims thereof, not shown by the Public Records.
- D. Any lien, or right to a lien, for contributions to employee benefit funds, or for state workers' compensation, or for services, labor, or material heretofore or hereafter furnished, all as imposed by law, and not shown by the Public Records.
- E. Taxes or special assessments which are not yet payable or which are not shown as existing liens by the Public Records.
- F. 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.
- G. Unpatented mining claims, and all rights relating thereto.
- H. Reservations and exceptions in United States Patents or in Acts authorizing the issuance thereof.
- I. Indian tribal codes or regulations, Indian treaty or aboriginal rights, including easements or equitable servitudes.
- J. Water rights, claims or title to water.

SCHEDULE B

(continued)

SPECIAL EXCEPTIONS

1. No search has been made as to property taxes and assessments. Property taxes and assessments will be searched upon request.

2. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Pacific Telephone and Telegraph Company
Purpose: Poles, with the necessary wires and fixtures
Recording Date: January 31, 1914
[Recording No.:](#) 196964
Affects: Parcel E and other property

The description contained therein is not sufficient to determine its exact location within the property herein described.

3. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Pacific Telephone and Telegraph Company
Purpose: Poles, with the necessary wires and fixtures
Recording Date: January 31, 1914
[Recording No.:](#) 196965
Affects: Parcels A, B, C, D and F

The description contained therein is not sufficient to determine its exact location within the property herein described.

4. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Pacific Telephone and Telegraph Company
Purpose: One anchor with the necessary wires and fixtures
Recording Date: March 15, 1927
[Recording No.:](#) 398817
Affects: As described

5. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Trans Mountain Oil Pipe Line Corporation, a Delaware corporation
Purpose: Pipe lines, together with necessary valves, fittings and protective apparatus, with rights of ingress and egress for the transportation of oil products thereof
Recording Date: July 1, 1957
[Recording No.:](#) 1242974
Affects: Parcel E and other property

The description contained therein is not sufficient to determine its exact location within the property herein described.

SCHEDULE B

(continued)

6. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Trans Mountain Oil Pipe Line Corporation, a Delaware corporation
Purpose: Pipe lines, together with necessary valves, fittings and protective apparatus, with rights of ingress and egress for the transportation of oil products thereof
Recording Date: July 1, 1957
[Recording No.: 1242975](#)
Affects: Parcel D

The description contained therein is not sufficient to determine its exact location within the property herein described.

7. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, dedications, building setback lines, notes, statements, and other matters, if any, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, 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, as set forth on Sears Addition:

Recording No: 2051874
Affects: Parcel F

8. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, dedications, building setback lines, notes, statements, and other matters, if any, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, 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, as set forth on Short Plat No. SP 89 (5-73):

[Recording No: 2295163](#)

Affects: Parcels B and C

9. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Public Utility District No. 1 of Snohomish County
Purpose: Electric transmission and/or distribution line
Recording Date: January 10, 1978
[Recording No.: 7801100383](#)
Affects: Parcel E

10. Notice of Rural Utility Service Area, and of Liability to the City of Marysville for Utility Assessments and Charges and the terms and conditions thereof:

Recording Date: August 12, 1982
[Recording No.: 8208120212](#)

SCHEDULE B

(continued)

11. The provisions of said covenants, conditions and restrictions were extended to include the herein described Land by an instrument

Date of Annexation: October 16, 1986
Recording Date: June 13, 1988
[Recording No.:](#) 8806130106
Affects: Parcel F

12. Any rights, interests or claims which may exist or arise by reason of the following matters disclosed by a survey recorded under Auditor's [File No. 8911015013](#):

Fence line 0.91' North of Parcel A

13. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, dedications, building setback lines, notes, statements, and other matters, if any, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, 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, as set forth on Survey:

[Recording No:](#) 9509205005

Affects: Parcels A, B, C and D

14. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Public Utility District No. 1 of Snohomish County
Purpose: Electric transmission and/or distribution line
Recording Date: March 4, 1996
[Recording No.:](#) 9603040004
Affects: Parcel C

15. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, dedications, building setback lines, notes, statements, and other matters, if any, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, 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, as set forth on Survey:

[Recording No:](#) 200412135216

Said survey replaces and supercedes that survey recorded under [recording no. 200201165006](#).

16. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of Marysville, a municipal corporation
Purpose: State Avenue-116th St. NE to 152nd Street NE Improvement Project, street curb, gutter, sidewalk and utilities construction, reconstructing driveway approaches, blending new improvements to adjacent property contours and existing topographical features, and/or post construction restoration
Recording Date: September 18, 2007
[Recording No.:](#) 200709180475
Affects: 5 feet of Parcel B

SCHEDULE B

(continued)

17. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of Marysville, a municipal corporation
Purpose: State Avenue-116th St. NE to 152nd Street NE Improvement Project, street curb, gutter, sidewalk and utilities construction, reconstructing driveway approaches, blending new improvements to adjacent property contours and existing topographical features, and/or post construction restoration
Recording Date: September 25, 2007
[Recording No.: 200709250286](#)
Affects: Portion of Parcels A, C and E

18. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, dedications, building setback lines, notes, statements, and other matters, if any, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, 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, as set forth on Survey:

[Recording No: 200812015004](#)

19. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, dedications, building setback lines, notes, statements, and other matters, if any, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, 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, as set forth on Boundary Line Adjustment File No. BLA19-008:

[Recording No: 201911215001](#)

Affects: Parcel F

20. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$1,195,566.67
Dated: October 27, 2020
Trustor/Grantor: Smokey Point Holdings LLC and Ideal Property Investments, LLC
Trustee: First American Title Insurance Company
Beneficiary: Cannon GC Exempt LLC
Recording Date: October 27, 2020
[Recording No.: 202010270947](#)
Affects: Parcels A-E

21. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$597,783.33
Dated: October 27, 2020
Trustor/Grantor: Smokey Point Holdings LLC and Ideal Property Investments, LLC
Trustee: First American Title Insurance Company
Beneficiary: Cannon GC Exempt LLC
Recording Date: October 27, 2021
[Recording No.: 202010270948](#)
Affects: Parcels A-E

SCHEDULE B

(continued)

22. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$950,000.00
Dated: December 3, 2019
Trustor/Grantor: Ideal Property Investment LLC
Trustee: Stewart Title Company
Beneficiary: Everett 1 LLC
Recording Date: December 5, 2019
Recording No.: [201912050724](#)
Affects: Parcel F

23. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$1,500,000.00
Trustor/Grantor: Smokey Point Holdings LLC, a Wyoming limited liability company
Trustee: First American Title Insurance Company
Beneficiary: NBC Mergeco Inc.
Recording Date: April 11, 2022
Recording No.: [202204110776](#)
Affects: Parcels A-E

24. Right, title, and interest of Ideal Property Investment LLC for the lands and assessments of Parcels A through E as disclosed by Deeds of Trust recorded under Auditor's [File No. 202010270947](#) and 202010270948.

25. The Company's liability for this report is limited to \$1,000.00. This report is based on the company's property records, and no liability is assumed for items misindexed or not indexed in the public records, or for matters which would be disclosed by an inquiry of the parties in possession or by an accurate survey or inspection of the premises. This report and the legal description given herein are based upon information supplied by the applicant as to the location and identification of the premises in question, and no liability is assumed for discrepancies resulting therefrom. This report does not represent either a commitment to insure title, an examination of, or opinion as to the sufficiency or effect of the matter shown, or an opinion as to the marketability of title to the subject premises.

END OF SCHEDULE B