



# SUBDIVISION

Issued By:



CHICAGO TITLE INSURANCE COMPANY

Guarantee/Certificate Number:

**0227607-ETU**

## CHICAGO TITLE INSURANCE COMPANY

a corporation, herein called the Company

### GUARANTEES

Walther Goe and Molly Goe and De Calvert, their successors and/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 Insurance Company

By:

Randy Quirk, President

Attest:

Marjorie Nemzura, Secretary

**Chicago Title Company of Washington**  
11900 NE 1st St., Suite 110  
Bellevue, WA 98005

Countersigned By:

Nathan Warwick  
Authorized Officer or Agent



## ISSUING OFFICE:

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	\$35.35

Effective Date: December 1, 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](#):

De Calvert, as his separate estate, as to Parcel A, and

Walther K. Goe, Molly B. Goe and De Calvert, each as their respective separate estates, as to Parcel B, and

Walther K. Goe and Molly B. Goe, husband and wife, as to Parcel C

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): 866140-0060-02, 866140-0101-03 and 866140-0102-02**

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**PARCEL A (APN - 866140-0060-02):**

LOT 6, TONJA ESTATES, ACCORDING TO THE PLAT THEREOF, RECORDED IN [VOLUME 77 OF PLATS, PAGE 64](#), RECORDS OF KING COUNTY, WASHINGTON;

EXCEPT THE PORTION OF SAID LOT 6 LYING NORTHERLY AND EASTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 6;  
THENCE NORTH 88°24'55" EAST, ALONG THE SOUTH LINE OF SAID LOT 6, 127.43 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE NORTH 31°04'55" WEST, 68.00 FEET;  
THENCE NORTH 26°34'55" WEST, 63.83 FEET TO THE SOUTHERLY MARGIN OF BUTTERWORTH ROAD AND THE TERMINUS OF SAID LINE;

TOGETHER WITH AN UNDIVIDED ONE-FOURTH INTEREST IN TRACT A OF SAID ADDITION;

TOGETHER WITH AN EASEMENT FOR PRIVATE ACCESS AND UTILITIES OVER THE REMAINING THREE-FOURTHS INTEREST IN SAID TRACT A;

AND TOGETHER WITH AN UNDIVIDED ONE-SEVENTH INTEREST IN LOT 1.

(ALSO KNOWN AS PARCEL A OF MERCER ISLAND SHORT PLAT NO. SUB 15-020, RECORDED NOVEMBER 18, 2016, UNDER [RECORDING NUMBER 20161118900002](#), RECORDS OF KING COUNTY, WASHINGTON).

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

**PARCEL B (APN - 866140-0102-02):**

THAT PORTION OF LOT 10, TONJA ESTATES, ACCORDING TO THE PLAT THEREOF, RECORDED IN [VOLUME 77 OF PLATS, PAGE 64](#), RECORDS OF KING COUNTY, WASHINGTON, LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID LOT 10 FROM WHICH THE SOUTHEAST CORNER THEREOF BEARS SOUTH 88°24'56", 262.57 FEET;  
THENCE NORTH 1°56'37" 126.84 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 10 WHICH BEARS NORTH 77°27'47" EAST 10.00 FEET FROM THE ANGLE POINT IN SAID NORTH LINE;

EXCEPT THAT PORTION OF SAID LOT 10 LYING NORTHERLY AND WESTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 10;  
THENCE NORTH 88°24'55" WEST, ALONG THE SOUTH LINE OF SAID LOT 10, 103.57 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE NORTH 23°35'05" EAST, 117.63 FEET TO THE SOUTHERLY MARGIN OF BUTTERWORTH ROAD AND THE TERMINUS OF SAID LINE;

TOGETHER WITH AN UNDIVIDED INTEREST 1/7<sup>TH</sup> INTEREST IN LOT 10 OF SAID PLAT.

(ALSO KNOWN AS PARCEL B OF MERCER ISLAND SHORT PLAT NO. SUB 15-020, RECORDED NOVEMBER 18, 2016, UNDER [RECORDING NUMBER 20161118900002](#), RECORDS OF KING COUNTY, WASHINGTON).

