

First American Title Insurance Company

MORTGAGE SOLUTIONS DIVISION
920 5TH AVENUE, SUITE 1200, SEATTLE, WA 98101

SEPTEMBER 26, 2019

**LEVY VON BECK AND ASSOCIATES
1200 5TH AVENUE, SUITE 1850
SEATTLE, WA 98101
ATTN: TED M. LEVY**

REFERENCE: **5866.0001/WISCHMAN**
OUR ORDER NUMBER: **8759114**

THE ITEMS ENCLOSED WERE PREPARED FOR THE SOLE USE OF THE HEREIN-NAMED TRUSTEE. THESE ITEMS SHOULD NOT BE RELIED UPON BY ANY THIRD PARTY AS A CONDITION OF TITLE.

**First American Title Insurance Company
Mortgage Solutions Division**

MARIE CRUZ CHRIS RUIZ
TITLE OFFICER(s)
PH:
FX:

ENCLOSURE

LITIGATION GUARANTEE

SUBJECT TO THE LIMITATIONS CONTAINED HEREIN, THE EXCLUSIONS FROM COVERAGE, THE LIMITS OF LIABILITY AND OTHER PROVISIONS OF THE CONDITIONS AND STIPULATIONS HERETO ANNEXED AND MADE A PART OF THIS GUARANTEE.

First American Title Insurance Company a California corporation, herein called the Company

GUARANTEES

the Assured named in Schedule A against loss not exceeding the liability amount stated in Schedule A which the Assured shall sustain by reason of any incorrectness in the assurance which the Company hereby gives that, according to the public records, as of Date of Guarantee shown in Schedule A:

1. The title to the herein described estate or interest is vested in the vestee named in Schedule A.
2. Except for the matters shown in Schedule B, there are no defects, liens, encumbrances or other matters affecting title to the estate or interest in the land shown in Schedule A, which matters are not necessarily shown in the order of their priority.
3.
 - a) The current interest holders claiming some right, title or interest by reason of the matters shown in Part II of Schedule B are as shown therein. The vestee named in Schedule A and parties claiming to have some right, title or interest by reason of the matters shown in Part II of Schedule B may be necessary parties defendant in an action, the nature of which is referred to in Schedule A.
 - b) The current interest holders claiming some right, title or interest by reason of the matters shown in Part I of Schedule B may also be necessary parties defendant in an action, the nature of which is referred to in Schedule A. However, no assurance is given hereby as to those current interest holders.
4. The return addresses for mailing after recording, if any, as shown on each and every document referred to in Part II of Schedule B by specific recording information, and as shown on the document(s) vesting title as shown in Schedule A are as shown in Schedule C.
5. Any failure by the foreclosing Trustee or Beneficiary to comply with the requirements of a County or City Ordinance, if any, as it pertains to the maintenance of the property described herein, prior to or during the foreclosure process.

THIS LITIGATION GUARANTEE IS FURNISHED SOLELY FOR THE PURPOSE OF FACILITATING THE FILING OF THE ACTION REFERRED TO IN SCHEDULE A. IT SHALL NOT BE USED OR RELIED UPON FOR ANY OTHER PURPOSE.

First American Title Insurance Company

BY PARKER S. KENNEDY - PRESIDENT

BY MARIE CRUZ CHRIS RUIZ
ASSISTANT SECRETARY
TITLE OFFICER
PH:
FX:

ORDER NO: 8759114
REFERENCE NO: 5866.0001
TITLE OFFICER: MARIE CRUZ CHRIS RUIZ
PRODUCT TYPE: LITIGATION GUARANTEE

SCHEDULE A

LIABILITY: **\$400,000.00**

FEE: **\$1360.00**

1. NAME OF ASSURED:

FRAN AND TERRI CLOSE

2. DATE OF GUARANTEE:

SEPTEMBER 13, 2019 AT 7:30 A.M.

3. THIS LITIGATION GUARANTEE IS FURNISHED SOLELY FOR THE PURPOSE OF FACILITATING THE FILING OF AN ACTION TO:

QUIET TITLE, TO OBTAIN PROMISED PROPERTY

4. THE ESTATE OR INTEREST IN THE LAND WHICH IS COVERED BY THIS GUARANTEE IS:

A FEE

5. TITLE TO THE ESTATE OR INTEREST IN THE LAND IS VESTED IN:

JUDIE A. WISCHMAN, A SINGLED PERSON

6. THE LAND REFERRED TO IN THIS GUARANTEE IS DESCRIBED AS FOLLOWS:

(SEE ATTACHED EXHIBIT "A")

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EXHIBIT A

THE LAND REFERRED TO IN THIS GUARANTEE IS SITUATED IN THE **STATE OF WASHINGTON, COUNTY OF KING, CITY OF MERCER ISLAND**, AND IS DESCRIBED AS FOLLOWS:

THE SOUTHWESTERLY 146.50 FEET OF THE NORTHEASTERLY 296.50 FEET OF LOT 1 AND THE SOUTHWESTERLY 150 FEET OF THE NORTHEASTERLY 300 FEET OF LOT 2 IN BLOCK "C" OF REPLAT OF ISLAND PARK, ACCORDING TO PLAT RECORDED IN VOLUME 13 OF PLATS, PAGE 58, IN KING COUNTY, WASHINGTON;

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS LYING 5 FEET ON EACH SIDE OF A CENTER LINE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF SAID LOT 1 WHICH IS SOUTH 47°51'00" WEST 26.00 FEET FROM THE MOST NORTHERLY CORNER THEREOF;

THENCE SOUTH 0°21'00" WEST 180.67 FEET TO A POINT WHICH IS SOUTH 47°51'00" WEST 150.00 FEET AND SOUTH 42°09'00" EAST 21.26 FEET FROM THE MOST NORTHERLY CORNER OF SAID LOT 2 AND THE TERMINUS OF SAID CENTER LINE;

AND TOGETHER WITH AN EASEMENT FOR ACCESS TO LAKE WASHINGTON OVER THE NORTHWESTERLY 10.00 FEET OF SAID LOT 1 AND SECOND CLASS SHORELANDS ADJOINING;

EXCEPT THE NORTHEASTERLY 296.50 FEET OF SAID LOT 1.

ABBREVIATED LEGAL DESCRIPTION:

PTN OF LOT 1-2, BLOCK "C" OF REPLAT OF ISLAND PARK, VOLUME 13 OF PLATS, PAGE 58

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WARNING

"THE MAP ATTACHED HERETO MAY OR MAY NOT BE A SURVEY OF THE LAND DEPICTED THEREON. YOU SHOULD NOT RELY UPON IT FOR ANY PURPOSE OTHER THAN ORIENTATION TO THE GENERAL LOCATION OF THE PARCEL OR PARCELS DEPICTED. FIRST AMERICAN EXPRESSLY DISCLAIMS ANY LIABILITY FOR ALLEGED LOSS OR DAMAGE WHICH MAY RESULT FROM RELIANCE UPON THIS MAP."

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SCHEDULE B

DEFECTS, LIENS, ENCUMBRANCES OR OTHER MATTERS AFFECTING TITLE:

PART I:

1. LIABILITY FOR ASSESSMENT(S) AND/OR PERSONAL PROPERTY TAXES, IF ANY.
2. GENERAL AND SPECIAL TAXES FOR THE CALENDAR YEAR **2020**, A LIEN NOT YET DUE OR PAYABLE.
3. GENERAL TAXES. THE FIRST HALF BECOMES DELINQUENT AFTER APRIL 30TH. THE SECOND HALF BECOMES DELINQUENT AFTER OCTOBER 31ST.
YEAR: **2019**
AMOUNT BILLED: **\$15,244.23**
AMOUNT PAID: **\$7,622.12**
AMOUNT DUE: **\$7,622.11**
TAX ACCOUNT NO.: **362350-0366-08**
LAND: **\$2,018,000.00**
IMPROVEMENTS: **\$10,000.00**
4. ANY AND ALL OFFERS OF DEDICATION, CONDITIONS, RESTRICTIONS, EASEMENTS, FENCELINE/BOUNDARY DISCREPANCIES, NOTES AND/OR PROVISIONS SHOWN OR DISCLOSED BY THE FILED OR RECORDED MAP REFERRED TO IN THE LEGAL DESCRIPTION.
5. ANY AND ALL OFFERS OF DEDICATION, CONDITIONS, RESTRICTIONS, EASEMENTS, BOUNDARY DISCREPANCIES OR ENCROACHMENTS, NOTES AND/OR PROVISIONS SHOWN OR DISCLOSED BY SHORT PLAT NO. MI 77-8-033 RECORDED UNDER RECORDING NUMBER 7709280725.
6. A DEED OF TRUST TO SECURE ANY ORIGINAL INDEBTEDNESS OF **\$1,000,000.00**, AND ANY OTHER AMOUNTS OR OBLIGATIONS SECURED THEREBY, RECORDED **NOVEMBER 30, 2007** AS INSTRUMENT NO. **20071130000966** OF OFFICIAL RECORDS.
DATED: **NOVEMBER 19, 2007**
GRANTOR: **CHARLES L. WISCHMAN AND JUDIE WISCHMAN, ALSO APPEARING AS JUDIE A. WISCHMAN, HUSBAND AND WIFE**
TRUSTEE: **PACIFIC NORTHWEST TITLE COMPANY A WASHINGTON CORPORATION**
BENEFICIARY: **WASHINGTON MUTUAL BANK, A FEDERAL ASSOCIATION**
7. A DEED OF TRUST TO SECURE ANY ORIGINAL INDEBTEDNESS OF **\$417,000.00**, AND ANY OTHER AMOUNTS OR OBLIGATIONS SECURED THEREBY, RECORDED **DECEMBER 15, 2009** AS INSTRUMENT NO. **20091215000239** OF OFFICIAL RECORDS.
DATED: **NOVEMBER 28, 2009**
GRANTOR: **CHARLES L. WISCHMAN AND JUDIE WISCHMAN, HIS WIFE**
TRUSTEE: **LSI, A TITLE INSURANCE AGENCY, INC**
BENEFICIARY: **JPMORGAN CHASE BANK, N.A.**
8. A DEED OF TRUST TO SECURE ANY ORIGINAL INDEBTEDNESS OF **\$135,000.00**, AND ANY OTHER AMOUNTS OR OBLIGATIONS SECURED THEREBY, RECORDED **DECEMBER 16, 2009** AS INSTRUMENT NO. **20091216000185** OF OFFICIAL RECORDS.
DATED: **NOVEMBER 28, 2009**
GRANTOR: **CHARLES L. WISCHMAN AND JUDIE WISCHMAN**
TRUSTEE: **WA - STEWART TITLE COMPANY OF WASHINGTON**
BENEFICIARY: **JPMORGAN CHASE BANK, N.A.**
9. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "**CITY OF MERCER ISLAND ORDINANCE NO. 17-16**", RECORDED **AUGUST 16, 2017**, AS INSTRUMENT NO. **20170816000571** OF OFFICIAL RECORDS.

