

# OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

## NOTICE

**IMPORTANT - READ CAREFULLY:** THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACTIONAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

## COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I - Requirements; Schedule B, Part II - Exceptions; and the Commitment Conditions, *Old Republic National Title Insurance Company*, a(n) Idaho corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I - Requirements have not been met within 90 days after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

## COMMITMENT CONDITIONS

### 1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.

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## OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

- (h) "Title": The estate or interest described in Schedule A.
2. If all of the Schedule B, Part I - Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.
3. The Company's liability and obligation is limited by and this Commitment is not valid without:
- (a) the Notice;
  - (b) the Commitment to Issue Policy;
  - (c) the Commitment Conditions;
  - (d) Schedule A;
  - (e) Schedule B, Part I—Requirements; [and]
  - (f) Schedule B, Part II—Exceptions[; and
  - (g) a counter-signature by the Company or its issuing agent that may be in electronic form].
- 4. COMPANY'S RIGHT TO AMEND**
- The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.
- 5. LIMITATIONS OF LIABILITY**
- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
    - (i) comply with the Schedule B, Part I - Requirements;
    - (ii) eliminate, with the Company's written consent, any Schedule B, Part II - Exceptions; or
    - (iii) acquire the Title or create the Mortgage covered by this Commitment.
  - (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
  - (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
  - (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
  - (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
  - (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I - Requirements have been met to the satisfaction of the Company.
  - (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.
- 6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT**
- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
  - (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
  - (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
  - (d) The deletion or modification of any Schedule B, Part II - Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.

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- (e) Any amendment or endorsement to this Commitment must be in writing [and authenticated by a person authorized by the Company].
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

### 7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

### 8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

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**OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY**

Commitment No.: 418331

**SCHEDULE A**

Escrow Officer: Keri Mitchell - keri@kootenaititle.com  
Title Officer: Jan DeFord - jan@kootenaititle.com

1. Commitment Date: June 22, 2022 at 12:00 AM

2. Policy to be issued:

a. Owner's Policy	(ALTA Owners Policy (06/17/06))	Amount:	\$10,000.00
Proposed Insured:		Premium:	\$220.00
<b>Total::</b>			<b>\$220.00</b>

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 the Land is at the Commitment Date vested in:

**Coeur d'Alene Land Company, an Idaho Corporation, also shown of record as Coeur d'Alene Land Company, Inc., an Idaho Corporation**

5. The Land is described as follows:

SEE SCHEDULE C ATTACHED HERETO

Old Republic National Title Insurance Company



By: \_\_\_\_\_  
Kootenai County Title Company, Inc.

**OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY**  
A Stock Company  
400 Second Avenue South, Minneapolis, Minnesota 55401  
(612) 371-1111

By  President  
Attest  Secretary

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# OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

## SCHEDULE B, PART I

### Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. 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:

NKA Coeur d Alene  
Coeur d' Alene, ID 83814

Note 3: This report is based 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: Notwithstanding 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.

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# OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

## SCHEDULE B, PART II Exceptions

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared 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 but prior to the date the proposed Insured acquires for value of record 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 for the year 2022, which are a lien, not yet due or payable.
  - 8. The lien for any taxes deferred by virtue of the designation of the insured land or any portion thereof as forest lands as provided by Section 63-1701 et. seq., of the Idaho Code
  - 9. Any question of location, boundary or area related to Spokane River, including, but not limited to, any past or future changes in it.
  - 10. Any prohibition or limitation on the use, occupancy, or improvements of the land resulting from the

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rights of the public, appropriators, or riparian owners to use any waters which may now cover the land or to use any portion of the land which is now or may formerly have been covered by water.

11. The right of use, control, or regulation by the United States of America in exercise of power over navigation.
12. Any difference in the mean highwater line of Spokane River and the meander line as shown by government survey.
13. An easement for the purpose shown below and rights incidental thereto as set forth in a document  
Granted to: Washington Water and Power Company  
Purpose: To back and hold water upon and flood and overflow with water.  
Recorded: August 21, 1911  
Instrument No.: Book 44 of Deeds at Page 477, records of Kootenai County, Idaho.

Affects Parcels 1, 2 and 4

[44-477](#)

14. An easement for the purpose shown below and rights incidental thereto as reserved in a document  
Purpose: Road  
Recorded: February 12, 1960  
Instrument No.: Book 181 of Deeds at Page 217, records of Kootenai County, Idaho.

Affects Parcel 4

[181-217](#)

15. An easement for the purpose shown below and rights incidental thereto as reserved in a document  
Purpose: Road  
Recorded: May 23, 1960  
Instrument No.: Book 182 of Deeds at Page 173, records of Kootenai County, Idaho.

Affects Parcel 4

[182-173](#)

16. Any rights, interests, claims or other adverse matters which may exist or arise by reason of facts shown on Record of Survey recorded March 4, 1987, in Book 5 of Surveys at Page 93, records of Kootenai County, Idaho, including without limitation those described as follows:

A. Discrepancies between the bearings, measurements and locations of record and those shown

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on said survey.

B. Encroachment of fence line over the western boundary line of the land.

Affects Parcel 3

17. An easement for the purpose shown below and rights incidental thereto as set forth in a document  
Granted to: Washington Water and Power Company  
Purpose: To back and hold water upon and to flood, overflow and affects with water.  
Recorded: June 21, 1993  
Instrument No.: 1308973, records of Kootenai County, Idaho.

Affects Parcels 1, 3, 4, 7 and 8

[1308973](#)

18. An easement for the purpose shown below and rights incidental thereto as set forth in a document  
Granted to: Washington Water and Power Company  
Purpose: To back and hold water upon and to flood, overflow and affects with water.  
Recorded: June 21, 1993  
Instrument No.: 1308974, records of Kootenai County, Idaho.

Affects Parcels 1, 3, 4, 7 and 8

[1308974](#)

19. An easement for the purpose shown below and rights incidental thereto as set forth in a document  
Granted to: Coeur d' Alene Land Company  
Purpose: Ingress, egress and utilities  
Recorded: March 17, 1994  
Instrument No.: 1345831, records of Kootenai County, Idaho.

