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**FILED**

AUG 11 2009

SONYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH.

IN THE SUPERIOR COURT OF WASHINGTON FOR SNOHOMISH COUNTY

MT. INDEX RIVERSITES COMMUNITY  
CLUB, INC., a Washington Corporation,

Plaintiff,  
vs.

ELEANOR ANDERSON, a single  
person, GARY D GRABER, a single  
person, and All Others Similarly  
Situated,

Defendants.

No. 07-2-07884-1

DECREE AFFECTING TITLE TO  
REAL PROPERTY AND JUDGMENT

THIS MATTER having come on regularly for trial before the Honorable Thomas J. Wynne on June 8<sup>th</sup> and 9<sup>th</sup>, 2009, and the Plaintiff Mt. Index Riversites Community Club, Inc., a Washington Corporation, appearing with its attorney, Brice E. Howard, of Adams, Duncan & Howard, Inc., P.S., and the Defendant Class appearing through its attorney, Drew Nielsen, Defendant Gary Graber appearing *pro se*, and Defendants Bailey and Bollman appearing through their attorney, Thom H. Graafstra, the Court having heard the testimony of witnesses, examined the items admitted into evidence, and having heard the argument of counsel, NOW, THEREFORE,

DECREE AFFECTING TITLE TO REAL  
PROPERTY AND JUDGMENT - 1

ADAMS, DUNCAN & HOWARD, INC., P.S.  
Lawyers  
3128 Colby Avenue  
Everett, WA 98201  
(425) 339-8556

COPY

1 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, that all property  
2 owners who access their property over the private roads owned by the Mt. Index  
3 Riversites Community Club, Inc. (MIRCC), have an implied easement to access their  
4 real property over said roads.

5  
6 Each property owner also has an obligation to contribute towards the  
7 maintenance of said roads. MIRCC may collect road maintenance contributions from  
8 all property owners under the following provisions.

9 1. Definitions. The following definitions shall apply within this decree:

- 10 a. *Administrative costs* - Expenses related exclusively to the maintenance and  
11 operation of the roads, including but not limited to insurance, balloting  
12 and election expense of members of the Board; bookkeeping and billing,  
13 and postage.
- 14  
15 b. *Assessed Valuation* - The total value, including land, building and other  
16 improvements, as carried on the roles of the Snohomish County Assessor  
17 as of January 1 for either the year for which the road maintenance  
18 assessment is applied, or the previous year.
- 19  
20 c. *Distance Formula* - A mathematical formula generally described as being a  
21 pro rata share of maintenance costs of the main road through the Mt.  
22 Index Riversites based on the length of the main road a property owner  
23 must travel versus the overall length of the road, and incorporating the  
24 costs of maintaining that length of road. The formula is attached as  
25

1 Exhibit C.

- 2 d. *Roads* - All of those roads located within Mt. Index Riversites.
- 3 e. *Side Roads* - All of those roads located within Mt. Index Riversites other
- 4 than the main road through the community.
- 5
- 6 f. *Mt. Index Riversites* - the following plats Assessor's Plat of Mount Index
- 7 Riversites, and plats of Block "A," Block "B," Block "C," Block "D," Block
- 8 "E," and Block "H" - Assessor's Plats of Mount Index Riversites Division
- 9 Number 2.
- 10 g. *Owner* - Those persons who own real property for which the access to a
- 11 public road is provided by the roads located within Mt. Index Riversites,
- 12 excluding the Burlington Northern Santa Fe Railway Co., Blanch M.
- 13 Adams, Cecil Bottis, Lyle Evans, Willard D. Griffith, Mary Sue Griffith-
- 14 Mercer, Gordon D. and Ellen Roff, Lavelle Thresher, and Victor P. Weith.
- 15
- 16 h. *Valuation Formula* - A mathematical formula whereby an amount is
- 17 allocated among owners in direct proportion to the assessed valuation of
- 18 such owner's property as compared to the assessed valuation of all
- 19 *owners'*
- 20 *properties* served by the roads.
- 21 i. *Per-Owner Formula* - A mathematical formula whereby an amount is
- 22 allocated equally among all owners.