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

**EXHIBIT "A"**  
Legal Description

**PARCEL C (APN - 866140-0101-03):**

LOT(S) 6 AND 10, TONJA ESTATES, ACCORDING TO THE PLAT THEREOF, RECORDED IN [VOLUME 77 OF PLATS, PAGE 64](#), RECORDS OF KING COUNTY, WASHINGTON;

EXCEPT THAT PORTION OF AID LOT 6 LYING NORTHERLY AND EASTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 6;  
THENCE NORTH 88°24'55" EAST, ALONG THE SOUTH LINE OF SAID LOT 6, 127.43 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE NORTH 31°04'55" WEST, 68.00 FEET;  
THENCE NORTH 26°34'55" WEST, 63.83 FEET TO THE SOUTHERLY MARGIN OF BUTTERWORTH ROAD AND THE TERMINUS OF SAID LINE;

AND EXCEPT THAT PORTION OF SAID LOT 10 LYING NORTHERLY AND WESTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 10;  
THENCE NORTH 88°24'55" WEST, ALONG THE SOUTH LINE OF SAID LOT 10, 103.57 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE NORTH 23°35'05" EAST, 117.63 FEET TO THE SOUTHERLY MARGIN OF BUTTERWORTH ROAD AND THE TERMINUS OF SAID LINE.

(ALSO KNOWN AS PARCEL C OF MERCER ISLAND SHORT PLAT NO. SUB 15-020, RECORDED NOVEMBER 18, 2016, UNDER [RECORDING NUMBER 20161118900002](#), RECORDS OF KING COUNTY, WASHINGTON).

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.

**SPECIAL EXCEPTIONS:**

1. 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.

NOTE: This exception does not include present ownership of the above mineral rights.

Affects: Second Class Shorelands

2. Right to make necessary slopes for cuts or fills upon property herein described as granted or reserved in deed

In favor of: King County  
Recording Date: July 23, 1947  
[Recording No.: 3707212](#)

3. Matters contained in that certain document

Entitled: Agreement and the terms and conditions thereof:  
Recording Date: December 8, 1955  
[Recording No.: 4644177](#)

Which provides for among other things: Establishing the North boundary line of the second class shorelands adjoining Lot 1 as the Easterly extension of the South line of the North 150 feet of said Government Lot 2

Reference is hereby made to said document for full particulars.

**SCHEDULE B**

(continued)

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: Sewer pipeline(s) and all necessary connections and appurtenances thereto  
Recording Date: June 19, 1964 and July 8, 1964  
[Recording No.: 5750958](#) and  
[Recording No.: 5758750](#)  
Affects: Portion of shorelands lying within a 10 feet in width strip

5. Covenants, conditions, liability for assessments, restrictions 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](#)

6. 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 Plat of Tonja Estates:

[Recording No.: 5877563](#)

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

Recording Date: May 12, 1965  
[Recording No.: 5878038](#)  
Purpose: Underground electric and telephone service  
Affects: Portion of said premises and other property

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: May 9, 1969  
[Recording No.: 6508250](#)

**SCHEDULE B**

(continued)

## 9. Matters contained in that certain document

Entitled: Agreement and the terms and conditions thereof:

Recording Date: August 4, 1977

[Recording No.: 7708040644](#)

Which provides for among other things: The building and maintenance of a dock on the second class shorelands adjoining Lot 4, Tonja Estates and which will encroach approximately three feet South of a line extrapolating the property line between Lot 4 and Lot 1 of Tonja Estates.

Reference is hereby made to said document for full particulars.

## 10. Notice of additional tap or connection charges, and the terms and conditions thereof:

Recording Date: December 6, 1977

[Recording No.: 7712060812](#)

## 11. 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.: 20001229000270](#)

Affects: Portion of said premises

## 12. 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: February 23, 2001

[Recording No.: 20010223000969](#)

Affects: Portion of said premises

## 13. Matters contained in that certain document

Entitled: Indemnification and Hold Harmless Agreement and Covenant not to sue

Recording Date: September 1, 2004

[Recording No.: 20040901000118](#)

Which provides for among other things: Releasing City of Mercer Island from all future claims for damages resulting from removal of one tree and replacement thereof with three trees.

Reference is hereby made to said document for full particulars.

