

# Chicago Title Insurance Company

Commitment No.:74091

## SCHEDULE A

Escrow Officer: Keri Mitchell

Title Officer: Don L. Holom

1. Effective Date: April 14, 2010 at 05:00 PM

2. Policy (or Policies) to be issued:

(a) Owner's Policy	( ALTA Own. Policy (6/17/06) )	Amount:	
Proposed Insured:		Premium:	
		Credit:	
		<b>Total:</b>	
		Endorsement Premium	\$

(b) Loan Policy	( ALTA Loan Policy (6/17/06) )	Amount:	
Extended Coverage		Premium:	
Proposed Insured:		Credit:	
		<b>Total:</b>	

Requested Endorsements:	Endorsement Premium:	\$
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(c) Report	( )	Amount:	
MINIMUM REPORT		Premium:	
Proposed Insured:		Credit:	
		<b>Total:</b>	\$ 220.00

Requested Endorsements:	Endorsement Premium:	
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3. The estate or interest in the land described or referred to in this Commitment is:

Fee Simple

4. Title to the FEE SIMPLE estate or interest in said land is at the Effective Date vested in:

**Mountain West Bank**

5. The land referred to in this Commitment is described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

KOOTENAI COUNTY TITLE COMPANY, INC.

1450 Northwest Blvd., Ste 200

Coeur d'Alene, ID 83814

Phone (208) 667-9431 □ Fax (208) 666-0410

Chicago Title Insurance Company

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**EXHIBIT "A"**  
**PROPERTY DESCRIPTION**

The land referred to in this Commitment is described as follows:

Lot 2, Block 3, BEAR CREEK ESTATES, according to the plat recorded in Book J of Plats at Page 264 and 264A, records of Kootenai County, Idaho.

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**SCHEDULE B - SECTION I  
EXCEPTIONS**

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:

- A. 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.
- B. General Exceptions:
- (1) Rights or claims of parties in possession not shown by the Public Records.
  - (2) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
  - (3) Easements, or claims of easements, 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.
  - (5) (a) Unpatented mining claims; (b) reservations in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by Public Records.
  - (6) Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments of real property or by the Public Records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
- C. Special Exceptions:
7. General Taxes and Assessments, which are a lien, for the year 2009, of which the 1st installment is due December 20 of the tax year and the 2nd installment is due June 20 of the subsequent year (amounts do not include penalty and interest if delinquent) :  
Total: \$985.48, paid  
Parcel No.: H09200030020  
AIN No.: 260777
  8. General taxes for the year 2010, which are a lien, are not yet due or payable.
  9. Special Assessments, if any, for the City of Hayden.
  10. Assessments of the North Kootenai Water and Sewer District.
  11. Assessments of the Bear Creek Estates Owners Association, Inc.
  12. An easement for the purpose shown below and rights incidental thereto as set forth in a document  
Granted to: WASHINGTON WATER POWER COMPANY  
Purpose: Public utilities

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**SCHEDULE B - SECTION II**

**EXCEPTIONS**

(Continued)

Recorded: June 6, 1940  
Book 115 of Deeds at Page 16,  
records of Kootenai County, Idaho.

13. An easement for the purpose shown below and rights incidental thereto as set forth in a document

Granted to: WASHINGTON WATER POWER COMPANY  
Purpose: Public utilities  
Recorded: August 23, 1945  
Book 129 of Deeds at Page 341,  
records of Kootenai County, Idaho.

14. Annexation Agreement, by and between the City of Hayden, an municipal corporation and Sperle's Investments, Inc., an Idaho corporation, recorded October 14, 2004 as Instrument No.1906742, records of Kootenai County, Idaho.

15. A Master Development Agreement by and between The City of Hayden and Sperle's Investment, Inc., a Idaho corporation recorded April 21, 2005 as Instrument No.1943744, records of Kootenai County, Idaho.

Re-recorded April 28, 2005 as Instrument No.1945573, records of Kootenai County, Idaho.

16. Restrictions, conditions, dedications, notes, easements and provisions delineated and / or described on the plat recorded in Book J of Plats at Page 264, in BEER CREEK ESTATES, Kootenai County, Idaho.

17. Covenants, conditions and restrictions as set forth in the document, but omitting any covenant or restriction based on 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.

Recorded: November 9, 2005  
Instrument No.:1994552, records of Kootenai County, Idaho.