Affects Parcel 9

[1345831](#)

20. An easement for the purpose shown below and rights incidental thereto as set forth in a document  
Granted to: Coeur d' Alene Land Company and Harry Magnuson  
Purpose: Ingress, egress and utilities  
Recorded: May 24, 1994  
Instrument No.: 1355649, records of Kootenai County, Idaho.

Affects Parcel 9

[1355649](#)

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21. An easement for the purpose shown below and rights incidental thereto as set forth in a document, and including terms and provisions set forth therein and any assessments for water service pursuant thereto  
Granted to: Norm's Plumbing and Heating, Inc., an Idaho Corporation  
Purpose: Water system and utility lines  
Recorded: December 8, 1998  
Instrument No.: 1566688, records of Kootenai County, Idaho.
- Affects Parcel 9
- [1566688](#)
22. Any rights, interests, claims or other adverse matters which may exist or arise by reason of facts shown on Record of Survey recorded November 12, 2013, in Book 28 of Surveys at Page 13, records of Kootenai County, Idaho, including without limitation those described as follows:
- A. Easements for effluent lines and drainfields.
- Affects Parcel 9
- [28-13](#)
23. An easement for the purpose shown below and rights incidental thereto as set forth in a document  
Granted to: Coeur d'Alene Land Company  
Purpose: Effluent line and drainfield  
Recorded: July 27, 2017  
Instrument No.: 2604691000, records of Kootenai County, Idaho.
- Affects Parcel 9
- [2604691000](#)
24. An easement for the purpose shown below and rights incidental thereto as set forth in a document  
Granted to: Coeur d'Alene Land Company  
Purpose: Effluent line and drainfield  
Recorded: July 27, 2017  
Instrument No.: 2604692000, records of Kootenai County, Idaho.
- Affects Parcel 9
- [2604692000](#)
25. An easement for the purpose shown below and rights incidental thereto as set forth in a document

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Granted to: Coeur d'Alene Land Company  
Purpose: Effluent line and drainfield  
Recorded: July 27, 2017  
Instrument No.: 2604693000, records of Kootenai County, Idaho.

Affects Parcel 9

[2604693000](#)

26. An easement for the purpose shown below and rights incidental thereto as set forth in a document  
Granted to: Coeur d'Alene Land Company  
Purpose: Effluent line and drainfield  
Recorded: July 27, 2017  
Instrument No.: 2604694000, records of Kootenai County, Idaho.

Affects Parcel 9

[2604694000](#)

27. An easement for the purpose shown below and rights incidental thereto as set forth in a document  
Granted to: Robert S. Legg Family, LLC  
Purpose: Effluent line and drainfield  
Recorded: July 27, 2017  
Instrument No.: 2604695000, records of Kootenai County, Idaho.

Affects Parcel 9

[2604695000](#)

28. An easement for the purpose shown below and rights incidental thereto as set forth in a document  
Granted to: Coeur d'Alene Land Company  
Purpose: Effluent line and drainfield  
Recorded: July 27, 2017  
Instrument No.: 2604696000, records of Kootenai County, Idaho.

Affects Parcel 10

[2604696000](#)

29. An easement for the purpose shown below and rights incidental thereto as set forth in a document  
Granted to: Coeur d'Alene Land Company  
Purpose: Effluent line and drainfield  
Recorded: July 27, 2017  
Instrument No.: 2604697000, records of Kootenai County, Idaho.

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Affects Parcel 10

[2604697000](#)

30. An easement for the purpose shown below and rights incidental thereto as set forth in a document  
Granted to: Coeur d'Alene Land Company  
Purpose: Effluent line and drainfield  
Recorded: July 27, 2017  
Instrument No.: 2604698000, records of Kootenai County, Idaho.

Affects Parcel 10

[2604698000](#)

31. An easement for the purpose shown below and rights incidental thereto as set forth in a document  
Granted to: Coeur d'Alene Land Company  
Purpose: Effluent line and drainfield  
Recorded: July 27, 2017  
Instrument No.: 2604699000, records of Kootenai County, Idaho.

Affects Parcel 10

[2604699000](#)

32. An easement for the purpose shown below and rights incidental thereto as set forth in a document  
Granted to: James Stephen Casto and Tammy Sue Casto  
Purpose: Drainfield, replacement drainfield, and effluent transportation line  
Recorded: September 21, 2017  
Instrument No.: 2612622000, records of Kootenai County, Idaho.

Affects Parcel 10

[2612622000](#)

33. An easement for the purpose shown below and rights incidental thereto as set forth in a document  
Granted to: Aspen Homes and Development, LLC  
Purpose: Drainfield, replacement drainfield, and effluent transportation line  
Recorded: September 21, 2017  
Instrument No.: 2612623000, records of Kootenai County, Idaho.

Affects Parcel 10

[2612623000](#)

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34. An easement for the purpose shown below and rights incidental thereto as set forth in a document  
Granted to: James Stephen Castro and Tammy Sue Castro  
Purpose: Drainfield, replacement drainfield, and effluent transportation line  
Recorded: September 21, 2017  
Instrument No.: 2612624000, records of Kootenai County, Idaho.

Affects Parcel 9

[2612624000](#)

35. An easement for the purpose shown below and rights incidental thereto as set forth in a document  
Granted to: Aspen Homes and Development, LLC  
Purpose: Effluent line and drainfield  
Recorded: August 15, 2018  
Instrument No.: 2656999000, records of Kootenai County, Idaho.

Affects Parcel 9

[2656999000](#)

36. An easement for the purpose shown below and rights incidental thereto as set forth in a document  
Granted to: Coeur d'Alene Land Company  
Purpose: Effluent line and drainfield  
Recorded: August 15, 2018  
Instrument No.: 2657000000, records of Kootenai County, Idaho.

Affects Parcel 9

[2657000000](#)

37. An easement for the purpose shown below and rights incidental thereto as set forth in a document  
Granted to: Coeur d'Alene Land Company  
Purpose: Effluent line and drainfield  
Recorded: August 15, 2018  
Instrument No.: 2657001000, records of Kootenai County, Idaho.

