

PARCEL NO.: EL1401029

ACCT. NO.: R052626

LITIGATION/TRUSTEE'S SALE/CONTRACT FORFEITURE GUARANTEE

SCHEDULE A

| | | | | |
|---|---------------------------------------|--|---|----------------------------|
| Office File Number CTL4173 Ref. No.: | Policy Number LTSG 08046697 | Date of Policy June 20, 2017 at 8:00 AM | Amount of Insurance \$31,300.00 | Premium \$527.00 |
|---|---------------------------------------|--|---|----------------------------|

1. Assured:

COWLITZ COUNTY TREASURER

2. The estate or interest in the land hereinafter described or referred to covered by this Guarantee is:

FEE SIMPLE

3. Title to the estate or interest in the land is vested in:

W. C. GAHAN AND MARTHA S. GAHAN, HUSBAND AND WIFE

4. The land referred to in this Guarantee is situated in the State of **WASHINGTON**, County of **Cowlitz**, and is described as follows:

SEE ATTACHED EXHIBIT "A"

LITIGATION/TRUSTEE'S SALE/CONTRACT FORFEITURE GUARANTEE

INFORMATION FOR THE ASSURED

1. THIS GUARANTEE IS RESTRICTED TO THE USE OF THE ASSURED SOLELY FOR THE PURPOSE OF PROVIDING INFORMATION TO FACILITATE THE COMMENCEMENT OF A SUIT AT LAW, THE FORFEITURE OF A REAL ESTATE CONTRACT PURSUANT TO RCW 61.30, OR FORECLOSURE PURSUANT TO RCW 61.24 OF A MORTGAGE DESCRIBED IN SCHEDULE B, AFFECTING THE LAND DESCRIBED IN SCHEDULE A. THE COMPANY SHALL HAVE NO LIABILITY FOR ANY RELIANCE HEREON EXCEPT FOR THE PURPOSE FOR WHICH THIS GUARANTEE IS ISSUED. THIS GUARANTEE IS NOT A COMMITMENT NOR AN OBLIGATION BY THE COMPANY TO ISSUE ANY POLICY OR POLICIES OF TITLE INSURANCE INSURING SAID LAND, AND IT IS NOT TO BE USED AS A BASIS FOR CLOSING ANY TRANSACTION AFFECTING TITLE TO SAID LAND.
2. UPON REQUEST WITHIN 60 DAYS FROM THE EFFECTIVE DATE OF THIS GUARANTEE, THE COMPANY WILL EXTEND THE EFFECTIVE DATE OF THIS GUARANTEE BY ENDORSEMENT TO INCLUDE THE FILING OF ANY COMPLAINT AND RECORDING OF NOTICE OF LIS PENDENS, RECORDING OF NOTICE OF INTENT TO FORFEIT REAL ESTATE CONTRACT, OR RECORDING OF NOTICE OF TRUSTEE'S SALE. SUCH AN ENDORSEMENT WILL SHOW AS ADDITIONAL EXCEPTIONS, AND THEREFORE EXCLUDE FROM COVERAGE, THOSE MATTERS ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE OF THE GUARANTEE BUT PRIOR TO THE ISSUANCE OF THE ENDORSEMENT.
3. UPON REQUEST ON THE 30TH DAY PRECEDING THE DATE SET FOR THE FORFEITURE OF REAL ESTATE CONTRACT, OR TRUSTEE'S SALE, THE COMPANY WILL ISSUE AN ENDORSEMENT IDENTIFYING FEDERAL TAX LIENS, IF ANY, AFFECTING THE LAND DESCRIBED IN SCHEDULE A. THE RESPONSIBILITY, HOWEVER, FOR DETERMINING THE 30TH DAY BEFORE THE SALE OR FORFEITURE, AND FOR MAKING THE REQUEST ON THAT SAME DAY, IS BORNE BY THE ASSURED.
4. THE COMPANY MAY, BUT IS NOT OBLIGATED TO, ISSUE ADDITIONAL ENDORSEMENTS EXTENDING THE EFFECTIVE DATE OF THE GUARANTEE AT THE REQUEST OF THE ASSURED. THE FEE FOR SUCH ENDORSEMENTS WILL BE CHARGED ACCORDING TO THE COMPANY'S FILED RATE SCHEDULE FOR SUCH ENDORSEMENTS. THE COMPANY WILL NOT, AND ACCEPTS NO OBLIGATION TO, ISSUE AN ENDORSEMENT EXTENDING THE EFFECTIVE DATE TO, OR BEYOND, THE DATE OF ANY SALE OF THE PREMISES, RECORDING OF A DECLARATION OF FORFEITURE OF A REAL ESTATE CONTRACT, TRUSTEE'S SALE OR DEED IN LIEU THEREOF.
5. ATTENTION IS CALLED TO SOLDIERS' AND SAILORS' CIVIL RELIEF ACT OF 1940 AND AMENDMENTS THERETO WHICH CONTAIN LIMITATIONS AGAINST THE FORFEITURE OF LAND UNDER A REAL ESTATE CONTRACT OR THE SALE OF LAND UNDER A DEED OF TRUST IF THE OWNER IS ENTITLED TO THE BENEFITS OF SAID ACT.
6. ATTENTION IS CALLED TO THE FEDERAL TAX LIEN ACT OF 1966 AND AMENDMENTS THERETO WHICH, AMONG OTHER THINGS, PROVIDES FOR THE GIVING OF WRITTEN NOTICE OF SALE OR FORFEITURE IN A SPECIFIED MANNER TO THE SECRETARY OF THE TREASURY OR HIS DELEGATE AS A REQUIREMENT FOR THE DISCHARGE OR DIVESTMENT OF A FEDERAL TAX LIEN IN A NON-JUDICIAL SALE OR FORFEITURE, AND ESTABLISHES WITH RESPECT TO SUCH LIEN A RIGHT IN THE UNITED STATES TO REDEEM THE PROPERTY WITHIN A PERIOD OF 120 DAYS FROM THE DATE OF ANY SUCH SALE OR FORFEITURE.

