

LITIGATION/TRUSTEE'S SALE/CONTRACT FORFEITURE GUARANTEE

SCHEDULE A

Office File Number CTL6148	Policy Number LTSG 08048974	Date of Policy July 05, 2018 at 8:00 AM	Amount of Insurance \$40,000.00	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:
PACIFIC PARK LLC, A WASHINGTON LIMITED LIABILITY COMPANY

- 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: **CTL6148**

Policy Number: **LTSG 08048974**

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
2015	\$2,772.66	\$0.00	\$2,772.66
2016	\$1,177.18	\$0.00	\$1,177.18
2017	\$1,158.80	\$0.00	\$1,158.80
2018	\$1,193.50	\$0.00	\$1,193.50

TAX PARCEL NO.: 507330100 ACCT. NO.: R093311 TAX CODE: 900

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

2. DEED OF TRUST AND THE TERMS AND CONDITIONS THEREOF:

GRANTOR: PACIFIC PARK LLC, A WASHINGTON LIMITED LIABILITY COMPANY
TRUSTEE: CASCADE TITLE COMPANY, A CORPORATION
BENEFICIARY: LEROY A. BURNS & DONNA L. BURNS
AMOUNT: \$80,000.00
DATED: FEBRUARY 20, 2008
RECORDED: FEBRUARY 21, 2008
AUDITOR'S NO: 3359631

3. JUDGMENT:

AGAINST: WILLIAM A. BEHRENS AND JANE DOE BEHRENS, HUSBAND AND WIFE, AND THE MARITAL COMMUNITY COMPOSED THEREOF, AND PACIFIC PARK L.L.C., A WASHINGTON LLC
IN FAVOR OF: CALIFORNIA EQUITY INVESTORS LLC
AMOUNT: \$149,359.48
ENTERED: DECEMBER 13, 2010
JUDGMENT NO.: 10-9-02715-3
S.C. CAUSE NO.: 10-2-01448-0
ATTY FOR CREDITOR: EMILY RUTH HANSEN

4. JUDGMENT:

AGAINST: PACIFIC PARK, LLC, AND WILLIAM A. BEHRENS
IN FAVOR OF: JAMES MOUSER
AMOUNT: \$330,371.66
ENTERED: JUNE 2, 2014
JUDGMENT NO.: 14-9-01240-0
S.C. CAUSE NO.: 13-2-01458-1
ATTY FOR CREDITOR: MARK S. DAVIDSON AND DAVID C. CAMPBELL; WILLIAMS, KASTNER & GIBBS PLLC

THIS JUDGMENT WAS RECORDED JUNE 19, 2014, UNDER AUDITOR'S NO. 3503276, AND MAY 11, 2015 AUDITOR'S FILE NO. 3522006.

5. **PENDENCY OF COWLITZ COUNTY SUPERIOR COURT CAUSE NO. 15-2-00164-8:**
FILED: FEBRUARY 11, 2015
PLAINTIFF: LEROY A. BURNS AND DONNA L. BURNS, HUSBAND AND WIFE AND HTE MERITAL COMMUNITY COMPOSED THEREOF
DEFENDANT: PACIFIC PARK, LLC, A WASHINGTON LIMITED LIABILITY COMPANY
ACTION: COMPLAINT FORECLOSURE OF MORTGAGE
ATTORNEY FOR PLAINTIFF: CRAIG M. MCREARY, P.S.

LIS PENDENS RECORDED FEBRUARY 11, 2015 UNDER AUDITOR'S FILE NO. 3516733.

6. **EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**
GRANTEE: NORTHWESTERN LONG DISTANCE TELEPHONE COMPANY
PURPOSE: TELEPHONE AND TELEGRAPH PURPOSES
RECORDED: JULY 5, 1907
AUDITOR'S NO.: 1241 **VOLUME:** 27 **PAGE:** 376
AREA AFFECTED: INCLUDES THIS AND OTHER PROPERTY

7. **EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**
GRANTEE: NORTHWESTERN LONG DISTANCE TELEPHONE COMPANY
PURPOSE: TELEPHONE AND TELEGRAPH PURPOSES
RECORDED: JULY 5, 1907
AUDITOR'S NO.: 1242 **VOLUME:** 27 **PAGE:** 376
AREA AFFECTED: INCLUDES THIS AND OTHER PROPERTY

8. **EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**
GRANTEE: THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY
PURPOSE: OVERHANG ARMS WITH NECESSARY WIRES AND FIXTURES
RECORDED: JANUARY 3, 1917
AUDITOR'S NO.: 10350
AREA AFFECTED: INCLUDES THIS AND OTHER PROPERTY