Affects Parcel 9

[2657001000](#)

38. An easement for the purpose shown below and rights incidental thereto as set forth in a document  
Granted to: Coeur d'Alene Land Company  
Purpose: Effluent line and drainfield  
Recorded: August 15, 2018

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Instrument No.: 2657002000, records of Kootenai County, Idaho.

Affects Parcel 9

[2657002000](#)

39. An easement for the purpose shown below and rights incidental thereto as set forth in a document  
Granted to: Justin Yancey and Descendants Trust  
Purpose: Effluent line and drainfield  
Recorded: August 15, 2018  
Instrument No.: 2657003000, records of Kootenai County, Idaho.

Affects Parcel 9

[2657003000](#)

40. An easement for the purpose shown below and rights incidental thereto as set forth in a document  
Granted to: Justin Yancey and Descendants Trust  
Purpose: Effluent line and drainfield  
Recorded: August 15, 2018  
Instrument No.: 2657004000, records of Kootenai County, Idaho.

Affects Parcel 10

[2657004000](#)

41. 41. An easement for the purpose shown below and rights incidental thereto as set forth in a document  
Granted to: Justin Yancey and Descendants Trust  
Purpose: Effluent line and drainfield  
Recorded: August 15, 2018  
Instrument No.: 2657005000, records of Kootenai County, Idaho.

Affects Parcel 10

[2657005000](#)

42. An easement for the purpose shown below and rights incidental thereto as set forth in a document  
Granted to: Coeur d'Alene Land Company  
Purpose: Effluent line and drainfield  
Recorded: August 15, 2018  
Instrument No.: 2657006000, records of Kootenai County, Idaho.

Affects Parcel 10

[2657006000](#)

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43. An easement for the purpose shown below and rights incidental thereto as set forth in a document  
Granted to: Coeur d'Alene Land Company  
Purpose: Effluent line and drainfield  
Recorded: August 15, 2018  
Instrument No.: 2657007000, records of Kootenai County, Idaho.

Affects Parcel 10

[2657007000](#)

44. Any rights, interests, claims or other adverse matters which may exist or arise by reason of facts shown on Record of Survey recorded August 31, 2018, in Book 30 of Surveys at Page 274, records of Kootenai County, Idaho, including without limitation those described as follows:

A. Easements for effluent lines and drainfields.

Affects Parcel 9

[30-274](#)

45. Any rights, interests, claims or other adverse matters which may exist or arise by reason of facts shown on Record of Survey recorded August 31, 2018, in Book 30 of Surveys at Page 275, records of Kootenai County, Idaho, including without limitation those described as follows:

A. Easements for effluent lines and drainfields.

Affects Parcel 10

[30-275](#)

46. Mortgage to secure an indebtedness in the amount shown below and any other obligations secured thereby  
Amount: \$4,877,759.32  
Dated: January 5, 1999  
Recorded: January 7, 1999  
Instrument No.: 1570556, records of Kootenai County, Idaho  
Mortgagor: Coeur d'Alene Land Company  
Mortgagee: Washington Trust Bank

An agreement to modify the terms and provisions of the said mortgage as therein provided  
Executed by: Coeur d'Alene Land Company and Washington Trust Bank  
Recorded: February 8, 2002,  
Instrument No.: 1718167, records of Kootenai County, Idaho.

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## OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

An agreement to modify the terms and provisions of the said mortgage as therein provided  
Executed by: Coeur d'Alene Land Company and Washington Trust Bank  
Recorded: February 8, 2002,  
Instrument No.:1718168, records of Kootenai County, Idaho.

An agreement to modify the terms and provisions of the said mortgage as therein provided  
Executed by: Coeur d'Alene Land Company and Washington Trust Bank  
Recorded: August 27, 2003  
Instrument No.:1824707, records of Kootenai County, Idaho.

An agreement to modify the terms and provisions of the said mortgage as therein provided  
Executed by: Coeur d'Alene Land Company and Washington Trust Bank  
Recorded: November 12, 2003  
Instrument No.:1842620, records of Kootenai County, Idaho.

An agreement to modify the terms and provisions of the said mortgage as therein provided  
Executed by: Coeur d'Alene Land Company and Washington Trust Bank  
Recorded: September 23, 2004  
Instrument No.:1902738, records of Kootenai County, Idaho.

An agreement to modify the terms and provisions of the said mortgage as therein provided  
Executed by: Coeur d'Alene Land Company and Washington Trust Bank  
Recorded: December 12, 2005  
Instrument No.:2000910, records of Kootenai County, Idaho.

An agreement to modify the terms and provisions of the said mortgage as therein provided  
Executed by: Coeur d'Alene Land Company and Washington Trust Bank  
Recorded: September 25, 2006  
Instrument No.:2057365000, records of Kootenai County, Idaho.

An agreement to modify the terms and provisions of the said mortgage as therein provided  
Executed by: Coeur d'Alene Land Company and Washington Trust Bank  
Recorded: February 17, 2009  
Instrument No.:2196664000, records of Kootenai County, Idaho.

[1570556](#)

47. An easement for the purpose shown below and rights incidental thereto as set forth in a document  
Granted to: Post Falls Highway District  
Purpose: public right-of-way  
Recorded: June 3, 2013  
Instrument No.:[2837762000](#), records of Kootenai County, Idaho.

**END OF SCHEDULE B**

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**OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY**  
**SCHEDULE C**

The Land is described as follows:

**PARCEL 1:**

Government Lot 6 of Section 9, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho.

**PARCEL 2:**

All that portion of Government Lot 5, Section 9, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho described as follows:

BEGINNING at a point on the South bank of Spokane River, where the East section line of said Section 9 intersects the meander line of the Spokane River; thence

Running South along said section line for a distance of 389 feet; thence

at an angle of 90°02' to the right for a distance of 346 feet; thence

at an angle 89°58' to the right for a distance of 400 feet, more or less, to the meander line of the Spokane River; thence

East along the meander line of said river to the PLACE OF BEGINNING.

**PARCEL 3:**

The East 34 acres of the Northeast quarter of the Southwest quarter of Section 9, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho.