SCHEDULE B

File Number: **CTL4173**

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GENERAL EXCEPTIONS FROM COVERAGE

- A. RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS
- B. ENCROACHMENTS, OVERLAPS, BOUNDARY LINE DISPUTES AND OTHER MATTERS WHICH WOULD BE DISCLOSED BY AN ACCURATE SURVEY AND INSPECTION OF THE PREMISES.
- C. EASEMENTS OR CLAIMS OF EASEMENTS NOT SHOWN BY THE PUBLIC RECORDS.
- D. ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS.
- E. LIENS UNDER THE WORKMEN'S COMPENSATION ACT NOT SHOWN BY THE PUBLIC RECORDS.
- F. ANY SERVICE, INSTALLATION, CONNECTION, MAINTENANCE, OR CONSTRUCTION CHARGES FOR SEWER, WATER, ELECTRICITY OR GARBAGE REMOVAL.
- G. (A) UNPATENTED MINING CLAIMS; (B) RESERVATIONS OR EXCEPTIONS IN PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF; (C) WATER RIGHTS, CLAIMS OR TITLE TO WATER.
- H. INDIAN TRIBAL CODES OR REGULATIONS, INDIAN TREATY OR ABORIGINAL RIGHTS, INCLUDING, BUT NOT LIMITED TO, EASEMENTS OR EQUITABLE SERVITUDES.
- I. GENERAL TAXES, SPECIAL ASSESSMENTS AND SPECIAL LEVIES.

