

COUNTY CLERKS OFFICE
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OCT 16 2015

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,

v.

MOUNT DALLAS ASSOCIATION, a
Washington non-profit corporation; PETER
and KIMBERLY ALBERT; TIMOTHY
and SUSAN ALLEN; DAVID and
NANCY AUTH; ANITA BAILOR;
PATRICK and JOANN BALENGER;
MICAJAH BIENVENU and AMY
ANDERSON; CONSTANCE
BLACKMER; HENRY J. BORYS and
KESHA EWERS; JOHN and SHARON
BOYD; PATRICIA T. CASEY; KYLE
CHAPMAN and LADD JOHNSON;
WENDY CRAWFORD; PETER DAVIS
and SUSAN CRAMPTON DAVIS;
CYNTHIA and MARK DEARFIELD;
DAVID DUGGINGS and MEGAN
DETHIER; ROBERT T. EICHLER;
ROBERT J. ERSKINE, JR. and PEGGY
ERSKINE; JAMES L. and WENDY
FRANCIS; JAMES FRITZ; GREG and
JANE GERHARDSTEIN; GARY GERO;
JAMES GIMLETT and MAGGIE
GALLIVAN; CRAIG and JEAN
GRAHAM; JAMES and MARY GUARD;

NO. 15-2-05069-0

DECLARATION OF MIKE
CARLSON IN SUPPORT OF JIM
GUARD'S RESPONSE TO
PLAINTIFFS' MOTION FOR
SUMMARY DECLARATORY
JUDGEMENT

1 NASH R. GUBELMAN and LINDA
2 SOFTING-GUBELMAN; STERLING
3 TRUST COMPANY FBO; THOMAS and
4 COLLEEN HAVERMAN; RONALD and
5 ASHLEY HURST HENNEMAN;
6 HENNEMAN IRREVOCABLE TRUST;
7 LISA LYNN HILL; PAUL A. and
8 JENNIFERHOHENLOHE; GLENN and
9 DIANE KAUFMAN; FRED KEELER;
10 JANE B. KROESCHE; GORDON
11 LAGERQUIST; MAURICE and MOLLY
12 LIEBMAN; MADRONA RIDGE, LLC;
13 FLORENCE MCALARY; ROBERT and
14 SARA MCCLELLAN; J. ROYCE
15 MEYEROTT and LEE M. BRYAN;
16 JEROME S. and ANN MOSS; MOSS
17 TRUST; DIANNA PADILLA; MARK
18 PRZYBYLSKI and MAUREEN KAY
19 KOSHI; ROGER and JILL RATH;
20 PATRICIA ROBERTS; BENJAMIN
21 TROUTMAN and KARLA SABIN;
22 THOMAS SCHILLING; FLORENT
23 SCHOEBEL and JESSICA FARRER;
24 ERIK and ELAINE SCHUMY; WILLIAM
25 and LAURA SEVERSON; MARK
26 SHEPPARD; FRED and ELEANOR
27 SILVERSTEIN; SAN JUAN
28 PRESERVATION TRUST; DONALD E.
STRAUTON and MARIA SIKORSKI;
GREGORY A. and JANE SWANSON;
RIKKI SWIN; ROBERT TAUSCHER and
SANDRA HAWLEY; JOHN TAYLOR;
BRUCE D. TWOOMEY; CARTER and
JENNIFER WHALEN; L. CURTIS
WIDDOES; SILVERSTEIN-GERSTON
MOUNT DALLAS LLC; SP
INVESTMENTS II LLC;
Defendants.

I, Mike Carlson, declare as follows:

1. I am over the age of 21 and am competent to be a witness in this lawsuit. I make the

1 following statements based upon my personal knowledge of the matters testified to herein. I am
2 a long time island resident and am the owner of Mike Carlson Enterprises, Inc., a multi faceted
3 enterprise with specialties in commercial, residential and heavy civil projects.

4
5 2. My Company has worked on and built many island roads both in Town and in the
6 County. We have done a lot of work on the Mount Dallas Road over the years, and we have
7 worked for many of the property owners in the neighborhood.

8
9 3. The Mount Dallas Association should not have their hands tied by this lawsuit and should
10 be able to continue their work maintaining the road network on Mount Dallas especially with
11 winter coming on. In recent years we have seen serious ice and snowstorms which have
12 rendered many of the island roads dangerous and unsafe. Mount Dallas, because of its elevation,
13 is often the snowiest place on the island. And its steep grades are some of the most difficult to
14 transit in icy conditions. Four or five sandboxes have been located by the Association on the
15 steepest pitches of the road, and these may need refilling during a bad winter. Ditches and
16 culverts can become blocked which can lead to severe erosion problems. In the early 1990's
17 snow & leaves caused the ditch on the first long hill of the Mount Dallas Road to overflow and
18 cut a 4' deep trench right across the main road, rendering it totally impassable until 2 - 10 yard
19 truckloads of large boulders could fill the void. The Mount Dallas Association has done an
20 excellent job of improving the road system on Mount Dallas and they should be allowed to
21 continue their good work.

22
23 4. I am unable to personally attend the October 30 hearing and request that the Court
24 consider this Declaration without additional oral argument. In the event objections are raised
25 hereto, I authorize Mount Dallas Association to respond to such objections.
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1 I declare under the penalty of perjury under the laws of the State of Washington that the
2 foregoing is true and correct.
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5 DATED THIS 16th day of October, 2015.

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8 Mike Carlson, Owner
9 Mike Carlson Enterprises, Inc.
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