23 2. MIRCC shall establish an annual budget for anticipated road maintenance

24 expenses and for road-maintenance reserves. Each owner shall contribute

25

1 towards such road maintenance expenses according to the following  
2 calculations:

3 a. The annual budget for anticipated road maintenance expenses shall be  
4 multiplied by 0.2 (that is, 20%). The resulting amount shall be allocated  
5 among all owners using the valuation formula.  
6

7 b. The annual budget for anticipated road maintenance expenses shall be  
8 multiplied by 0.8 (that is, 80%). The resulting amount shall be allocated  
9 among all owners according to the distance formula.

10 3. MIRCC shall establish an annual budget for the maintenance of side roads and  
11 shall collect this amount from all owners of property along the side road using  
12 the per-owner formula.  
13

14 4. MIRCC shall collect from all owners its reasonable administrative costs using the  
15 per owner formula. Extraordinary expenses incurred in connection with this  
16 class action litigation, including attorneys fees and costs for Plaintiffs and those  
17 for the Defendant Class shall be assessed among owners using the per-owner  
18 formula.  
19

20 5. MIRCC may collect a reasonable sum from all property owners based on the  
21 road maintenance assessments outlined above to establish a reserve fund.

22 6. MIRCC may collect special assessments for work related to a particular event or  
23 section of road above and beyond the normal maintenance and repair, and may  
24 collect such special assessments from any owner who must access their property  
25

1 over such section of road on which such work is necessary.

2 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that MIRCC may  
3 record an equitable lien against any of the real property served by the private roads of  
4 MIRCC if the property owner is more than 90 days delinquent in the payment of any  
5 assessment of MIRCC authorized by this court ruling. MIRCC is hereby authorized to  
6 collect its reasonable costs and attorneys fees associated with the filing of such lien;  
7 provided, however, that in the event a lien is disputed, the substantially prevailing  
8 party shall be entitled to recover attorneys fees.  
9

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED this decree and  
11 judgment, which incorporates herein by this reference the Findings of Fact and  
12 Conclusions of Law entered on this matter, shall be binding on all property owners who  
13 are members of the Defendant Class, as listed on Exhibit B, and against the real  
14 property of the Defendant Class which falls within the legal description attached to this  
15 Decree as Exhibit A, and the heirs, successors, or assigns, of the Defendant Class. This  
16 Decree applies to the roads of MIRCC, said roads legally described as:  
17

18 All private roads as shown on recorded plats, records of Snohomish County  
19 Auditor, State of Washington, Assessor's Plat of Mount Index Riversites, and  
20 plats of Block "A," Block "B," Block "C," Block "D," Block "E," and Block "H" -  
21 Assessor's Plats of Mount Index Riversites Division Number 2.

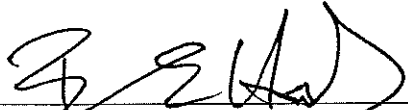
22 Dated this 10<sup>th</sup> day of August, 2009.

23  
24   
25 HON. THOMAS L. WYNNE, JUDGE

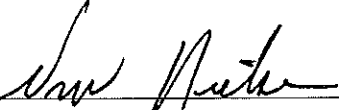
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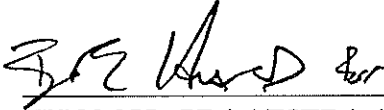
Presented by:

ADAMS, DUNCAN & HOWARD, INC., P.S.