**PARCEL 4:**

A tract of land in Government Lot 5, Section 9, Township 50 North, Range 4 West Boise Meridian, Kootenai County, Idaho, described as Government Lot 5, less the East 1126 feet of said Government Lot 5;

Together with

A tract of land in Government Lot 5, Section 9, Township 50 North, Range 4 West Boise Meridian, Kootenai County, Idaho, described as the East 1126 feet of said Government Lot 5, less the East 931 feet of said Government Lot 5.

**PARCEL 5:**

The West half of the Northeast quarter of the Southeast quarter of Section 9, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho.

**PARCEL 6:**

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## OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

The East half of the Northeast quarter of the Southeast quarter of Section 9, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho.

### PARCEL 7:

The West half of the Northwest quarter of the Southeast quarter of Section 9, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho.

### PARCEL 8:

The East half of the Northwest quarter of the Southeast quarter of Section 9, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho.

### PARCEL 9:

The North 125 feet of the South half of the Southwest Quarter of Section 10, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho.

TOGETHER WITH the North half of Lot 8 of the Fort Sherman Abandoned Military Reservation, in the Southeast Quarter of Section 10, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho (also shown of record as the North half of Government Lot 8, Section 10, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho.)

EXCEPTING THEREFROM the South 250 feet of said Lot 8.

ALSO EXCEPTING THEREFROM any portion lying within the following described parcel:

A portion of the Southeast Quarter of Section 10, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, described as follows:

COMMENCING at the Center Quarter corner of said Section 10 marked by a 3 inch aluminum cap per CP&F Instrument Number 1507457 from which the Center-South 1/16 corners bears South 00°07'03" East 1349.52 feet; thence

Along the West line of the Southeast Quarter, South 00°07'03" East 188.63 feet to the southwest corner of Lot 10 as shown on the Record of Survey filed in Book 28 of Survey, Page 67, Records of Kootenai County, Idaho, being the TRUE POINT OF BEGINNING; thence

Along the southern line of Lots 1 through 10 as shown on said Record of Survey filed in Book 28 of Surveys, page 67, the following sixteen (16) courses:

1. South 61°31'39" East 32.70 feet; thence
2. Along a non-tangent curve to the left with a radius of 170.00 feet, an arc length of 58.13 feet, a central angle of 19°35'34" with a long chord that bears South 71°19'23" East 57.85 feet; thence
3. Along a reverse curve to the right with a radius of 230.00 feet, an arc length of 77.59 feet, a central angle of 19°19'42" with a long chord that bears South 71°27'19" East 77.22 feet; thence
4. South 61°47'29" East 143.88 feet; thence

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5. Along a non-tangent curve to the right with a radius of 330.00 feet, an arc length of 129.14 feet, a central angle of 22°25'20" with a long chord that bears South 50°34'49" East 128.32 feet; thence
6. South 39°22'10" East 118.89 feet; thence
7. Along a non-tangent curve to the left with a radius of 270.00 feet, an arc length of 15.61 feet, a central angle of 3°18'47" with a long chord that bears South 41°01'33" East 15.61 feet; thence
8. South 42°40'56" East 137.76 feet; thence
9. Along a non-tangent curve to the left with a radius of 270.00 feet, an arc length of 44.56 feet, a central angle of 9°27'22" with a chord that bears South 47°24'36" East 44.51 feet; thence
10. South 52°08'16" East 149.31 feet; thence
11. Along a non-tangent curve to the left with a radius of 270.00 feet, an arc length of 11.35 feet, a central angle of 2°24'31" with a long chord that bears South 53°20'31" East 11.35 feet; thence
12. South 54°32'46" East 64.25 feet; thence
13. Along a non-tangent curve to the right with a radius of 330.00 feet, an arc length of 29.32 feet, a central angle of 5°05'27" with a long chord that bears South 52°00'01" East 29.31 feet; thence
14. South 49°27'20" East 163.04 feet; thence
15. Along a non-tangent curve to the left with a radius of 270.00 feet, an arc length of 26.59 feet, a central angle of 5°38'31" with a long chord that bears South 52°16'37" East 26.58 feet; thence
16. South 55°05'51" East 249.03 feet to the northwest corner of the excepted 60.00 foot strip of land described under Instrument Number 1234701 (Tax #14938), records of Kootenai County; thence

Along the North line of said excepted 60.00 foot strip and the North line of the excepted 60.00 foot strip of land described under Instrument Number 1234697 (Tax #14936), records of Kootenai County, South 57°30'57" East 212.34 feet to the East line of Lot 9, Fort Sherman Abandoned Military Reserve as filed in Book B of Plats, Page 153, records of Kootenai County, Idaho; thence

Along said East line of Lot 9, South 00°47'00" West 70.61 feet to the southeast corner of said excepted 60.00 foot strip of land described under Instrument Number 1234697, records of Kootenai County; thence

Along the South line of said excepted 60.00 foot strip of land described Instrument Number 1234697, records of Kootenai County and along the South line of the excepted 60.00 foot strip of land described Instrument Number 1234701, records of Kootenai County, North 57°23'57" West 211.26 feet to the West line of the parcel described under Instrument Number 1234701, records of Kootenai County; thence

Along said West line, South 00°08'56" East 224.47 feet to the southwest corner of parcel described under Instrument Number 1234701 (Tax #14937), records of Kootenai County; thence

Along the South line of the parcel described under Instrument Number 1234701, records of Kootenai County and the South line of the parcel described under Instrument Number 1234697 (Tax #14935), records of Kootenai County, North 89°48'20" East 175.74 feet to the northeast corner of Lot 8 of said Fort Sherman Abandoned Military Reserve; thence

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Along the East line of said Lot 8, South 00°10'56" East 175.68 feet; thence

Leaving said East line, North 88°28'01" West 601.62 feet; thence

North 67°43'04" West 412.09 feet to the South line of said Lot 9; thence

South 89°48'20" West 338.04 feet to the West line of the Southeast Quarter of said Section 10; thence

Along said West line, North 00°07'03" West 1160.89 feet to the TRUE POINT OF BEGINNING.

