



2721 Wetmore Avenue
Everett, Washington 98201
Phone (425) 317-7300

Sr. Title Officer: Linda Swayzee; lswayzee@stewart.com
Title Officer: Lynda Stow; lynda.stow@stewart.com Rick Randall; rick.randall@stewart.com
Title Assistant: Jessica Dale; jessica.dale@stewart.com Ashleigh Singer; asinger@stewart.com
Erika Keating; ekeating@stewart.com Suzie Cordova; suzie.cordova@stewart.com
Recording Desk: Kyle Geyer; kyle.geyer@stewart.com

Reference: Biwer Order Number: 31532
Escrow Number: 31532

Please be sure to review your Preliminary Commitment. To expedite your transaction it may be necessary to consult with your title unit in regards to Paragraph(s) 3.

SCHEDULE A

1. Effective Date: April 12, 2007 at 8:00 a.m.

2. Policy Or Policies To Be Issued:

(X) ALTA OWNER'S POLICY, (10/17/92)
(X) STANDARD () EXTENDED
GENERAL SCHEDULE RATE

Amount: TO BE DETERMINED
Premium:
Tax:
Total: \$ 0.00

Proposed Insured: TO FOLLOW

() ALTA LOAN POLICY

Amount:
Premium:
Tax:
Total: \$ 0.00

TO FOLLOW



3. The estate or interest in the land described or referred to in this Commitment and covered herein is:

Fee Simple Estate

4. Title to said estate or interest in said land is at the effective date hereof vested in:

James M. Biwer and Joseph P. Biwer, presumptively subject to the interest of their respective spouses, if married, on or since 10/9/01, date of acquiring said interest

5. The land referred to in this commitment is described in Exhibit "A."

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B

Part I

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

GENERAL EXCEPTIONS

- A. Taxes or assessments which are not shown as existing liens by the public records.
- B. (i) Unpatented mining claims; (ii) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (iii) water rights, claims or title to water; whether or not the matters described (i), (ii) & (iii) are shown in the public records; (iv) Indian tribal codes or regulations, Indian treaty or aboriginal rights, including easements or equitable servitudes.
- C. Extended coverage exceptions, as follows:
 - (1) Rights or claims of parties in possession not shown by the public records.
 - (2) Easements, claims of easement or encumbrances which are not shown by the public records.
 - (3) Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey and inspection of the premises and which are not shown by the public records.
 - (4) 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.
- D. Any service, installation, connection, maintenance, tap, capacity, construction or reimbursement charges for sewer, water, electricity or other utilities, or for garbage collection and disposal.
- E. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this commitment.
- F. Any titles or rights asserted by anyone, including but not limited to persons, corporations, governments, or other entities, to tidelands, or lands comprising the shores or bottoms of navigable rivers, lakes, bays, ocean or gulf, or lands beyond the line of the harbor or bulkhead lines as established or changed by the United States Government, or riparian rights, if any.

SPECIAL EXCEPTIONS FOLLOW

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B

Part I

SPECIAL EXCEPTIONS

1. Payment of Real Estate Excise Tax, if required.

The property described herein is situated within the boundaries of local taxing authority of the City of Arlington.

Present Rate of Real Estate Excise Tax as of the date herein is 1.78% and the levy code is 0116.

2. General taxes: First half delinquent May 1; Second half delinquent November 1:

Year:	2007
Amount Billed:	\$27,973.49
Amount Paid:	\$0.00
Amount Due:	\$27,973.49
Tax Account No.:	31052100306300
Levy Code:	0116
Land:	\$3,237,400.00
Improvements:	\$500.00

3. Question of marital status of James M. Biwer and Joseph P. Biwer, who acquired title by Deed:

Dated:	October 9, 2001
Recorded:	October 11, 2001
Recording No.:	200110110565 and 200110110567

If then unmarried, or married to the Spouse joining in execution of the forthcoming instrument, recital therein will suffice; otherwise, the present ownership of the community interest of the Spouse at the time, or times, in question must be determined.

