

# SUBDIVISION

Issued By:



CHICAGO TITLE INSURANCE COMPANY

Guarantee/Certificate Number:

**0276605-ETU - THIRD**

**CHICAGO TITLE INSURANCE COMPANY**  
a corporation, herein called the Company

## GUARANTEES

MacPherson Construction & Design, LLC

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**  
11900 NE 1st St., Suite 110  
Bellevue, WA 98005

Countersigned By:

Nathan Warwick  
Authorized Officer or Agent



**Chicago Title Insurance Company**

By:

Michael J. Nolan, President

Attest:

Marjorie Nemzura, Secretary

**CHICAGO TITLE INSURANCE COMPANY**

<b>ISSUING OFFICE:</b>
Title Officer: Eastside Title Unit Chicago Title Company of Washington 11900 NE 1st St., Suite 110 Bellevue, WA 98005 Main Phone: (425)646-9883 Email: CTIBellevueETU@ctt.com

**SCHEDULE A**

Liability	Premium	Tax
\$1,000.00	\$350.00	\$35.70

Effective Date: October 31, 2024 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:](#)

Cooperville LLC, a Washington limited liability company

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):** [866140-0040-07](#)

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PARCEL A:

LOT 4, TONJA ESTATES, ACCORDING TO THE PLAT THEREOF, RECORDED IN [VOLUME 77 OF PLATS, PAGE 64](#), IN KING COUNTY, WASHINGTON;

TOGETHER WITH AN UNDIVIDED 1/4 INTEREST IN TRACT A OF SAID PLAT;

PARCEL B:

LOT 3, TONJA ESTATES, ACCORDING TO THE PLAT THEREOF, RECORDED IN [VOLUME 77 OF PLATS, PAGE 64](#), IN KING COUNTY, WASHINGTON;

EXCEPT THAT PORTION OF SAID LOT 3, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 3;  
THENCE SOUTH 01° 35' 04" WEST ALONG THE EASTERLY LINE OF LOT 3 A DISTANCE OF 75.31 FEET;  
THENCE NORTH 10° 03' 02" WEST A DISTANCE OF 74.73 FEET;  
THENCE NORTH 76° 21' 57" WEST A DISTANCE OF 10.15 FEET, MORE OR LESS, TO THE NORTH LINE OF SAID LOT 3;  
THENCE SOUTH 88° 24' 56" EAST ALONG SAID NORTH LINE 25.00 FEET TO THE POINT OF BEGINNING, AND THE END OF THIS EXCEPTION;

TOGETHER WITH AN UNDIVIDED 1/7TH INTEREST IN LOT 1 OF SAID PLAT;

AND TOGETHER WITH AN UNDIVIDED 1/4 INTEREST IN TRACT A OF SAID PLAT;

(PARCEL A AND PARCEL B ARE ALSO KNOWN AS THE ROSA LINE REVISION, CITY OF MERCER ISLAND FILE NO. 94-0467, RECORDED UNDER [RECORDING NUMBER 9606139004](#)).

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

## SCHEDULE B

## GENERAL EXCEPTIONS:

H. Reservations and exceptions in United States Patents or in Acts authorizing the issuance thereof.

## GENERAL EXCEPTIONS

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

Granted to: Mercer Island Sewer District, a Municipal corporation  
Purpose: Sewer pipeline and all necessary appurtenances  
Recording Date: June 19, 1964  
[Recording No.:](#) [5750958](#)  
Recording Date: July 8, 1964  
[Recording No.:](#) [5758750](#)  
Affects: A portion of shorelands lying within strip of land 10 feet in width

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

Recording Date: April 23, 1965  
[Recording No.:](#) [5870467](#)  
Purpose: Storm drainage and utilities  
Affects: Westerly 10 feet of Lot 3, Tract A, and other property adjoining Butterworth Road

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

Granted to: City of Mercer Island  
Purpose: Underground storm drain  
Recording Date: April 23, 1965  
[Recording No.:](#) [5870467](#)  
Affects: The North 10 feet of Lot 1 and All of Tract A

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

Granted to: Mercer Island Sewer District, a Municipal Corporation  
Purpose: Underground Rigid Conduits  
Recording Date: May 12, 1965  
[Recording No.:](#) [5878038](#)  
Affects: Portion of Tract A

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

Recording Date: September 11, 1996  
[Recording No.:](#) [9609110173](#)  
Purpose: ingress and egress  
Affects: Portion of Lot 4 described as follows:  
Beginning at the most Westerly corner of said Lot 4, then South 22°26'49" East along the Westerly line of said Lot 4 a distance of 23.56 feet; thence South 73°10'02" East along the Southerly line of said Lot 4 a distance of 35.00 feet; thence North 53°05'50" West a distance of 53.14 feet to the point of beginning.