SPECIAL EXCEPTIONS FROM COVERAGE

1. GENERAL TAXES AND ASSESSMENTS, IF ANY, NOT INCLUDING INTEREST AND PENALTY AFTER DELINQUENCY:

| YEAR | AMOUNT | PAID | OWING |
|------|------------|--------|------------|
| 2014 | \$1,957.52 | \$0.00 | \$1,957.52 |
| 2015 | \$158.08 | \$0.00 | \$158.08 |
| 2016 | \$169.70 | \$0.00 | \$169.70 |
| 2017 | \$169.58 | \$0.00 | \$169.58 |

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FIRST HALF OF GENERAL TAXES BECOME DELINQUENT ON MAY 1. SECOND HALF OF GENERAL TAXES BECOME DELINQUENT ON NOVEMBER 1.

2. REAL ESTATE CONTRACT AND THE TERMS AND CONDITIONS THEREOF:

SELLER: W.C. GAHAN AND MARTHA S. GAHAN, HUSBAND AND WIFE
PURCHASER: STEVE TONEY, A MARRIED MAN, PRESUMPTIVELY SUBJECT TO THE COMMUNITY INTEREST OF HIS SPOUSE
EXCISE TAX NO.: 130369
DATED: FEBRUARY 5, 2013
RECORDED: FEBRUARY 12, 2013
AUDITOR'S FILE NO.: 3473448

3. COWLITZ COUNTY SUPERIOR COURT JUDGMENT:

AGAINST: STEVEN DALE TONEY
IN FAVOR OF: FAIRWAY COLLECTIONS, LLC
AMOUNT: \$1,169.42
ENTERED: JUNE 10, 2008
JUDGMENT NO.: 08-9-01625-7
CAUSE NO.: 08-2-01090-3
ATTORNEY FOR CREDITOR: DEAN HAMILTON

SAID JUDGMENT WAS ALSO RECORDED JULY 3, 2008 UNDER AUDITOR'S FILE NO. 3371539.

4. COWLITZ COUNTY SUPERIOR COURT JUDGMENT:

AGAINST: STEVEN DALE TONEY
IN FAVOR OF: COWLITZ COUNTY SUPERIOR COURT CLERK
AMOUNT: \$5,700.00
ENTERED: MARCH 29, 2016
JUDGMENT NO.: 16-9-00515-9
CAUSE NO.: 15-1-00506-2
ATTORNEY FOR CREDITOR: NOT DISCLOSED

5. **AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:**
BETWEEN: WEYERHAEUSER TIMBER COMPANY, A WASHINGTON CORPORATION
AND: BEN B. CHENEY TIMBER COMPANY, A WASHINGTON CORPORATION
DATED: MARCH 21, 1950
RECORDED: JULY 8, 1950
AUDITOR'S NO.: 344558 VOLUME: 486 PAGE: 20
REGARDING: RIGHT-OF-WAY AGREEMENT
AREA AFFECTED: INCLUDES THIS AND OTHER PROPERTY

6. **EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**
GRANTEE: WEYERHAEUSER COMPANY, A WASHINGTON CORPORATION
PURPOSE: PERPETUAL, ASSIGNABLE, DIVISIBLE EASEMENT AND RIGHT TO RECONSTRUCT, MAINTAIN AND USE, FOR ALL ROAD PURPOSES, THE EXISTING ROADS ON RIGHTS OF WAY 60 FEET IN WIDTH

DATED: SEPTEMBER 5, 1967
RECORDED: OCTOBER 11, 1967
AUDITOR'S NO.: 660603 VOLUME: 739 PAGE: 887
AREA AFFECTED: INCLUDES THIS AND OTHER PROPERTY

7. **AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:**
BETWEEN: WASHINGTON STATE DEPARTMENT OF TRANSPORTATION
AND: WEYERHAEUSER COMPANY
DATED: DECEMBER 31, 1986
RECORDED: JANUARY 5, 1987
AUDITOR'S NO.: 870105032 VOLUME: 1013 PAGE: 1391
REGARDING: POSSESSION AND USE AGREEMENT
AREA AFFECTED: INCLUDES THIS AND OTHER PROPERTY