  
\_\_\_\_\_  
BRICE E. HOWARD, WSBA #34326  
Attorneys for Plaintiffs

Approved for Entry:

  
\_\_\_\_\_  
DREW NIELSEN, WSBA #18689  
Attorney for Defendants

  
\_\_\_\_\_  
THOM H. GRAAFSTRA #7099  
Attorney for Defendants Bailey &  
Bollman  
(Approved by email)

\_\_\_\_\_  
GARY GRABER  
*pro se*

EXHIBIT A

1. Lots 1 through 37 inclusive and Tract A and Tract 1A in the plat of Assessor's Plat of Bridal Veil Falls Park according to the plat recorded in volume 21 of plats at page 62, Snohomish County WA.

Tax # 00 3813 000 001 00  
To 00 3813 000 037 00  
And 00 3813 000 039 00  
And 00 3813 000 039 01

2. Lots 1 through 158 inclusive and all private roads in the plat and Community Beach Tract of Assessor's Plat of Mount Index Riversites according to the plat recorded in volume 16 of plats at page 56 through 62 inclusive, Snohomish County WA.

Tax # 00 5256 000 001 00  
To 00 5256 000 159 00

3. Lots 1 through 59 inclusive and all private roads in the plat of Block "A" - Assessor's Plat of Mount Index Riversites Division No 2, according to the plat recorded in volume 16 of plats at page 101 and 102, Snohomish County WA.

Tax # 00 5257 001 00  
To 00 5257 001 060 00

4. Lots 1 through 168 inclusive and all private roads in the plat of Block "B" - Assessor's Plat of Mount Index Riversites Division No 2, according to the plat recorded in volume 16 of plats at page 104 through 109 inclusive, Snohomish County, WA.

Tax # 00 5258 002 001 00  
To 00 5258 002 169 00

5. Lots 1 through 111 inclusive and all private roads in the plat of Block "C" - Assessor's Plat of Mount Index Riversites Division No 2, according to the plat recorded in volume 16 of plats at page 113 through 115 inclusive, Snohomish County, WA.

Tax # 00 5259 003 001 00  
To 00 5259 003 112 00

6. Lots 1 through 20 inclusive and all private roads in the plat of Block "D" - Assessor's Plat of Mount Index Riversites Division No 2, according to the plat recorded in volume 17 of plats at page 52 and 53, Snohomish County, WA.

Tax # 00 5260 004 001 00  
To 00 5259 004 021 00

7. Lots 1 through 461 inclusive and all private roads in the plat of Block "E" - Assessor's Plat of Mount Index Riversites Division No 2, according to the plat recorded in volume 17 of plats at page 105 through 115 inclusive, Snohomish County, WA.

Tax # 00 5261 005 001 01  
To 00 5261 005 462 00

8. Lots 1 through 30 inclusive and all private roads in the plat of Block "H" - Assessor's Plat of Mount Index Riversites Division No 2, according to the plat recorded in volume 18 of plats at page 112, Snohomish County, WA.