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10. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "**AFFIDAVIT IN SUPPORT OF SINGLE-FAMILY BUILDING PERMIT# 1803-172**", RECORDED **MARCH 29, 2018**, AS INSTRUMENT NO. **20180329001073** OF OFFICIAL RECORDS.

11. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "**INDEMNIFICATION AND HOLD HARMLESS AGREEMENT**", RECORDED **MAY 21, 2018**, AS INSTRUMENT NO. **20180521001141** OF OFFICIAL RECORDS.

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PART II:

NONE

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REFERENCE NO: 5866.0001
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PRODUCT TYPE: LITIGATION GUARANTEE

SCHEDULE C

ADDRESSES

JUDIE A. WISCHMAN
4007 W MERCER WAY
MERCER ISLAND WA 98040-3319
(SCHEDULE A, VESTEE)

JUDIE A. WISCHMAN
C/O JANET GRAY JEPPESEN GRAY SAKAI P.S.
10655 NE 4TH STREET, SUITE 801
BELLEVUE WA 98004
(SCHEDULE A, VESTEE)

WASHINGTON MUTUAL BANK
2273 N GREEN VALLEY PARKWAY, SUITE #14
HENDERSON NV 89014
(SCHEDULE B, PART I, ITEM #6)

WASHINGTON MUTUAL BANK
FSC0440
2210 ENTERPRISE DRIVE
FLORENCE SC 29501
(SCHEDULE B, PART I, ITEM #6)

JPMORGAN CHASE BANK, N.A.
C/O EAST RECORDING SOLUTIONS
700 CHERRINGTON PARKWAY
CORAOPOLIS PA 15108
(SCHEDULE B, PART I, ITEM #7,8)

JPMORGAN CHASE BANK, N.A.
C/O WAREHOUSE INTAKE
700 KANSAS LANE - MAIL CODE: LA4-2153
MONROE LA 71203
(SCHEDULE B, PART I, ITEM #7)

JPMORGAN CHASE BANK, N.A.
1111 POLARIS PARKWAY
COLUMBUS OH 43240
(SCHEDULE B, PART I, ITEM #7)

JPMORGAN CHASE BANK, N.A.
710 KANSAS LANE, LA4-2107
MONROE LA 71203
(SCHEDULE B, PART I, ITEM #8)

JPMORGAN CHASE BANK, N.A.
HOME EQUITY LENDING DIVISION
1111 POLARIS PARKWAY
COLUMBUS OH 43240
(SCHEDULE B, PART I, ITEM #8)

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CITY OF MERCER ISLAND
ATTN: BIO PARK, ASSISTANT CITY ATTORNEY
9611 SE 36TH STREET
MERCER ISLAND WA 98040
(SCHEDULE B, PART I, ITEM #9)

DEVELOPMENT SERVICES GROUP
CITY OF MERCER ISLAND
9611 SE 36TH STREET
MERCER ISLAND WA 98040
(SCHEDULE B, PART I, ITEM #10)

CITY OF MERCER ISLAND
9611 SE 36TH STREET
MERCER ISLAND WA 98040
(SCHEDULE B, PART I, ITEM #11)

CURRENT OCCUPANT
4007 W MERCER WAY
MERCER ISLAND WA 98040-3319
(CURRENT OCCUPANT)