## 14. Notice of adoption of rules applicable to Tonja Estates common area, and the terms and conditions thereof:

Recording Date: August 21, 2006

[Recording No.: 20060821001945](#)



**SCHEDULE B**

(continued)

15. 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 Mercer Island Short Plat No. SUB 15-020:
- [Recording No: 20161118900002](#)
16. Question of location of lateral boundaries of said second class tidelands or shorelands.
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:	2021
<a href="#">Tax Account No.:</a>	<a href="#">866140-0060-02</a>
Levy Code:	1031
Assessed Value-Land:	\$1,369,000.00
Assessed Value-Improvements:	\$307,000.00

## General and Special Taxes:

Billed:	\$13,423.21
Paid:	\$13,423.21
Unpaid:	\$0.00

Affects: Parcel A

**SCHEDULE B**

(continued)

22. 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.: [866140-0102-02](#)  
 Levy Code: 1031  
 Assessed Value-Land: \$1,162,000.00  
 Assessed Value-Improvements: \$192,000.00

## General and Special Taxes:

Billed: \$10,847.63  
 Paid: \$10,847.63  
 Unpaid: \$0.00

Affects: Parcel B

23. 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.: [866140-0101-03](#)  
 Levy Code: 1031  
 Assessed Value-Land: \$560,000.00  
 Assessed Value-Improvements: \$0.00

## General and Special Taxes:

Billed: \$4,496.18  
 Paid: \$4,496.18  
 Unpaid: \$0.00

Affects: Parcel C

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

Amount: \$324,000.00  
 Dated: August 22, 1994  
 Trustor/Grantor: Walther K. Goe and Molly B. Goe, husband and wife  
 Trustee: Chicago Title Insurance Company  
 Beneficiary: Emerald Mortgage Company, a Washington corporation  
 Recording Date: August 25, 1994  
Recording No.: [9408251230](#)

Affects: a portion of said parcels

By various assignments, the beneficial interest thereunder is now held of record in:

Assignee: GE Capital Mortgage Services, Inc.  
 Loan No.: 3171956  
 Recording Date: February 7, 1995  
Recording No.: [9502070541](#)

**SCHEDULE B**

(continued)

A substitution of trustee under said deed of trust which names, as the substituted trustee, the following

Trustee: Meridian Escrow Inc.  
 Recording Date: October 12, 1998  
[Recording No.: 9810121275](#)

The effect, if any, of substitution of trustee document recorded under [recording no. 9810121276](#). Said document was not executed by the beneficiary of the Deed of Trust .

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

Amount: \$500,000.00  
 Dated: March 13, 2018  
 Trustor/Grantor: De Calvert, unmarried  
 Trustee: U.S. Bank Trust Company, National Association  
 Beneficiary: U.S. Bank National Association  
 Recording Date: March 28, 2018  
[Recording No.: 20180328001082](#)

Affects: Parcel A

The Deed of Trust set forth above is purported to be a "Credit Line" Deed of Trust. It is a requirement that the Trustor/Grantor of said Deed of Trust provide written authorization to close said credit line account to the Lender when the Deed of Trust is being paid off through the Company or other Settlement/Escrow Agent or provide a satisfactory subordination of this Deed of Trust to the proposed Deed of Trust to be recorded at closing.

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

Amount: \$250,000.00  
 Dated: June 11, 2013  
 Trustor/Grantor: De Calvert, unmarried  
 Trustee: U.S. Bank Trust Company, National Association  
 Beneficiary: U.S. Bank National Association  
 Recording Date: July 5, 2013  
[Recording No.: 20130705000027](#)

Affects: a portion of Parcel(s) A & C

The Deed of Trust set forth above is purported to be a "Credit Line" Deed of Trust. It is a requirement that the Trustor/Grantor of said Deed of Trust provide written authorization to close said credit line account to the Lender when the Deed of Trust is being paid off through the Company or other Settlement/Escrow Agent or provide a satisfactory subordination of this Deed of Trust to the proposed Deed of Trust to be recorded at closing.

**END OF EXCEPTIONS****NOTES**

The following matters will not be listed as Special Exceptions in Schedule B of the policy. There will be no coverage for loss arising by reason of the matters listed below because these matters are either excepted or excluded from coverage or are not matters covered under the insuring provisions of the policy.

**SCHEDULE B**  
(continued)

Note A: 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:

PARCELS A, B & C OF SPL NO. SUB 15-020, REC NO. 20161118900002, a/k/a PTN LTS 6 & 10,  
TONJA ESTATES  
Tax Account No(s): 866140-0060-02, 866140-0101-03 and 866140-0102-02

Note B: Note: The Public Records indicate that the address of the improvement located on said **Parcel A** is as follows:

5335 Butterworth Road  
Mercer Island, WA 98040

Note C: Note: The Public Records indicate that the address of the improvement located on said **Parcel B** is as follows:

5325 Butterworth Road  
Mercer Island, WA 98040

**END OF NOTES**

**END OF SCHEDULE B**