Tax # 00 5263 007 001 00  
To 00 5263 007 031 00



## EXHIBIT B

ABERION VICTORIA B  
AHN JENNIFER JEUNG HYUN  
AKIN ADAM & JULIA  
ALASKA CASCADE FINANCIAL SVCS  
ALF NOREEN  
ALKIRE S BUD  
ALLAIS DAVID C & GAY  
ALTIER CHARLES & BARBARA  
ALTIER LAFAYETTE & BARBARA  
ANDERSON ELEANOR  
ANDERSON MICHAEL & LONGNICKEL MARY  
ANDERSON SHARON  
ANDREWS SCOTT & JULIE  
ANGEL ALVARO & AMY  
ARNESON JAMES T  
ART POIER LEASING  
BACKMAN HOLLIS & COTE DANIEL  
BAER MICHAEL P & LINDA J  
BAILEY CAMERON & MELISSA  
BARKEY BRADY & MATTOS SHEILA  
BARRETT MELODY  
BARTON RHODA J  
BASLER LINDA P  
BATCH GARY & LINDA  
BATRACK GEORGE A  
BAUMGARTNER TAMMY SUE  
BAXTER BELVA J  
BDR REAL ESTATE INVESTMENTS LLC  
BEIDLER MICHAEL  
BEKKER GEORGE & JANE TTEE  
BELSON MARC E  
BEMENT JERALD A & BARBARA J  
BENDER DICK B  
BENGSTON DONALD & GAIL  
BENNETT GUY  
BERGSTROM JIM  
BERRYESSA JUDITH  
BIGELOW WALLACE M  
BIGGER GRACE  
BINDE HORST  
BLACK MARVIN D  
BLAIR JAMES & CHARLOTTE  
BLUNDELL DOUG & VICKIE  
BOLLMAN MARK S  
BONILLA M EDGARDO  
BOULDRON JENIFER  
BOULLIOUN THOMAS A  
BOYLE JOHN S & BARBARA A  
BRADEN ALLEN & LAURA  
BRASSFIELD CHRISTOPHER  
BRETZ ROBERT J & MICHELLE L  
BREWER LANCE  
BROWN NANETTE R  
BRUBAKER ELEANOR  
BRYON ELWOOD & JANELLE DECOTEAU  
BURGESS CRAIG M & BORGIR HILDE  
BURGESS YVONNE  
BUSSE VICKY DIANE W M  
BUZITIS JAMES & GAIL  
CAMERON ELIAS & PRICE KIM  
CAMPBELL JAMES A  
CARLQUIST BRAD  
CARLSON CAMERON  
CARLSON GARY E  
CARLSON KIT  
CARTER STEVEN & ANN  
CHADWICK WYNELLE  
CHAMBERS PHYLLIS  
CHAMBLISS ALAN R  
CHAPPELLE NATHANIEL & ELIZABETH  
CHOMJAK MATTHEW  
CHRISTENSEN BRUCE D  
CHRISTENSON DAVID J  
CHRISTIANSSEN JANET & TORBEN  
CLARK NIXIE GREER  
COBLE BRIAN & RACHELLE  
COLE THOMAS L  
COLEMAN ARMISTEAD & CAMERON  
COLUCCIO CARLA  
COMAN WILLIAM W & SHERRY L  
COOPER-ASHFORD SHELLY  
COSSE CHARLES  
COWLING WELDON & PEGGY  
COX LORA  
CROPPER GARY R  
CRUDEN JAMES JR  
CULVER RAY E  
CUNNINGHAM MILDRED C  
CURSI GARY & SHERRY  
DAILEY GREG