### PARCEL 10:

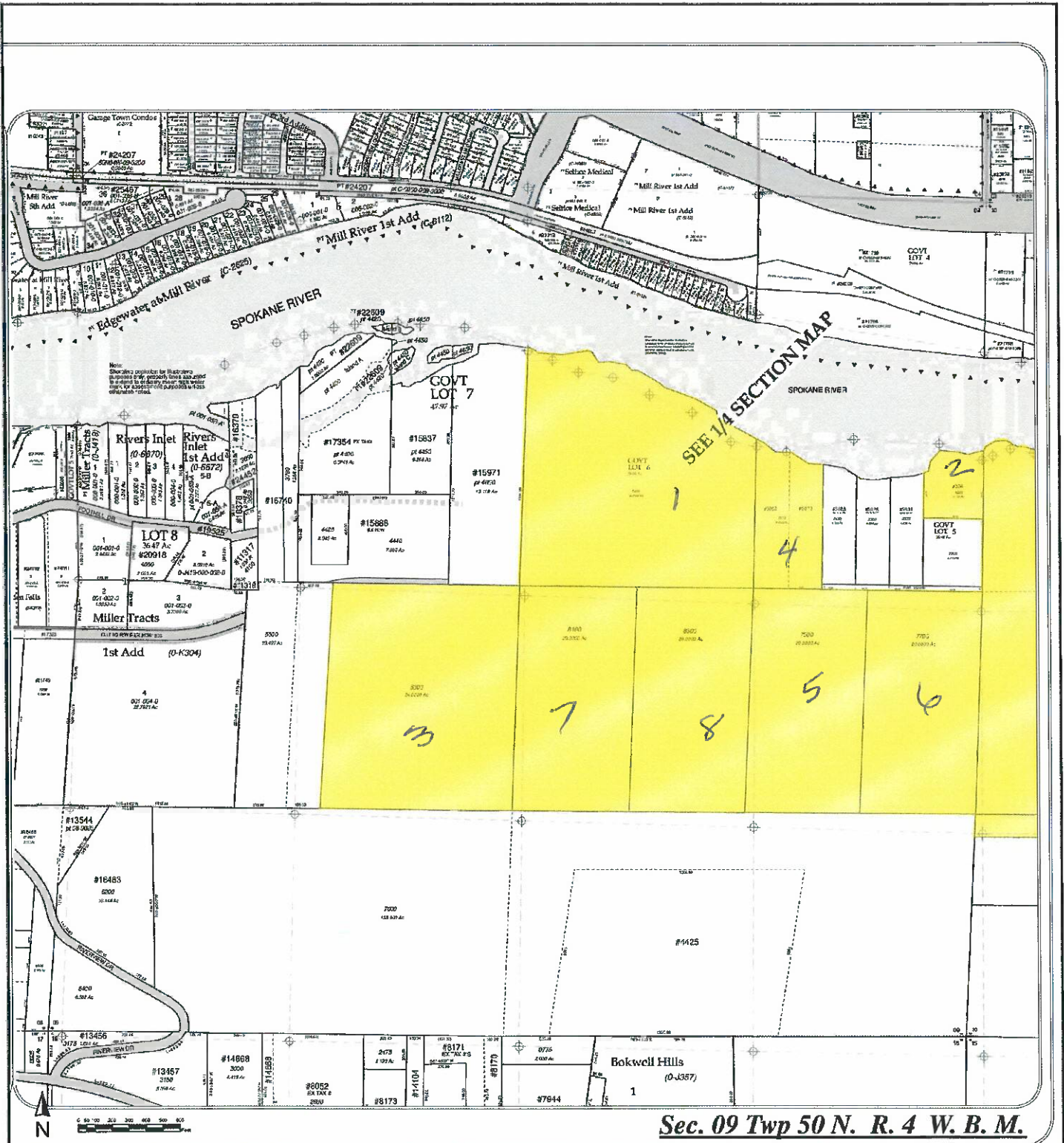
Government Lots 5 and 6 and the North half of the Southwest quarter, in Section 10, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, excepting therefrom any of that portion of Government Lot 5 lying in the Southwest quarter of the Northeast quarter in said Section 10.

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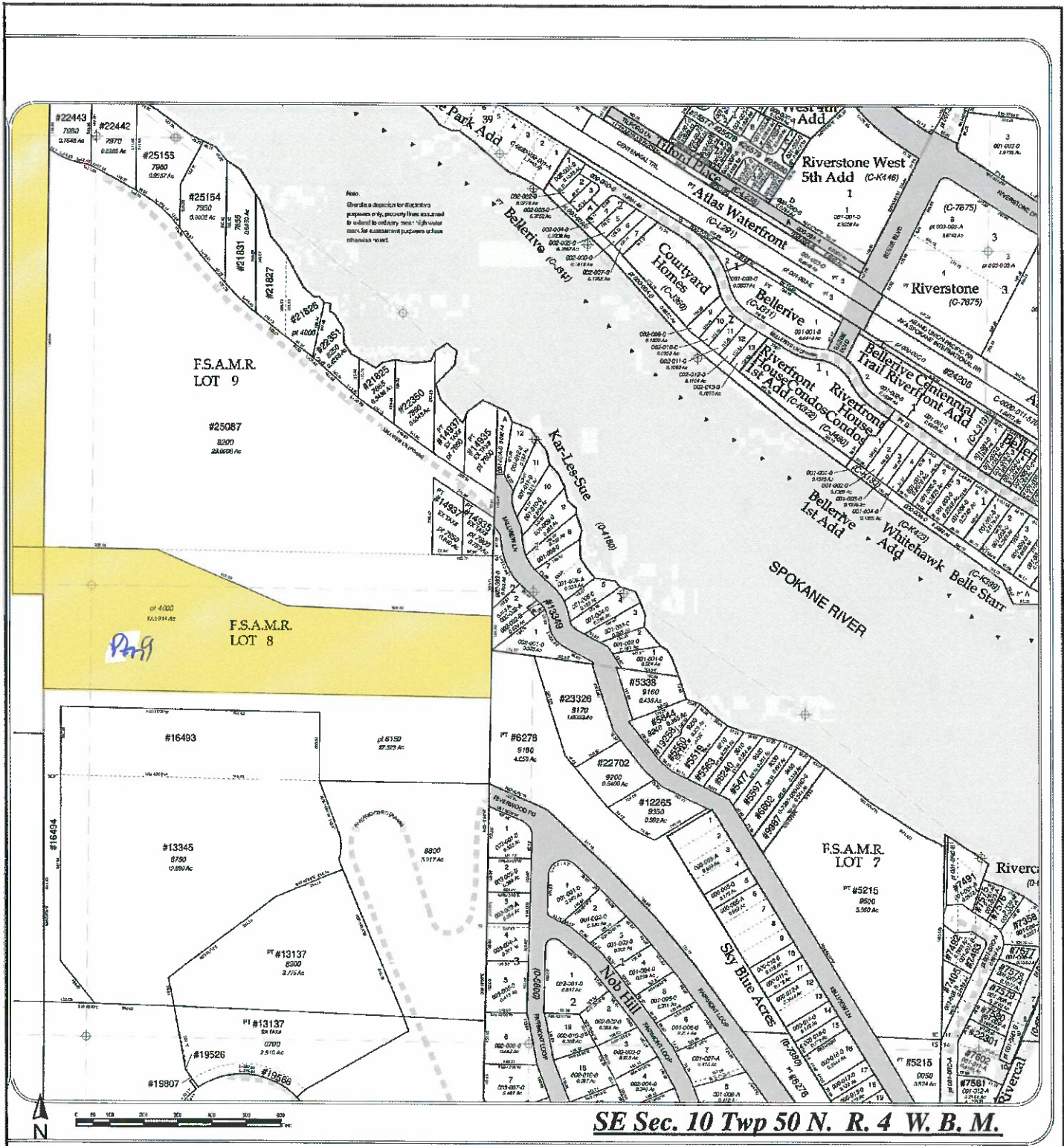


