

COUNTY CLERKS OFFICE
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DEC 29 2016

JOAN P. WHITE
SAN JUAN COUNTY, WASHINGTON

SUPERIOR COURT OF WASHINGTON, COUNTY OF SAN JUAN

CLARE LINN WELKER and ABIGAIL
METZGER WELKER, Trustees of the
Big Sky Trust UDT 11-14-2002,
Plaintiffs,

NO. 15-2-05069-0

**WIDDOES/MDA
(SECOND AMENDED)
MOTION FOR PARTIAL
SUMMARY JUDGMENT**

v.

MOUNT DALLAS ASSOCIATION, a
Washington non-profit corporation; et
al.,
Defendants.

I. MOTION

COMES NOW L. Curtis Widdoes, Jr. and the Mount Dallas Association, by and through attorney Stephanie Johnson O'Day, and join together to bring this motion for partial summary judgment, asking the court to rule on the following as a matter of law:

A. The Mount Dallas Association shall remain the managing entity for Mount Dallas Road.

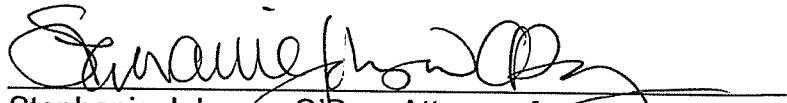
B. The Mount Dallas Association's Road Maintenance Agreement for Mount Dallas Road is legally binding on Consenting Property Owners.

C. The Mount Dallas Association shall remain the managing entity for the following seven side roads connecting to Mount Dallas Road: Lower No-Name Road,

1 Kiya Way, Tumac Road, Rascal Road, Stormridge Road, Rockledge Road and Skylark
2 Lane.

3
4 D. The Mount Dallas Association's Road Maintenance Agreements for Lower
5 No-Name Road, Kiya Way, Tumac Road, Rascal Road, Stormridge Road, Rockledge
6 Road and Skylark Lane are legally binding on Consenting Property Owners.

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8 Dated this 29th day of December, 2016.

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11 Stephanie Johnson O'Day, Attorney for
12 L. Curtis Widdoes, Jr., and the Mount Dallas Association