## EXHIBIT B

DAKE HERBERT L  
DALE BARRY & LORRAINE  
DANIELS CHARLES  
DAVIDSON WILLIAM  
DAY MARTIN & SUSAN  
DEARDORFF PAUL  
DELASHMUTT MAX  
DELEO ERNEST EDWARD  
DELONG WALTON & JOYCE  
DEROWITSCH JIM & ELAINE  
DICKINSON JEFFREY KARRAGEN  
DICUS MORGAN L  
DIEVENDORF TERRY A  
DODSON WILLIAM & JANE S  
DONNELLY PATRICK D  
DROBNY GARY P  
DU MAS DOUGLAS  
DUCATT ALVIN C  
DUDLEY ERIC & KIMBERLY  
DUFFY KEITH & LINDA-JO C  
EASTLY CLAY & MICHELE  
ECKERLE JOHN  
EDWARDS CANDACE & JONES DAN  
EDWARDS MICHAEL J  
EIDE NOEL F  
ELLIOTT BOONE / ZEJDLIK CASEY  
EMERALD CITY MODEL & TALENT  
ERICKSON JOSIAH & ELIZABETH  
ERICKSON MYRTLE M  
ESCH KEITH  
FAIRBROTHER JIM  
FALK MARY GAIL  
FARIN FEDERICO M & LISA  
FARLEY WILLIAM & SUSAN  
FAUCHALD BRYON & CONNIE  
FAVELA URIEL  
FERGUSON TRAVIS  
FISHER STEVEN V  
FORTIER ANDREW F  
FRINK FRED  
FULCHER B E & SMATHERS M  
GABLEHOUSE JOHN A  
GAINEY SHANE & SHELAGH  
GARVIE RANDY A & REBECCA  
GAUTHIER SHIRLEY M  
GEBOW MISTILYN  
GEORGE GORDON D & GAY TRUST  
GEREND DON & SUE  
GIANETTO JAYSON & MELINDA  
GLAEFKE JOSEPH  
GORDEN KEITH A & JO ELLEN  
GOTO ANDREW Y  
GOULD WILLIAM S  
GRABER GARY D  
GRAFTON FRED & SABRINA  
GRAGG DON  
GRENIER TOM  
HAENLEIN MARK & BRONWYN  
HALL DAVID C  
HALL FRANCIS S & RITA M  
HALL RICK & JANINE  
HALTOM WILLIAM R  
HAMILTON PAUL & GREGO SARA  
HAN THOMAS  
HANSEN MARK A  
HARB EASA & PAULA  
HARB MAHER  
HARBAUGH PATRICIA M  
HARDING DEREK & ALYSSA  
HARRISON DAN  
HARVEY JERRY A & CINDY L  
HARVOLD MIKE  
HASLAM CARL  
HAVERKAMP SAMUEL  
HAWMAN CARYN R M  
HEGEM JOHN R  
HEINTZ ROBERT J & SHIRLEY A  
HENDERSHOT RONALD  
HENDRICKSON JOHN & TRACI  
HENRY DANIEL & LEE ANNE  
HERMAN MIKE  
HERY CIRIL PAUL  
HIGHLAND SCOTT E & ROSSI N  
HIGLEY JOHN E  
HILL EARL R  
HILL ELIZABETH LEE  
HIMMELMAN BETTY  
HOCKETT NOAH & SAMANTHA S  
HODGES JULIUS  
HOEFER-KRAVAGNA MELISSA

## EXHIBIT B

HOFFMAN DALE T & PATRICIA A  
HOHLBEIN DAVID W & VISALA C  
HOLMES BRADLEY & CAROLYN  
HOUSER SUNNY V  
HUBBARD GARY D  
HUBER DAVID H  
HUCK GERALD S  
HUGHES DAVID F  
HUGHES PATTY A LIVING TRUST  
HUSTLER DALE ALLEN  
IVERSEN-HANSEN JOY L  
JACOBS CALVIN R  
JAKUBAL MIKAL  
JAMES PATRICK B  
JAMES REGINALD D & JEAN MARIE  
JARRETT BRAD  
JOHNSON GARY & KO KAREN  
JOHNSON JEFF M  
JOHNSON JUDITH  
JONES DURELL J  
JONES JEFFREY & MARIE  
JUAREZ FRANCISCO  
JUNE MARK  
JUNG MARTIN  
KAIVOLA MARY  
KATREIN JODY MARIE  
KEIL SUSAN E / NIEMI DIAN B  
KEISER DEONNA  
KEITH BEN E  
KELLEY JEREMY  
KELLY BARBARA L  
KELLY JANE E  
KELLY MICHAEL S  
KELLY RETHA M  
KENNEY GREGORY & BLOOM KENNEY JESSICA A  
KENT MICHAEL D  
KERSTEN JOCELYN  
KETCHUM RICHARD W  
KILLION BILL  
KILLION BRANDON  
KILLION PHILLIP  
KIRLIN BILL  
KLINE KERRY & HOLLY  
KONECNY MARK T & CYNTHIA  
KRENGELIS NILS  
KRYGIER MADELINE C  
KUNKLE TIMOTHY C & GANN CARRIE D  
KURCZAK JENNIFER L  
LACKEY THOMAS WILLIAM  
LAND SERVICE LLC  
LANGE THOMAS & KATHARINE  
LANGFORD LEONARD L  
LANSING THOMAS & DEBORAH  
LARSEN DONALD A  
LARSEN RON W & SUSAN M  
LEACH LESLIE & TREVA  
LEE DONALD JAY  
LEHAN JAMES & BERNADINE  
LEIBER RAYMOND A  
LEMIRE BRENT & JULIE  
LILLEJORD RENNY L  
LINDEMOEN ALAN  
LINDGREN KENNETH & JUDITH  
LINK GLENN WAYNE  
LINK JAMES  
LOMBARDI CURTIS J  
LUCAS TORY PAUL  
LUKOFF AARON  
LUND ROGER L & JULI A  
LUNDQUIST IRENE P  
LYNCH THERESE G  
MACFARLANE DAVID  
MAKI JEFFREY & DEBBIE  
MANLEY DEWEY & RETSU  
MANSON ROBERT  
MARCHAND GEORGE & GERI  
MARTEL NEIL  
MARTIN RYAN T  
MARX DONALD  
MASON A D  
MATTHIES WILLIAM J JR  
MCCALE DONALD  
MCCAULEY MICHAEL  
MCCOLLOUGH STEVEN  
MCCORKLE VANCE  
MCCOY DANNY J  
MCDONALD JACK L  
MCFADDEN JOHN  
MCGANN MARTIN  
MCINNIS LORI L

