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SUPERIOR COURT OF WASHINGTON FOR SNOHOMISH COUNTY

MT. INDEX RIVERSITES COMMUNITY CLUB, 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  
  
ORDER  
  
SUPPLEMENTING AUGUST 11, 2009  
DECREE  
  
AND  
  
DENYING MOTION FOR AN ORDER  
TO SHOW CAUSE RE: CONTEMPT

This matter came before the Court on June 10, 2016 on the Motion for an Order to Show Cause Re: Contempt filed by Defendant Ron Simms. The Court has considered the Motion, the argument of counsel and the following pleadings:

1. Motion for an Order to Show Cause Re: Contempt;
2. Declaration of Ron Sims, Bill Stehl and Cameron Elias, with attachments thereto;
3. Order to Show Cause Re: Contempt;
4. Declaration of Brett Sachter with attachments thereto;
5. Response to Motion for Contempt;
6. Declaration of Earl VanBuskirk with attachments thereto;
7. Declaration of Mark Bollman with attachments thereto; and



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8. Declaration of Ian M. Johnson with attachments thereto.

Now, therefore, the Court ORDERS, ADJUDGES AND DECREES as follows:

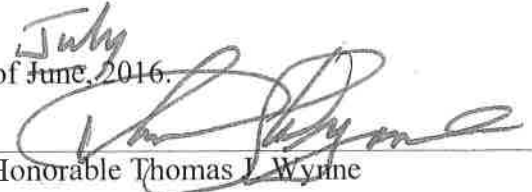
A. The Motion for an Order to Show Cause Re: Contempt is DENIED without an award of attorney's fees or costs to either party.

B. The Court makes the following Orders and supplements the Decree Affecting Title to Real Property and Judgment entered August 11, 2009:

1. It is not the Court's intent to micromanage the affairs of the Mt. Index Riversites Community Club.
2. The Board has full authority to erect a gate at any road which they deem to pose a danger to drive upon, both for the safety of those who might drive on the road and for the liability that might be imposed on the Mt. Index Riversites Community Club for not putting up such a gate and restricting access.
3. Section G was specifically excluded from the Court's decision in 2009. Section G was and is an area which had and has separate access in terms of roads and was not subject to or needed intervention from this Court as to access and road repair issues.
4. The Board may at any time suspend assessments, or not impose any assessments, on any property which is deemed by the County to have diminished or no value due to acts of nature or any non-man-made occurrences.
5. The Board may provide for assessments to account for nonpayment of any other property owners of their duly imposed assessments.

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6. The Board has the authority to run the on-going affairs of the Mt. Index Riversites Community Club in terms of road and maintenance of the roads without continuing intervention of the Court.


DONE IN OPEN COURT this 15<sup>th</sup> day of ~~June~~ <sup>July</sup>, 2016.  
  
The Honorable Thomas J. Wynne

Presented by:

ANDERSON HUNTER LAW FIRM, P.S.

  
\_\_\_\_\_  
Ian M. Johnson, WSBA #39724  
Attorneys for Plaintiff

Approved as to form; Notice of Presentation Waived by:

  
\_\_\_\_\_  
Brett Sachter, WSBA # 45347  
Attorney for Ron Sims