9. **EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**
GRANTEE: THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY
PURPOSE: ONE ANCHOR WITH NECESSARY WIRES AND FIXTURES
RECORDED: JANUARY 3, 1917
AUDITOR'S NO.: 10352
AREA AFFECTED: INCLUDES THIS AND OTHER PROPERTY

10. **EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**
GRANTEE: NORTH COAST POWER COMPANY
PURPOSE: ELECTRIC TRANSMISSION AND DISTRIBUTING LINE
RECORDED: FEBRUARY 15, 1917
AUDITOR'S NO.: 10571
AREA AFFECTED: INCLUDES THIS AND OTHER PROPERTY

11. **RELINQUISHMENT OF ACCESS TO STATE HIGHWAY AND OF LIGHT, VIEW AND AIR, BY DEED TO THE STATE OF WASHINGTON RECORDED ON FEBRUARY 8, 1945, UNDER AUDITOR'S FILE NO. 253982.**

12. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

GRANTEE: PUBLIC UTILITY DISTRICT NO. 1 OF COWLITZ COUNTY
PURPOSE: RIGHT-OF-WAY EASEMENT FOR POWER
DATED: FEBRUARY 28, 1948
RECORDED: MARCH 17, 1948
AUDITOR'S NO.: 301995 VOLUME: 412 PAGE: 121
AREA AFFECTED: INCLUDES THIS AND OTHER PROPERTY

13. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

GRANTEE: PUBLIC UTILITY DISTRICT NO. 1 OF COWLITZ COUNTY
PURPOSE: RIGHT-OF-WAY EASEMENT
DATED: JULY 25, 1950
RECORDED: AUGUST 4, 1950
AUDITOR'S NO.: 346700 VOLUME: 488 PAGE: 676
AREA AFFECTED: INCLUDES THIS AND OTHER PROPERTY

14. RELINQUISHMENT OF ACCESS TO STATE HIGHWAY AND OF LIGHT, VIEW AND AIR, BY DEED TO THE STATE OF WASHINGTON RECORDED ON FEBRUARY 10, 1955, UNDER AUDITOR'S FILE NO. 430116.

15. RELINQUISHMENT OF ACCESS TO STATE HIGHWAY AND OF LIGHT, VIEW AND AIR, BY DEED TO THE STATE OF WASHINGTON RECORDED ON FEBRUARY 10, 1955, UNDER AUDITOR'S FILE NO. 430117.

16. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

GRANTEE: PUBLIC UTILITY DISTRICT NO. 1 OF COWLITZ COUNTY
PURPOSE: RIGHT-OF-WAY EASEMENT FOR POWER
DATED: APRIL 30, 1963
RECORDED: MAY 1, 1963
AUDITOR'S NO.: 565535 VOLUME: 695 PAGE: 688
AREA AFFECTED: INCLUDES THIS AND OTHER PROPERTY

17. MATTERS SET FORTH BY SURVEY:

RECORDED: JANUARY 11, 1988
AUDITOR'S NO.: 880111082 VOLUME: 8 PAGE: 135

18. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

GRANTEE: CITY OF WOODLAND
PURPOSE: 30 FOOT EASEMENT FOR WATER AND SEWER LINES
DATED: AUGUST 29, 1994
RECORDED: MARCH 12, 1999
AUDITOR'S NO.: 3050973
AREA AFFECTED: INCLUDES THIS AND OTHER PROPERTY

19. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

GRANTEE: PUBLIC UTILITY DISTRICT NO. 1 OF COWLITZ COUNTY
PURPOSE: RIGHT-OF-WAY EASEMENT FOR POWER UNDERGROUND
DATED: NOT DISCLOSED
RECORDED: JUNE 28, 1999
AUDITOR'S NO.: 3060857
AREA AFFECTED: INCLUDES THIS AND OTHER PROPERTY

20. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

GRANTEE: CITY OF WOODLAND, A MUNICIPAL CORPORATION
PURPOSE: RIGHT OF WAY FOR SEWER, ACCESS AND UTILITIES, STORM SEWER, UTILITIES, AND TEMPORARY FIRE TURNAROUND
DATED: FEBRUARY 13, 2001
RECORDED: FEBRUARY 14, 2001
AUDITOR'S NO.: 3107500
AREA AFFECTED: INCLUDES THIS AND OTHER PROPERTY

SAID DOCUMENT IS A RE-RECORDING OF THE SAME, RECORDED ON FEBRUARY 13, 2001, UNDER COWLITZ COUNTY AUDITOR'S FILE NO. 3107381.