## EXHIBIT B

MCNALLY FRANCIS MICHAEL	ORNDORF DELMAR V & ZINA J
MCSMITH EDWARD LEE / MCSMITH RANDALL JOE	EOSEN BROCK SCOTT O SR
MERCER MANOR LODGE INC	OTOOLE JIM & MELNIK B
MERCILLE ANN & LARRY	PAGLIA STEPHANIE M
MESLER SONIA L	PAMPOUKAS ANASTASIA
MEYER PEGGY	PARKS GREGORY A
MILLER LOUIS	PARROTT DARRELL
MILLER ROSAMOND D TRUSTEE	PASKOW ALAN
MONAHAN JAMES T	PAUTZ GARY H
MONGE ERIC	PEDERSON CARL G JR
MONSEY JOHN L ET UX	PETERSON LESLIE / BELL SUSAN
MOONBONG DANIEL & YANG JUNGMIN	PETERSON RYAN
MOORCROFT JULIAN	PIERSALL J GLENN & ANNE
MOORE SCOTT	PONDEROSA LAND SALES LLC
MORGAN JEROLD & SUZANNE	POTTS JEANINE
MORRIS JOHN E	POUNTAIN MARK / TRONDSON JOHN
MOULAISON EDWARD J & KRISTINE K	PROTASIEWICZ KEN & KIM
MOUNT INDEX LLC	PROVAZEK JANICE
MOWAT STEVEN M	PULS LOUIS F
MT INDEX RIVERSITES	RANCICH KRISTINE H
MUELLER RUDOLF V	REICHEL PHILIP & SHRAUNER KATHY
MUNROE SERENE	REID MIDDLETON INC
NASH MICHAEL	REIHS DEAN
NEILL DAVID LEWIS	RICHARDS CLARKE
NELSON JOHN T	RICHARDS PHYLLIS
NETHERTON PATRICIA G	RICHARDSON LUCILLE
NEWSOM JOHN L	RICKS JAMES P & PERA A
NEWSON SCOTT	RIDGE LINDA K
NICKS ROBERT & CAROLYN	RIESGO RAY E
NINE MARIA	RINGSTAD RICK
NISHIMUA STEPHEN & JOYCE TRUST	RITENOUR RONALD A
NISHIMURA WILLIAM K GAYLE	ROBERTS JENSCENA E
NIXON MONTA J & FRANCES A	ROMAINE BOYD M
NOLEN PHYLLIS A	ROSENDAHL MARGARET
NORTHSHORE CORPORATION	ROSS ANDREA
NOYES STEVE L	RUCKER KERMIT & ARLENE TTEE
OESTERWINTER MARCUS	RUETZ WOLFHARD F
OGREN DANTON	RUSSELL JOHNNIE W
OLIPHANT ALEXANDER & SHIRLEY	RYAN JOHN S & LOIS A
OLSEN DAVID	RYDEN BRUCE E & PATRICIA A
OLSON CHRISTY	SACKMANN RON
OLSON MELVIN V	SALAZAR JESSIE J
OLYVYK JOHN	SAMIS FOUNDATION
ONKST PRESTON	SANTOPOLO WENDY M
ORLOFF PENNY	SARGENT JERRY L

