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JOAN P. WHITE  
SAN JUAN COUNTY, WASHINGTON

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**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**

**(FIRST AMENDED) MOTION  
FOR PARTIAL SUMMARY  
JUDGMENT**

v.

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

Defendants.

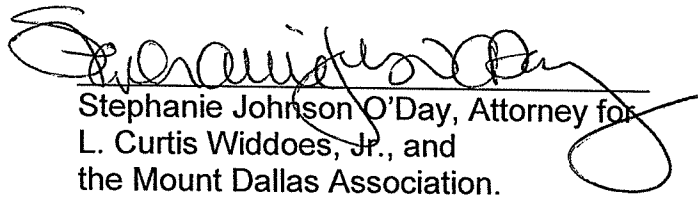
**I. MOTION**

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 as a matter of law on the following issues:

1. Whether a Road Maintenance Agreement which designates the Mount Dallas Association (MDA) as the managing entity for Mount Dallas Road (the Main-Road RMA) is legally binding on those property owners who benefit from access easements over Mount Dallas Road and who have properly and legally executed Joinders to the Main-Road RMA.
2. Whether the MDA has the legal authority to manage, maintain and improve the paved portion of Mount Dallas Road on behalf of those property owners who benefit from access easements over Mount Dallas road and who have properly and legally executed Joinders to the Main-Road RMA.

- 1 3. Whether Road Maintenance Agreements which designate the MDA as the  
2 managing entity for Lower No-Name Road, Kiya Way, Tumac Road, Rascal  
3 Road, Stormridge Road, Rockledge Road and Skylark Lane (the Side-Road  
4 RMAs) are legally binding on those property owners who benefit from access  
5 easements over said roads and who have properly and legally executed Joinders  
6 to the appropriate Side-Road RMAs.  
7  
8 4. Whether the MDA has the legal authority to manage, maintain and improve  
9 Lower No-Name Road, Kiya Way, Tumac Road, Rascal Road, Stormridge Road,  
10 Rockledge Road and Skylark Lane on behalf of those property owners who  
11 benefit from access easements over said roads and who have properly and  
12 legally executed Joinders to the appropriate Side-Road RMAs.  
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14 Dated this 18 day of December, 2016.  
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17 Stephanie Johnson O'Day, Attorney for  
18 L. Curtis Widdoes, Jr., and  
19 the Mount Dallas Association.  
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