**Sec. 09 Twp 50 N. R. 4 W. B. M.**

**KT KOOTENAI TITLE**  
 MAKE A REQUEST FOR THE BEST  
 1480 Northwest Blvd Ste 200 Coeur d'Alene, ID 83814  
 Phone: (208)667-9431 Fax: (208)208-666-0410

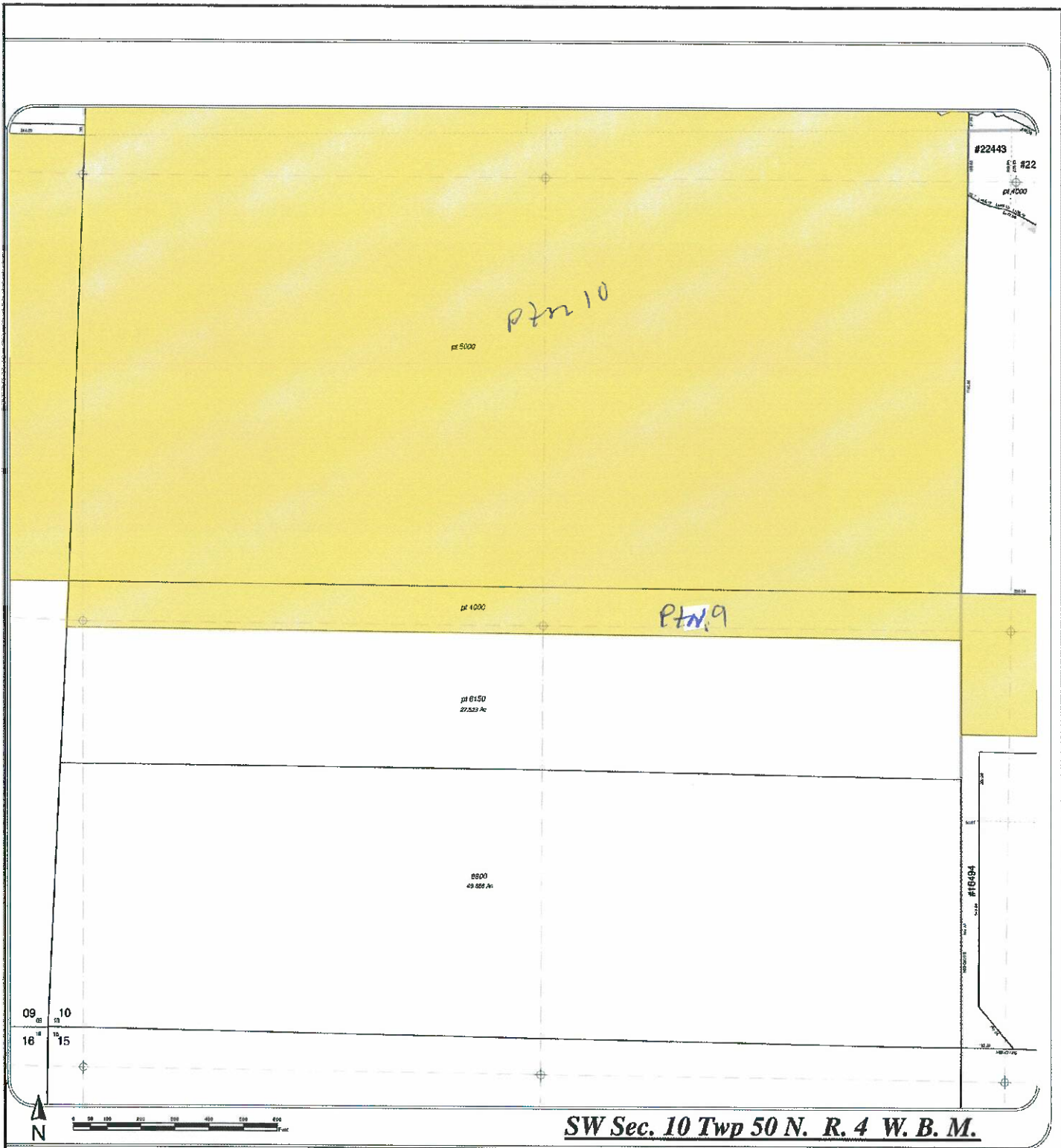
This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.