## EXHIBIT B

SCALES GRETA J  
SCAMPOLI MARIO READING  
SCHINDLER TERRY  
SCHOELLER SCOTT & BOVEE RITA  
SCHWARTZ ROBERT & KAREN  
SCOTT BRYAN  
SCROGGINS ELLEN SUZANNE  
SHANNON DONALD  
SHANNON SCOTT  
SHARF JOHN & KAY MARIA  
SHAW DAVID  
SHEARER DAVID R & KALEE L  
SHELTON BETTY L TTE  
SHELTON JOHN & CAROLINE G  
SHEPARDSON R O  
SHIOTANI TERESA  
SHULTS RONALD & JULIE  
SHULTZ ANITA  
SIMONSON STANLEY G  
SIMS RON & CHERYL  
SITAN JOHN M  
SLUSSER FREDERICK & MARILEE  
SMART DANIEL  
SMITH CATHERINE  
SMITH JEFFREY L  
SMITH JERRY E & JUDITH A  
SMITH MARY PAULINE  
SMITH TRACY  
SMITH KRISTINA MARIE  
SNOHOMISH CO PROP MGMT  
SOCIETY OF ST VINCENT DE PAUL  
SODERBERG ROGER  
SOLDANO GAYLA  
SOLOSKI RICHARD  
SORKNESS RONALD E & LIDIA  
SPEED CLARKE & LESLIE  
SPENGLER MICHAEL/JOHN/RICHARD  
SPIELMAN MICHAEL & GOULD AIDEN  
SPOERL PETER & MONICA  
STANLEY EDWARD G  
STARR JOEL & KERRI  
STEHL WILLIAM F  
STEINER SUSAN D  
STENGRUND JOHN & LORI  
STEVENS GEORGE W JR  
STEVENS JEFF / AKERS JANICE  
STOCKING VICTOR J  
STONE DANA  
STONE JOAN  
STOUT CHARLES & RUTH TTEE  
STRIMPLE DENNY  
SULLIVAN GEORGE F  
SUNSET FALLS LLC  
SUTTON CRAIG  
SWANSON GEORGIA P  
TATE ROBERT & LAURIE  
TEMPLETON CHRISTOPHER  
THOMAS RANDALL R  
THOMPSON BRIAN R  
THOMPSON FAMILY TRUST  
THOMPSON SCOTT R  
TIMPE LAWRENCE H IV  
TOMS MARY ANNA  
TRAINOR JOSEPH T  
TRAUB PAUL A  
TREFFRY PATRICK T / MICHAEL M  
TRIBBLE WILLIAM S  
TRUBSHAW THOMAS M/HANSON KATE  
TRUSK GEORGE  
TWEDT STEPHEN  
TYLER KATHLEEN A & MANLEY DEWEY JR  
VAN DUSEN BEN  
VANAUSDAL SHIRLEY  
VANDERLIP ODETTE N N  
VANDINE JEFFERY L  
VENTOZA MANUEL I & LAVERNE N  
VEREIDE JAMES M & LYDIA A  
VILLALON CRUZ  
VIOLANGO JOHNNY A  
W & D INVESTMENTS INC  
WALLACE BYRON S  
WALLACE JAMES  
WALLS PATRICIA  
WALSH GEORGE  
WALSH MATTHEW J  
WARDEN GARY & KIM  
WATCHIE MICHAEL BRIAN  
WATKINS TIM  
WAY LOUISE C  
WEBER STEVEN R

