

# SUBDIVISION

Issued By:



**Fidelity National Title**  
Insurance Company

Guarantee/Certificate Number:

**611241907 - SECOND  
REPORT**

**FIDELITY NATIONAL TITLE INSURANCE COMPANY**  
a corporation, herein called the Company

## GUARANTEES

Kenneth Phillips

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.

**Fidelity National Title Insurance Company**

By:

Randy Quirk, President

**Fidelity National Title Company of Washington, Inc.**  
3500 188th St. SW, Suite 300  
Lynnwood, WA 98037

Countersigned By:

Julie Sundin  
Authorized Officer or Agent



Attest:

Marjorie Nemzura, Secretary

ISSUING OFFICE:
Title Officer: Bill Fisher / Paula Luxmore / Brenda McCoy Fidelity National Title Company of Washington, Inc. 3500 188th St. SW, Suite 300 Lynnwood, WA 98037 Phone: (425)771-3031 Main Phone: (425)771-3031 Email: Unit2@fnf.com

**SCHEDULE A**

Liability	Premium	Tax
\$1,000.00	\$350.00	\$36.75

Effective Date: October 28, 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:](#)

Kenneth M. Phillips and Robin C. Phillips, Presumptively subject to the community interest of his/her spouse or registered domestic partner, if married or a registered domestic partner

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): [544930-0080-05](#)**

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THAT PORTION OF LOT 16, MERCER BEACH PARK, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 46 OF PLATS, PAGE 7, RECORDS OF KING COUNTY, WASHINGTON;  
LYING EASTERLY OF A LINE RUNNING FROM THE SOUTHWEST CORNER OF SAID LOT 16 TO A POINT ON THE NORTH LINE, 36 FEET EAST OF THE NORTHWEST CORNER OF SAID LOT 16;  
TOGETHER WITH THE WESTERLY 10 FEET OF LOT 17 IN SAID PLAT;  
TOGETHER WITH THAT PORTION OF SAID LOT 17 LYING SOUTHWESTERLY OF A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID LOT 17;  
THENCE NORTH 59°23'14" WEST 105.01 TO AN INTERSECTION WITH THE EASTERLY LINE OF SAID WESTERLY 10 FEET AND THE TERMINUS OF SAID LINE.

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS OVER THAT PORTION OF TRACTS 14 AND 15 OF SAID PLAT LYING EASTERLY OF A LINE BEGINNING AT THE SOUTHEAST CORNER OF SAID TRACT 14 AND RUNNING  
THENCE NORTHERLY TO A POINT ON THE NORTHERLY LINE OF SAID TRACT 14, DISTANT 37.00 FEET WESTERLY OF THE NORTHEAST CORNER THEREOF;  
THENCE CONTINUING NORTHERLY TO A POINT ON THE NORTHERLY LINE OF SAID TRACT 15, DISTANT 70.00 FEET WESTERLY OF THE NORTHEAST CORNER THEREOF.

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. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, dedications, building setback lines, notes and statements, 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 Mercer Beach Park:

[Recording No.: 3863792](#)

2. Covenants, conditions, 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: December 20, 1948

[Recording No.: 3863902](#)

3. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

In favor of: Mercer Island Sewer District, a municipal corporation

Purpose: Installing, constructing, maintaining, operation, repairing and replacing sewer pipe line or lines and all necessary connections and appurtenances thereto

Recording Date: January 18, 1956

[Recording No.: 4655639](#) and 4655640

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

Granted to: Richard Wakefield and Grace Wakefield, husband and wife

Purpose: Roadway

Recording Date: July 15, 1959

[Recording No.: 5056046](#)

5. Terms and conditions of Notice of Charges By Water, Sewer, and/or Storm and Surface Water Utilities:

Recording Date: December 6, 1977

[Recording No.: 7712060812](#)

**SCHEDULE B**

(continued)

6. 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 Survey:

[Recording No: 20171116900029](#)

7. 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 Number: 544930-0080-05  
Levy Code: 1031  
Assessed Value-Land: \$1,977,000.00  
Assessed Value-Improvements: \$90,000.00

General and Special Taxes: Billed: \$16,550.74  
Paid: \$8,275.37  
Unpaid: \$8,275.37

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

Amount: \$1,800,000.00  
Dated: March 29, 2014  
Trustor/Grantor: Nicholas Phillips, a married man as his separate estate  
Trustee: Chicago Title Insurance Company  
Beneficiary: Kenneth M. Phillips and Robin C. Phillips  
Recording Date: April 22, 2019  
[Recording No.: 20190422001047](#)

The beneficial interest has apparently merged with the fee title and if that is the intention of the parties, said deed of trust must be reconveyed/released in the public records.

9. The Company will require the following:
- The Company must be furnished with a written statement/notarized estoppel affidavit from the grantor(s) in the deed recorded under [Recording No. 20191007000733](#) confirming that said deed was intended as an absolute conveyance of fee title and was not given for security purposes and that said grantor(s) has no further interest in the Land.
  - The Company must be provided with proof that said grantor(s) or any party holding through said grantor(s) has surrendered possession.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

**SCHEDULE B**

(continued)

- 10. Possible community property interest of the spouse or registered domestic partner of Nicholas Phillips, named as the Nicholas Phillips in the Deed of Trust recorded April 22, 2019 at 20190422001047. The official records disclose that said Nicholas Phillips was a married person or a member of a registered domestic partnership.
  
- 11. Matters which may be disclosed by a search of the records against the name of the spouse or domestic partner of Kenneth M. Phillips and Robin C. Phillips, if married or a member of a registered domestic partnership.

**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.

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:

PTN LT 16-17, MERCER BEACH PARK  
Tax Account No.: 544930-0080-05

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

2003 82nd Ave SE  
Mercer Island, WA 98040

**END OF NOTES**

**END OF SCHEDULE B**