4. Easement and the terms and conditions thereof:

Grantee:	Trans Mountain Oil Pipe Line Corporation, a Delaware corporation
Purpose:	Pipelines
Area Affected:	West 30 feet
Recorded:	August 14, 1957
Recording No.:	1248585

5. Annexation Covenant and Power of Attorney and the terms and conditions thereof:

Recorded:	July 22, 1993
Recording No.:	9307220194

6. Covenants, conditions and restrictions and easements contained in Short Plat, copy attached:

Recorded: April 9, 2001
Recording No.: 200104095006

7. Question of the existence of an "Automatic Homestead":

If the subject property is, or will be, the residence of a marital community, even though the interest therein may be intended to be the separate property of either spouse, execution of the proposed encumbrance, conveyance or contract to convey must be by both husband and wife, pursuant to R.C.W. 6.13, which provides for "automatic homestead".

8. Title is to vest in persons not yet revealed and when so vested will be subject to matters disclosed by a search of the records against their names.

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B

Part II

The following are the requirements to be complied with:

ITEM (A) PAYMENT TO OR FOR THE ACCOUNT OF THE GRANTORS OR MORTGAGORS OF THE FULL CONSIDERATION FOR THE ESTATE OR INTEREST TO BE INSURED.

ITEM (B) PROPER INSTRUMENT(S) CREATING THE ESTATE OR INTEREST TO BE INSURED MUST BE EXECUTED AND DULY FILED FOR RECORD

NOTE: EFFECTIVE JANUARY 1, 1997, AND PURSUANT TO AMENDMENT OF WASHINGTON STATE STATUTES RELATING TO STANDARDIZATION OF RECORDED DOCUMENTS, THE FOLLOWING FORMAT AND CONTENT REQUIREMENTS MUST BE MET. FAILURE TO COMPLY MAY RESULT IN REJECTION OF THE DOCUMENT BY THE RECORDER.

FORMAT:

MARGINS TO BE 3" ON TOP OF FIRST PAGE, 1" ON SIDES AND BOTTOM, 1" ON TOP, SIDES AND BOTTOM OF EACH SUCCEEDING PAGE.

FONT SIZE OF 8 POINTS OR LARGER AND PAPER SIZE OF NO MORE THAN 8 ½" BY 14".

NO ATTACHMENTS ON PAGES SUCH AS STAPLED OR TAPED NOTARY SEALS, PRESSURE SEALS MUST BE SMUDGED.

INFORMATION WHICH MUST APPEAR ON THE FIRST PAGE:

TITLE OR TITLES OF DOCUMENT. IF ASSIGNMENT OR RECONVEYANCE REFERENCE TO AUDITOR'S FILE NUMBER OR SUBJECT DEED OF TRUST.

NAMES OF GRANTOR(S) AND GRANTEE(S) WITH REFERENCE TO ADDITIONAL NAMES ON FOLLOWING PAGE(S), IF ANY.

ABBREVIATED LEGAL DESCRIPTION (LOT, BLOCK, PLAT NAME OR SECTION, TOWNSHIP, RANGE AND QUARTER QUARTER SECTION FOR UNPLATTED).

ASSESSOR'S TAX PARCEL NUMBER(S)

RETURN ADDRESS WHICH MAY APPEAR IN THE UPPER LEFT HAND 3" TOP MARGIN

NOTES:

NOTE A: in order to assure timely recording all recording packages should be sent to:

Stewart Title
2721 Wetmore Avenue
Everett, Washington 98201
Attn: Recorder

NOTE B: THE DESCRIPTION CAN BE ABBREVIATED AS SUGGESTED BELOW IF NECESSARY TO MEET STANDARDIZATION REQUIREMENTS. THE FULL TEXT OF THE DESCRIPTION MUST APPEAR IN THE DOCUMENT(S) TO BE INSURED.

Ptn. SE ¼ 21-31-5, recorded in Snohomish County, Washington.

NOTE C: The records of Snohomish County and/or our inspection indicate that the address of the improvement located on said land is **3905 172nd Street Northeast, Arlington, WA 98223.**

NOTE D: Please be aware that should this transaction be cancelled, there will be a minimum cancellation fee of \$50.00 plus tax of \$4.30.

END OF SCHEDULE B

PS