21. BOUNDARY LINES, DEDICATIONS, RESTRICTIVE COVENANTS, EASEMENTS, BUILDING SET BACK LINES, SLOPE RIGHTS AND RESERVATIONS AS DISCLOSED BY PACIFIC PARK CENTER BINDING SITE PLAN PHASE 3 (REVISION 4), RECORDED IN VOLUME 1 OF BINDING SITE PLANS, PAGE 45, UNDER AUDITOR'S FILE NO. 3238513, AND PACIFIC PARK CENTER BINDING SITE PLAN PHASE 3 (REVISION 5), RECORDED IN VOLUME 1 OF BINDING SITE PLANS, PAGE 62, UNDER AUDITOR'S FILE NO. 3459236.

22. MATTERS SET FORTH BY SURVEY:

RECORDED: OCTOBER 13, 2004
AUDITOR'S NO.: 3238514 VOLUME: 25 PAGE: 178

23. DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF PACIFIC PARK CENTER PHASE III BINDING SITE PLAN AND THE TERMS AND CONDITIONS THEREOF:

DATED: MAY 5, 2006
RECORDED: MAY 10, 2006
AUDITOR'S NO.: 3297049

24. MATTERS SET FORTH BY SURVEY:

RECORDED: JULY 11, 2012
AUDITOR'S NO.: 3459289 VOLUME: 32 PAGE: 160

25. UNRECORDED LEASEHOLDS, IF ANY; RIGHT OF VENDORS AND HOLDERS OF SECURITY INTERESTS ON PERSONAL PROPERTY INSTALLED UPON SAID PROPERTY; AND RIGHTS OF TENANTS TO REMOVE TRADE FIXTURES AT THE EXPIRATION OF THE TERM.

26. COMMERCIAL PROPERTY: ANY SECURITY INTEREST IN ANY GOODS WHICH ARE OR MAY BECOME FIXTURES LOCATED ON SAID PREMISES CREATED OR EXISTING UNDER THE PROVISIONS OF UNIFORM COMMERCIAL CODE R.C.W. 62-A.

27. 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.

File Number: **CTL6148**

NOTES:

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

a. THE ADDRESS OF THE SUBJECT PROPERTY IS:

1835 FRANKLIN ST.
WOODLAND, WA 98674

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: WOODLAND OUTLOT LOT 232B, LOT 237



Authorized Signatory

Cascade Title Company of Cowlitz County

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**

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.

EXHIBIT "A"

A PORTION OF LOT 12 OF PACIFIC PARK CENTER BINDING SITE PLAN PHASE 3 AS RECORDED IN VOLUME 1 OF SITE PLANS, PAGE 45 UNDER AUDITOR'S FILE NO. 3238513 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING AT THE SOUTHEAST CORNER OF LOT Q OF PACIFIC PARK CENTER PHASE 2, AS RECORDED IN VOLUME 1, PAGES 32-35, COWLITZ COUNTY WASHINGTON;
THENCE SOUTH 82° 26' 19" EAST, 132.95 FEET TO THE SOUTHWEST CORNER OF LOT 12 AS RECORDED IN SURVEYS BOOK 25, PAGE 178, COWLITZ COUNTY RECORDS;
THENCE NORTH 05° 32' 46" EAST, ALONG THE WEST LINE OF SAID LOT 12 129.93 FEET TO THE POINT OF BEGINNING;
THENCE SOUTH 84° 27' 14" EAST, 87.02 FEET;
THENCE NORTH 82° 35' 41" EAST, 44.51 FEET TO THE WEST RIGHT-OF-WAY OF FRANKLIN STREET AND A POINT ON A 318 FOOT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS SOUTH 00° 41' 25" WEST, 74.78 FEET;
THENCE ALONG SAID CURVE 74.96 FEET;
THENCE SOUTH 07° 26' 35" WEST ALONG SAID RIGHT OF WAY, 70.16 FEET TO THE SOUTHEAST CORNER OF SAID LOT 12;
THENCE NORTH 82° 26' 19" WEST ALONG THE SOUTH LINE OF SAID LOT 12, 134.49 FEET TO THE SOUTHWEST CORNER THEREOF;
THENCE NORTH 05° 32' 46" EAST ALONG THE WEST LINE OF SAID LOT 12, 129.93 FEET TO THE POINT OF BEGINNING.**

SITUATE IN COWLITZ COUNTY, STATE OF WASHINGTON

SAID PROPERTY NOW MORE ACCURATELY DESCRIBED AS FOLLOWS:

LOT 12B OF PACIFIC PARK CENTER BINDING SITE PLAN, PHASE 3 (REVISION 5), AS RECORDED IN VOLUME 1 OF BINDING SITE PLANS, PAGE 62, UNDER AUDITOR'S FILE NO. 3459256, RECORDS OF COWLITZ COUNTY, WASHINGTON.