## EXHIBIT B

WEGELEBEN STEVE

WESTGARD ROBERT A & DEBRA K

WESTMORELAND LAVERNE

WHEELER BONNIE

WHITE THOMAS E

WHITTINGTON DALE

WILLIAMS DANA E

WILLIAMS SHELLEY

WILLIAMS TERRY J & SUMMERLAND RHONDA H

WILLIS LEE / HERMANN RICK

WOODWORTH ROBERT & SETSUKO

WORTHY RUBY L

WYRICK M G

## MIRCC Inc. Implied Easement Formula

The Implied Easement Formula is comprised of the following equations. Each equation is used in subsequent equations:

$$\text{New Base IE}(\$) = [\text{Total Spent Prior Year}(\$)] + 10\%$$

$$\text{Prior Sectional Percentage}(\%) = \left[ \frac{\text{Amount Spent on Section Last Year}(\$)}{\text{Total Spent Prior Year}(\$)} \right]$$

$$\text{New Sectional Amount}(\$) = [\text{New Base IE}(\$)] \times [\text{Prior Sectional Percentage}(\%)]$$

$$\text{Cost Per Mile of Use} \left( \frac{\$}{\text{mile}} \right) = \frac{\text{New Sectional Amount}(\$)}{\text{Total Wear Incurred From Every Owner Accessing Their Property}(\text{miles})}$$

$$\text{IE for Each Section}(\$) = \left[ \text{Cost Per Mile of Use} \left( \frac{\$}{\text{mile}} \right) \right] \times [\text{Distance Driven}(\text{miles})]$$

When all parts are combined into one formula we get:

$$\text{IE for Each Section}(\$) = \left[ \frac{\left\{ [\text{Total Spent Prior Year}(\$)] + 10\% \right\} \times \left\{ \frac{\text{Amount Spent on Section Last Year}(\$)}{\text{Total Spent Prior Year}(\$)} \right\}}{\text{Total Wear Incurred For Section From Every Owner Accessing Their Property}(\text{miles})} \right] \times \left[ \text{Distance Driven In Section}(\text{miles}) \right]$$

Return Address:  
ADAMS, DUNCAN & HOWARD, INC., P.S.  
3128 Colby Avenue  
Everett, WA 98201

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DOCUMENT TITLE: DECREE AFFECTING TITLE TO REAL PROPERTY AND  
JUDGMENT

REFERENCE NUMBER(S): NA

GRANTORS: Complete list of Defendants, as Grantors, included on the attached  
Exhibit B, pages 9 -14 of the Decree

GRANTEES: MT. INDEX RIVERSITES COMMUNITY CLUB, INC.

LEGAL DESCRIPTION: Affects all lots within the following plats, more specifically  
defined on the attached Exhibit A.

Assessor's Plat of Bridal Veil Falls Park  
Assessor's Plat of Mount Index Riversites  
Block "A" - Assessor's Plat of Mount Index Riversites Division No. 2  
Block "B" - Assessor's Plat of Mount Index Riversites Division No. 2  
Block "C" - Assessor's Plat of Mount Index Riversites Division No. 2  
Block "D" - Assessor's Plat of Mount Index Riversites Division No. 2  
Block "E" - Assessor's Plat of Mount Index Riversites Division No. 2  
Block "H" - Assessor's Plat of Mount Index Riversites Division No. 2

Additional Legal on Exhibit A, Page 4-5 of Decree.

ASSESSOR'S PROPERTY TAX PARCEL No.:  
See Attached Exhibit A, Page 7-8 of Decree for complete list.

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