1460 Northwest Blvd Ste 200 Coeur d'Alene, ID 83814  
Phone: (208)867-8431 Fax: (208)208-686-0410

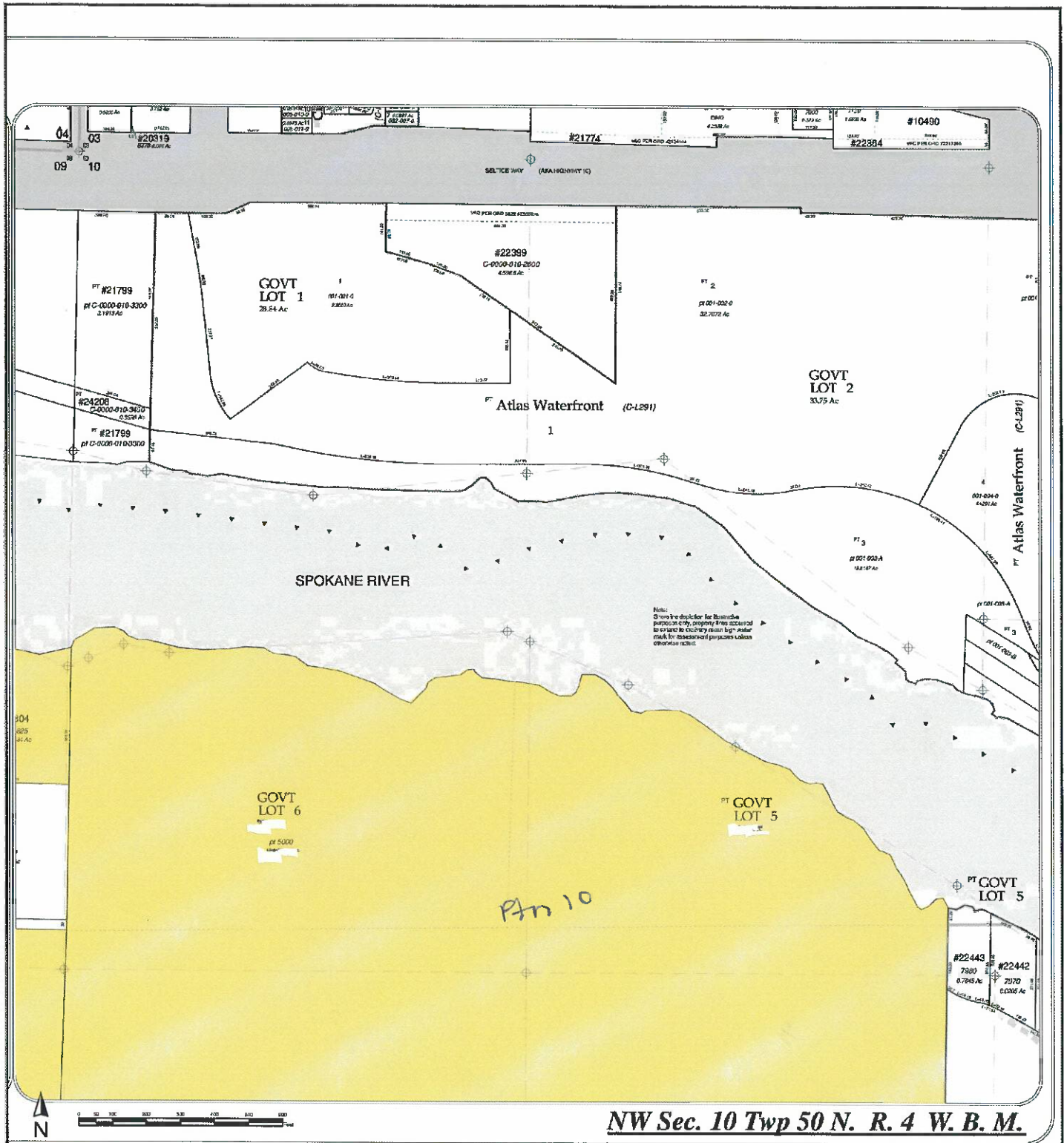
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 1450 Northwest Blvd Ste 200 Coeur d'Alene, ID 83814  
 Phone: (208)667-8431 Fax: (208)203-663-0410