Modification of said covenants, conditions and restrictions

Recorded: May 4, 2007  
Instrument No.:2097928000, records of Kootenai County, Idaho.

Modification of said covenants, conditions and restrictions

Recorded: May 4, 2007  
Instrument No.:2097929000, records of Kootenai County, Idaho.

**NOTES:**

The following matters will not be listed as Special Exceptions in Schedule B of the policy to be issued pursuant to this Commitment. Notwithstanding the absence of a Special Exception to Schedule B of the policy to be issued,

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**SCHEDULE B - SECTION II**

**EXCEPTIONS**

(Continued)

there will be no coverage for loss arising by reason of the matters listed below because these matters are either excepted from coverage under the General Exceptions section of Schedule B, excluded from coverage under the Exclusions from Coverage or are not matters for which coverage is afforded under the insuring clauses of the policy.

- Note 1: In the event this transaction fails to close and this commitment is cancelled, a fee will be charged to comply with the state insurance code.
- Note 2: The address of the herein described property is:  
1538 E Bruin Loop  
Hayden, ID 83835
- Note 3: This report is base on a search of our tract indexes of the County records. No Liability beyond the amount paid for this report is assumed hereunder, and the company is not responsible beyond the amount paid for any errors and omissions contained herein.
- Note 4: Not withstanding anything to the contrary in this Commitment, if the policy to be issued is other than an ALTA Owner's Policy (6/17/06) or ALTA Loan Policy (6/17/06), the policy may not contain an arbitration clause, or the terms of the arbitration clause may be different from those set forth in this Commitment. If the policy does contain an arbitration clause, and the Amount of Insurance is less than the amount, if any, set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties.

# Chicken Hill Estates

0-K116

2  
001-002-0  
10.3928 Ac

1  
001-001-0  
0.6813 Ac  
(239.89)

3  
001-003-0  
0.7991 Ac  
(239.91)

1  
001-004-B  
0.8074 Ac

4  
001-004-A  
1.0620 Ac  
(239.26)

001-005-B  
0.8074 Ac

5  
001-005-A  
1.0620 Ac

#20199  
7355  
3.676 Ac

PARCEL 3  
000-003-0  
1.854 Ac

1  
001-001-0  
0.955 Ac

2  
001-002-0  
0.768 Ac

3  
001-003-0  
0.768 Ac

4  
001-004-0  
0.840 Ac

5  
001-005-0  
0.768 Ac

6  
001-006-0  
0.504 Ac

7  
001-007-0  
0.513 Ac

8  
001-008-0  
0.478 Ac

9  
001-009-0  
0.764 Ac

#21583  
003-013-B  
0.8145 Ac

#21688  
12  
003-012-A  
0.9554 Ac

# Bear Creek Estates

H-0920

#4165  
EX R/W  
H-0000-012-8350  
4.1614 Ac

11  
003-011-0  
1.583 Ac

5  
002-005-0  
0.598 Ac

3  
002-003-0  
0.550 Ac

2  
002-002-0  
0.557 Ac

1  
002-001-0  
0.861 Ac

1  
003-001-0  
0.524 Ac

2  
003-002-0  
1.7564 Ac

3  
003-003-0  
0.733 Ac

6  
003-006-0  
0.889 Ac

7  
003-007-0  
0.722 Ac

8  
003-008-0  
0.773 Ac

9  
003-009-0  
0.901 Ac

10  
003-010-0  
0.829 Ac

11  
003-011-0  
0.897 Ac

12  
003-012-0  
0.885 Ac

10  
003-010-0  
1.616 Ac

9  
003-009-0  
0.544 Ac

8  
003-008-0  
0.574 Ac

7  
003-007-0  
0.573 Ac

6  
003-006-0  
0.572 Ac

5  
003-005-0  
0.571 Ac

4  
003-004-0  
0.728 Ac

# Starling Meadows (Replat)

0-7627

4  
001-004-0  
2.570 Ac

3  
001-003-0  
2.567 Ac

2  
001-002-0  
2.580 Ac

1  
001-001-0  
2.577 Ac

#14496

Z

#8075

EX TAX #S

9700

This sketch is provided, without charge, for your information. It is not intended to show all matters related to the property. The Company assumes NO LIABILITY for any matter related to this sketch.

SE 1/4 12-51N-4W D 101

Ptn Rosenberger 1st Add

STRAHORN RD

STARLING MEADOWS CT