**SCHEDULE B**

(continued)

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

Granted to: City of Mercer Island  
Purpose: Public storm drainage  
Recording Date: December 29, 2000  
[Recording No.:](#) [20001229000271](#)  
Affects: Southeasterly portion of said premises

7. Easement(s) for the purpose(s) shown below and rights incidental thereto as shown in the document

Recording Date: August 15, 2002  
[Recording No.:](#) [20020815001275](#)  
Purpose: Utilities together with maintenance thereof  
Affects: Southerly portion of said premises

8. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, encroachments, 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 Mercer Island Boundary Line Revision No. M.I. 92-09-43:

[Recording No:](#) [9212299014](#)

9. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, encroachments, 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 the Boundary Line Adjustment No. 94-0467:

[Recording No:](#) [9606139004](#)

10. Exceptions and reservations contained in deed whereby the grantor excepts and reserves all oil, gases, coal, ores, minerals, fossils, etc., and the right of entry for opening, developing and working the same and providing that such rights shall not be exercised until provision has been made for full payment of all damages sustained by reason of such entry

Grantor: State of Washington  
[Recording No.:](#) [1579699](#)

Right of the State of Washington or its successors, subject to payment of compensation, to acquire rights of way for private railroads, skid roads, flumes, canals, water courses or other easements for transporting and moving timber, stone, minerals and other products from this and other land, as reserved in above-referenced deed.

Affects: Second Class Shorelands

**SCHEDULE B**  
(continued)

11. Covenants, conditions, restrictions, liability for assessments, and easements 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, source of income, gender, gender identity, gender expression, medical condition or genetic information, 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 in the document
- Recording Date: April 23, 1965  
[Recording No.:](#) [5870467](#)
12. Agreement, and the terms and conditions thereof:
- Recording Date: December 8, 1955  
[Recording No.:](#) [4644177](#)  
Regarding: Establishing the North boundary line of Second Class Shorelands adjoining Lot 1
13. Agreement, and the terms and conditions thereof:
- Recording Date: August 4, 1977  
[Recording No.:](#) [7708040644](#)  
Regarding: The Building and maintenance of a dock on the Second Class Shorelands
14. Agreement to Remove and Replace Encroachments within Public Right-of-Way, and the terms and conditions thereof:
- Recording Date: November 25, 1997  
[Recording No.:](#) [9711251057](#)
15. Any rights, interests or claims which may exist or arise by reason of the following matters disclosed by an inspection and by survey prepared by M.W. Marshall dated October 5, 1992, under Job No. 1260-E:
- a) Question of the location of a hedge and a chain link fence along a portion of the north boundary line that do not conform to the property line;
  - b) Question of the location of plantings along the west line of the property that do not conform to the property line;
  - c) Question of the location of plantings and vegetation along the south line of the property that do not conform to the property line.

**SCHEDULE B**  
(continued)

16. Any rights, interests, or claims which may exist or arise by reason of the following matters disclosed by survey,
- Job No.: 2024-003  
 Dated: March 21, 2024  
 Prepared by: Cascade Land Surveying
- a) Question of the location of a hedge, a chain link fence and one foot wood wall along a portion of the north boundary line that do not conform to the property line;  
 b) Question of the location of plantings and landscaping along the west line of the property that do not conform to the property line;  
 c) Question of the location of plantings and vegetation along the south line of the property that do not conform to the property line.  
 d) Question of the location of asphalt driveway serving property to the south that crosses over southerly boundary  
 e) Question of the location of gravel pathway, rockery wall and pond that do not conform to south property line  
 f) Question of the location of dock appurtenant to northerly property that crosses over northeast property corner.  
 This matter appears to be covered by property line agreement under 7708040644
17. Any question that may arise due to shifting and changing in the course, boundaries or high water line of Lake Washington.
18. Rights of the State of Washington in and to that portion, if any, of the Land which lies below the line of ordinary high water of Lake Washington.
19. Any prohibition or limitation of use, occupancy or improvement of the Land resulting from the rights of the public or riparian owners to use any portion which is now or was formerly covered by water.
20. Paramount rights and easements in favor of the United States for commerce, navigation, fisheries and the production of power.
21. General and special taxes and charges, payable February 15, delinquent if first half unpaid on May 1, second half delinquent if unpaid on November 1 of the tax year (amounts do not include interest and penalties):
- Year: 2024  
Tax Account No.: [866140-0040-07](#)  
 Levy Code: 1031  
 Assessed Value-Land: \$8,936,000.00  
 Assessed Value-Improvements: \$9,516,000.00
- General and Special Taxes:  
 Billed: \$126,964.97  
 Paid: \$126,964.97  
 Unpaid: \$0.00

**SCHEDULE B**  
(continued)

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

Amount: \$4,000,000.00  
Dated: April 11, 2024  
Trustor/Grantor: Cooperville LLC, a Washington limited liability company  
Trustee: Chicago Title Company of Washington  
Beneficiary: Sound Community Bank  
Loan No.: Not Disclosed  
Recording Date: April 16, 2024  
[Recording No: 20240416000640](#)

NOTES:

Note: FOR INFORMATIONAL PURPOSES ONLY:

The following may be used as an abbreviated legal description on the documents to be recorded, per Amended RCW 65.04.045. Said abbreviated legal description is not a substitute for a complete legal description within the body of the document:

PTN LTS. 3, ALL OF LT. 4, TONJA ESTATES AKA THE ROSA LINE REVISION NO. 9606139004  
[Tax Account No.: 866140-0040-07](#)

Note: The Public Records indicate that the address of the improvement located on said Land is as follows:

5330 Butterworth Rd  
Mercer Island, WA 98040

**END OF SCHEDULE B**