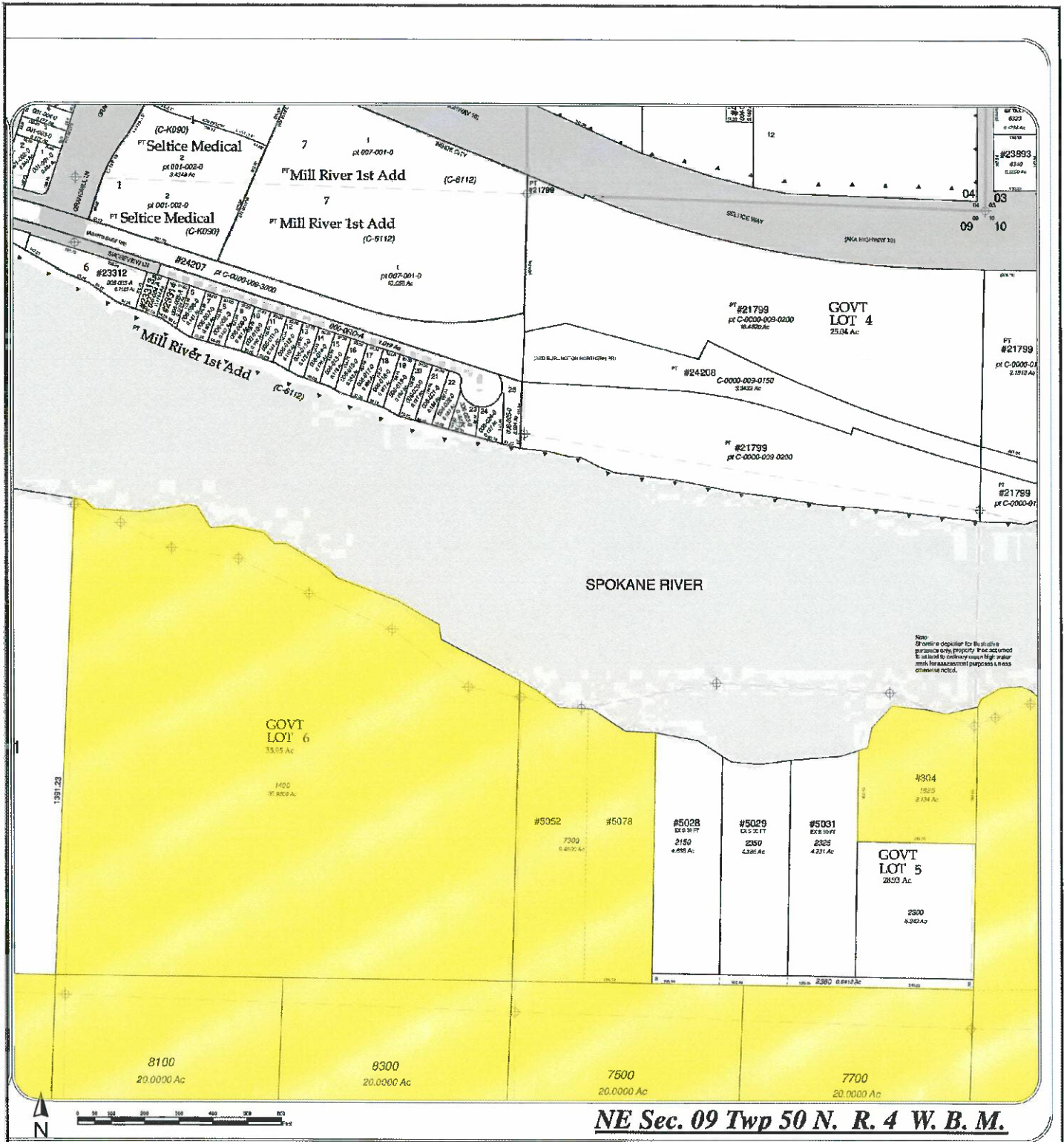
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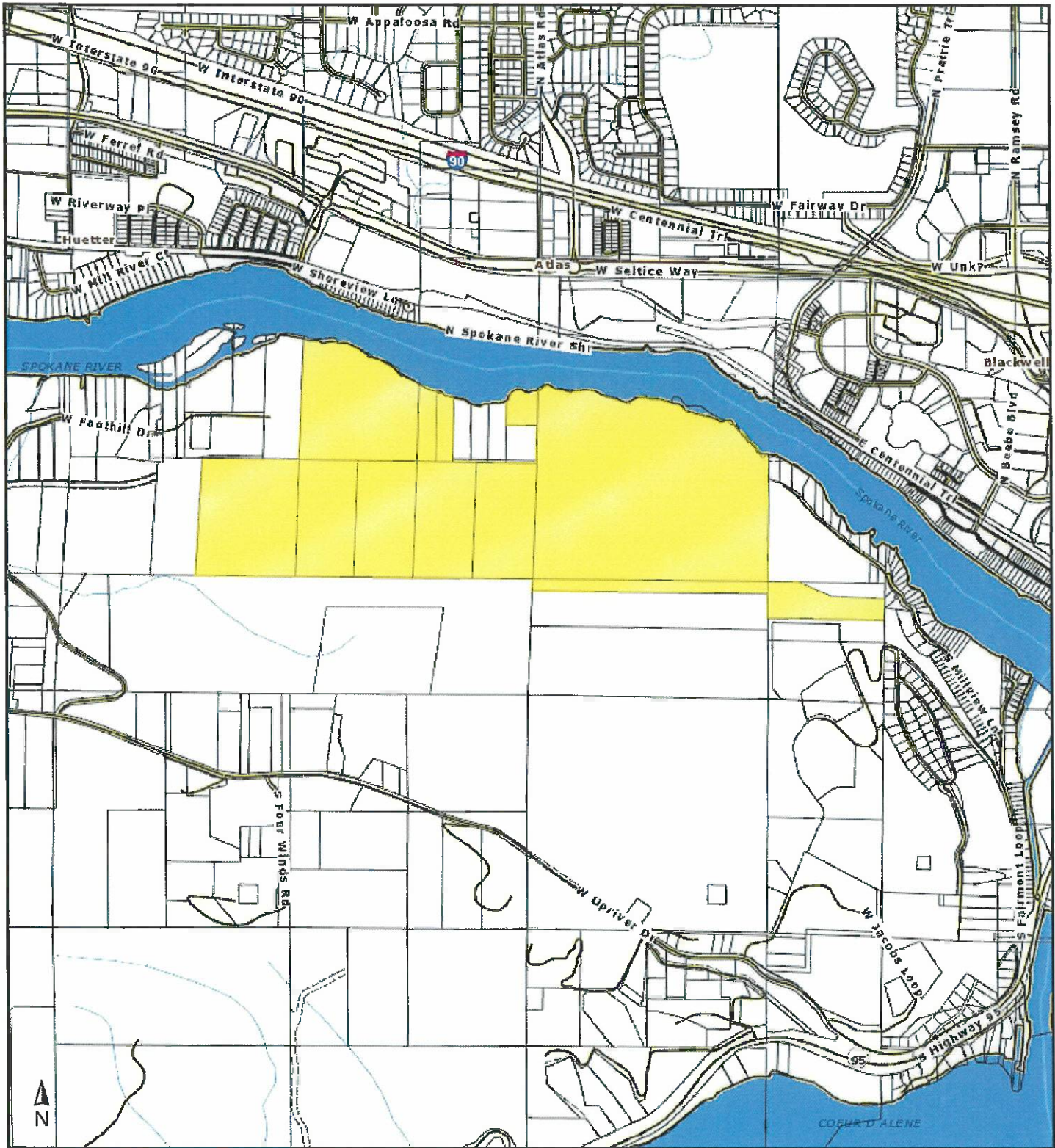
Note: If owner deposits for illustrative purposes only, property lines shown to be based on ordinary survey high water mark for assessment purposes unless otherwise noted.



1460 Northwest Blvd Ste 200 Coeur d'Alene, ID 83814  
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