

**SUBDIVISION**

Issued By:



Guarantee/Certificate Number:

**211550-TC  
Revision 3rd Guarantee**

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

**GUARANTEES**

Barghausen Consulting Engineers, Inc., their successors or assigns

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**  
1142 Broadway, Suite 200  
Tacoma, WA 98402

Countersigned By:

Authorized Officer or Agent



**Chicago Title Insurance Company**

By:

Randy Quirk, President

Attest:

Marjorie Nemzura, Secretary

ISSUING OFFICE:
Title Officer: Rob Hainey Chicago Title Company of Washington 1142 Broadway, Suite 200 Tacoma, WA 98402 Phone: 253-278-0598 Fax: 866-671-3908 Main Phone: (253)671-6623 Email: Rob.Hainey@ctt.com

**SCHEDULE A**

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

Effective Date: September 3, 2021 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:

Albatross Estates 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

Tract Y-1, Boundary Line Adjustment recorded October 31, 2007 under Pierce County Recording No, 200710315001;

Except that portion thereof conveyed to the City of Dupont for road purposes by deed recorded October 31, 2007 under Recording Number 200710310594;

Also except that portion thereof defined as parcel Tp, an exempt segregation of property, as depicted on that record of survey recorded November 1, 2007 under recording number 200711015006.

Situate in the City of Dupont, County of Pierce, State of Washington.

**SCHEDULE B**

GENERAL EXCEPTIONS

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

SPECIAL EXCEPTIONS

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

Granted to: Puget Sound Power and Light Company  
Purpose: construct, operate, maintain, repair, replace and enlarge one or more electric transmission and/or distribution lines over and/or under the right of way together with all necessary or convenient appurtenances  
Recording Date: April 19, 1990  
Recording No.: 9004190543  
Affects: portion of said premises and other property

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

Granted to: City of Dupont  
Purpose: landscaping  
Recording Date: May 21, 1992  
Recording No.: 9205210946  
Affects: portion of said premises and other property

3. Covenants, conditions, restrictions and assessments, 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: August 24, 1992  
Recording No.: 9208240297

Modification(s) of said covenants, conditions and restrictions:

Recording Nos.: 9501100462, 9503150368, 9601090368, 9601260346, 9603120707, 9609110555, 9612240420, 9710170646, 9803170310, 9807070025, 9912200109, 200011080374, 200012060263, 200209180938, 200512050081, 200712210490, 200808150280, 201006070536, 201009301051, 201010060494, 201303260080

Modification of Access and Maintenance Easement:

Recording Date: March 24, 1993, March 18, 1996, September 25, 1998  
Recording No.: 9303240467, 9603180106, 9809250623

**SCHEDULE B**

(continued)

Assignment of Declarant Rights under Declaration of Covenants, Conditions and Restrictions for Northwest Landing Commercial Property:

Recording Date: January 8, 2002  
Recording No.: 200201080843

Notice of Termination of Class "B" Control Period for Northwest Landing Commercial Property:

Recording Date: October 27, 2010  
Recording No.: 201010270197

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

Granted to: Puget Sound Power and Light Company  
Purpose: construct, operate, maintain, repair, replace and enlarge an underground electric transmission and/or distribution system upon and under the right of way together with all necessary or convenient appurtenances  
Recording Date: November 20, 1995  
Recording No.: 9511200886  
Affects: portion of said premises and other property

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

Granted to: Puget Sound Power and Light Company  
Purpose: construct, operate, maintain, repair, replace and enlarge an underground electric transmission and/or distribution system upon and under the right of way together with all necessary or convenient appurtenances  
Recording Date: November 20, 1995  
Recording No.: 9511200886  
Affects: portion of said premises and other property

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

Purpose: install, repair and maintain landscaping, walkways, pedestrian access and all utilities including, but not limited to, water, sewer, meter boxes, telephone, gas, and electricity  
Recording Date: January 9, 1996  
Recording No.: 9601090362  
Affects: portion of said premises and other property

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

Granted to: County of Pierce  
Purpose: construction, improvement, maintenance and repair of a sanitary sewer pipeline, manholes and other appurtenant sewer structures  
Recording Date: September 9, 1999  
Recording No.: 9909090470  
Affects: portion of said premises and other property

**SCHEDULE B**  
(continued)

8. Covenants, conditions and restrictions 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: October 29, 1999  
Recording No.: 9910290750

9. Matters contained in that certain document:

Entitled: Notice Regarding Historic District Designation and Declaration of Covenant  
Recording Date: January 12, 2001  
Recording No.: 200101120143

Reference is hereby made to said document for full particulars.