8. **MATTERS SET FORTH BY SURVEY:**
RECORDED: JULY 17, 1996
AUDITOR'S NO.: 960717061 VOLUME: 15 PAGE: 151 - 152
DISCLOSES: BOUNDARY LINES, EASEMENT LOCATIONS, LOCATION OF STATE ROUTE 504

9. **DECLARATION OF EASEMENT AND ROAD MAINTENANCE AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:**
DATED: DECEMBER 30, 1996
RECORDED: DECEMBER 31, 1996
AUDITOR'S NO.: 961231097 VOLUME: 1249 PAGE: 2143

10. **PROTECTIVE COVENANTS OF ST. HELENS MOUNTAIN RETREATS AND THE TERMS AND CONDITIONS THEREOF:**
DATED: DECEMBER 30, 1996
RECORDED: DECEMBER 31, 1996
AUDITOR'S NO.: 961231098 VOLUME: 1249 PAGE: 2145

11. **RIGHTS OF THE PUBLIC IN AND TO SPIRIT LAKE HIGHWAY (STATE ROUTE 504).**

12. **RIGHT, TITLE AND INTEREST OF SPOUSE OF STEVE TONEY.**

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13. RIGHT OF ANY PARTY INTERESTED TO SUE OR PETITION TO HAVE SET ASIDE, MODIFIED, OR CONTEST A JUDICIAL OR NON-JUDICIAL FORECLOSURE OR FORFEITURE, OR ANY DEED PURSUANT THERETO, THROUGH WHICH TITLE TO THE LAND DESCRIBED HEREIN IS DERIVED; AND ANY LIENS, ENCUMBRANCES AND/OR OWNERSHIP INTERESTS WHICH MAY EXIST AS A RESULT OF ANY ACTS OR OMISSIONS OF THE FORECLOSING PARTIES, OR AS A RESULT OF SUCH SUIT OR PETITION.

End of Schedule B Exceptions.

NOTES:

At the request of the assured the following information is provided:

a. THE ADDRESS OF THE SUBJECT PROPERTY IS:

BARE LAND
TOUTLE, WA 98649

b. THE FOLLOWING ABBREVIATED LEGAL DESCRIPTION IS PROVIDED AS A COURTESY TO ENABLE THE DOCUMENT PREPARER TO CONFORM WITH THE REQUIREMENTS OF RCW 65.04.045, PERTAINING TO STANDARDIZATION OF RECORDED DOCUMENTS.

ABBREVIATED LEGAL DESCRIPTION: 14-10N T-2B-6



Authorized Signatory

CASCADE TITLE COMPANY OF COWLITZ COUNTY, INC.

Privacy Policy Notice

PURPOSE OF THIS NOTICE

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with a nonaffiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this document, which notifies you of the privacy policies and practices of **CASCADE TITLE COMPANY OF COWLITZ COUNTY, INC.**

We may collect nonpublic personal information about you from the following sources:

- Information we receive from you such as on applications or other forms.
- Information about your transactions we secure from our files, or from [our affiliates or] others.
- Information we receive from a consumer reporting agency.
- Information that we receive from others involved in your transaction, such as the real estate agent or lender.

Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional nonpublic personal information will be collected about you.

We may disclose any of the above information that we collect about our customers or former customers to our affiliates as permitted by law.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

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EXHIBIT "A"

LOT C OF SURVEY ENTITLED "ST. HELENS MOUNTAIN RETREAT", RECORDED IN VOLUME 15 OF SURVEYS, PAGES 151 AND 152, UNDER AUDITOR'S FILE NO. 960717061, RECORDS OF COWLITZ COUNTY, WASHINGTON; BEING A PORTION OF THE NORTH HALF OF SECTION 14, TOWNSHIP 10 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN.

SITUATE IN THE COUNTY OF COWLITZ, STATE OF WASHINGTON