Modification(s) of said notice:

Recording Date: June 12, 2006  
Recording No.: 200606120310

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

Granted to: Pierce County  
Purpose: construction, improvement, maintenance and repair of a sanitary sewer pipeline, manholes, and other appurtenant sewer structures  
Recording Date: January 15, 2002  
Recording No.: 200201150274  
Affects: portion of said premises and other property

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

Granted to: Pierce County  
Purpose: construction, improvement, maintenance and repair of a sanitary sewer pipeline, manholes, and other appurtenant sewer structures  
Recording Date: December 13, 2004  
Recording No.: 200412130297  
Affects: portion of said premises and other property

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

Granted to: Pierce County  
Purpose: construction, improvement, maintenance and repair of a sanitary sewer pipeline, manholes, and other appurtenant sewer structures  
Recording Date: April 4, 2005  
Recording No.: 200504040337 and 200504040338  
Affects: portion of said premises and other property

**SCHEDULE B**  
(continued)

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 City of Dupont Boundary Line Adjustment No. BLA 05-04:
- Recording No: 200508245006
14. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: City of Dupont  
Purpose: construction, improvement, maintenance and repair of underground utilities, including but not limited to, underground water and other appurtenant structures  
Recording Date: November 30, 2005  
Recording No.: 200511300872  
Affects: portion of said premises and other property
15. Any rights, interests, or claims which may exist or arise by reason of the following survey:
- Recording Date: January 27, 2006  
Recording No.: 200601275001
16. 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 City of Dupont Boundary Line Adjustment No. BLA 06-01:
- Recording No: 200608225007
17. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Purpose: irrigation lines and associated improvements and appurtenances  
Recording Date: September 5, 2006  
Recording No.: 200609050736  
Affects: portion of said premises and other property
18. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Purpose: storm drainage and associated improvements and appurtenances  
Recording Date: September 5, 2006  
Recording No.: 200609050737 and 200609050738  
Affects: portion of said premises and other property

**SCHEDULE B**

(continued)

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

Purpose: sanitary sewer system and associated improvements and appurtenances  
Recording Date: September 5, 2006  
Recording No.: 200609050739  
Affects: portion of said premises and other property

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

Purpose: golf cart path and appurtenances  
Recording Date: September 5, 2006  
Recording No.: 200609050740  
Affects: portion of said premises and other property

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

Purpose: access and utilities and appurtenances  
Recording Date: September 5, 2006  
Recording No.: 200609050741 and 200609050742  
Affects: portion of said premises and other property

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

Purpose: water lines and associated improvements and appurtenances  
Recording Date: September 5, 2006  
Recording No.: 200609050743 and 200609050744  
Affects: portion of said premises and other property

23. Covenants, conditions and restrictions 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: November 1, 2006  
Recording No.: 200611010855

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

Granted to: Pacific Northwest Golf Association, Inc, and PNGA/WSGA Properties, Inc.  
Purpose: temporary easement for ingress and egress  
Recording Date: May 31, 2007  
Recording No.: 200705311264  
Affects: portion of said premises and other property



**SCHEDULE B**

(continued)

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

Granted to: City of Dupont  
Purpose: temporary construction easement and permanent access and utilities easement  
Recording Date: August 1, 2007  
Recording No.: 200708100582  
Affects: portion of said premises and other property

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

Granted to: Pierce County  
Purpose: construction, improvement, maintenance and repair of a sanitary sewer pipeline, manholes, and other appurtenant sewer structures  
Recording Date: August 16, 2007  
Recording No.: 200708160513  
Affects: portion of said premises and other property

27. Matters contained in that certain document:

Entitled: Agreement for Right of Way and Landscaping Maintenance for Dupont Public Works Golf Course Civic Facilities Project  
Recording Date: October 31, 2007  
Recording No.: 200710310595

Assignment and Assumption Agreement:

Recording Date: December 21, 2007  
Recording No.: 200712210497

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

Granted to: City of Dupont  
Purpose: operating, maintaining, repairing, replacing, improving and using the irrigation, sanitary sewer, water and stormwater facilities, including underground utilities and other appurtenant structures  
Recording Date: October 31, 2007  
Recording No.: 200710310596 and 200710310597  
Affects: portion of said premises and other property

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

Granted to: City of Dupont  
Purpose: temporary construction, improvement, maintenance and repair of storm drainage facilities, including underground utilities and other appurtenant structures  
Recording Date: October 31, 2007  
Recording No.: 200710310596  
Affects: portion of said premises and other property

**SCHEDULE B**

(continued)

30. 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 City of Dupont Boundary Line Adjustment No. BLA 07-03:

Recording No: 200710315001

31. Any rights, interests, or claims which may exist or arise by reason of the following survey:

Recording Date: November 1, 2007

Recording No.: 200711015006

32. Reservation of all coal, oil, gas and mineral rights, and rights to explore for the same contained in the deed:

Grantor: Weyerhaeuser Timber Co., a Washington corporation

Recording Date: December 21, 2007

Recording No.: 200712210488

NOTE: No determination has been made as to the current ownership or other matters affecting said reservations.

33. Matters contained in that certain document:

Entitled: Declaration for the Dupont Business and Technology Park, a District of the Northwest Landing Commercial Property

Recording Date: December 21, 2007

Recording No.: 200712210491

Reference is hereby made to said document for full particulars.

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

Purpose: temporary, nonexclusive easement for purposes of vehicular and pedestrian ingress to and egress and installation of utilities

Recording Date: December 21, 2007

Recording No.: 200712210492

Affects: portion of said premises and other properties

35. Matters contained in that certain document:

Entitled: Covenant for Sharing of Business Park Improvements

Recording Date: December 21, 2007

Recording No.: 200712210493

Reference is hereby made to said document for full particulars.

**SCHEDULE B**  
(continued)

36. Matters contained in that certain document:

Entitled: Development Covenant  
Recording Date: December 21, 2007  
Recording No.: 200712210495

Reference is hereby made to said document for full particulars.

37. Any rights, interests, or claims which may exist or arise by reason of the following survey:

Dated: May 26, 2007  
Job No.: 129-044-005-0200  
Performed by: ESM Consulting Engineers  
Disclosed by: Statutory Warranty Deed  
Recorded: December 21, 2007  
Recording No.: 200712210496

38. Matters contained in that certain document:

Entitled: First Park Northwest Landing Development Agreement  
Executed by: First Industrial Realty Trust Inc.  
And: City of Dupont  
Recording Date: February 2, 2010  
Recording No.: 201002020136

Reference is hereby made to said document for full particulars.

39. Matters contained in that certain document:

Entitled: Amended and Restated Bylaws for Northwest Landing Commercial Owners Association  
Recording Date: October 6, 2010  
Recording No.: 2010060495

Reference is hereby made to said document for full particulars.

40. Provisions contained in the articles of incorporation and bylaws of Northwest Landing Commercial Owners Association, including any liability to assessment lien.

41. 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: 2021  
Tax Account No.: 011927-2005  
Levy Code: 055  
Assessed Value-Land: \$2,908,300.00  
Assessed Value-Improvements: \$0.00

General and Special Taxes:

Billed: \$29,296.49  
Paid: \$14,648.24  
Unpaid: \$14,648.25

**SCHEDULE B**

(continued)

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

Amount: \$9,750,000.00  
Dated: December 23, 2019  
Trustor/Grantor: Albatross Estates, LLC  
Trustee: UPF Washington Incorporated  
Beneficiary: Seattle Bank  
Loan No.: 70000503  
Recording Date: December 31, 2019  
Recording No.: 201912310743

43. Any unrecorded leaseholds, right of vendors and holders of security interests on personal property installed upon the Land and rights of tenants to remove trade fixtures at the expiration of the terms.

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:

Tract Y-1, Boundary Line Adjustment Recording No, 200710315007  
Tax Account No.: 011927-2005

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

XXX Center Drive  
Dupont, WA 98327

**END OF SCHEDULE B**