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5 **IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON**
6
7 **IN AND FOR THE COUNTY OF ISLAND**

8 **ROBERT WILBUR and DUSTIN**
9 **FREDERICK,**

10 **Plaintiffs,**

11 **vs.**

12 **ADMIRAL'S COVE BEACH CLUB, a**
13 **Washington non-profit corporation;**
14 **and JEAN SALLS, MARIA**
15 **CHAMBERLAIN, KAREN SHAWK,**
16 **ROBERT PEETZ, ELSA PALMER,**
17 **ED DELAHANTY AND DAN JONES,**
18 **individuals,**

19 **Defendants.**

NO. 13-2-00741-4

DECLARATION OF DARLA M.
ALLEN RE: CORLISS MOTION
FOR SUMMARY JUDGMENT

20 **UNDER PENALTY OF PERJURY AND PURSUANT TO THE LAWS OF THE**
21 **STATE OF WASHINGTON, I CERTIFY THAT THE FOLLOWING IS TRUE AND**
22 **CORRECT:**

23
24 My name is Darla M. Allen and I am over the age of 18 and I make this
25 declaration based on my own personal knowledge of the facts and offer it in opposition
26 to the motion submitted by Susan Corliss as intervener in this lawsuit.

27
28 I purchased my property in Admirals Cove in 1989, and am a member in good
29 standing of the Admirals Cove Beach Club. When I purchased my property, it was
30 evident in the purchasing documents that I was a member of that Club, which entitled
31 me and my family to enjoy full access to its competition-size swimming pool. In my
32

Darla M. Allen

DECLARATION OF Darla M. Allen
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Christon C. Skinner P.S.
791 SE Barrington Drive
Oak Harbor WA 98277
Tel. (360) 679 1240 · Fax (360) 679 9131

1 **Statutory Warranty Deed, dated 12/2/88, it states "Subject To: By-Laws of**
2 **Admiral's Cove Beach Club, in recorded as Auditor's 86006872."**

3
4 The pool was an important factor in my decision to purchase in Admirals Cove,
5 and I assumed it would add to the value and salability of the property at such time as I
6 decide to sell.

7 Prior Boards, however, failed to exercise their responsibility to maintain the pool
8 by wrongly delegating their sole maintenance authority to the general membership for
9 approval, in violation of the Club's governing documents. Those failures have
10 compounded over the years because dues were not set to ensure funds needed for
11 effective maintenance. As a result, the pool now requires past-due repairs.

12 This failure to maintain the pool will, if not properly attended to as assured by
13 the Articles of Incorporation in Article V, Paragraph 1, will impact the recreational and
14 athletic opportunities for me and my family, and damage the value of my investment,
15 and as such, is an unanticipated violation of trust I placed in the governing documents
16 and the boards.

17 Ms. Corliss and her small support group, mostly the former anti-pool board
18 members, do not represent the majority of the Club members, as evidenced by the fact
19 that none of these anti-pool members were elected to the Board in 2013 or in 2014,
20 whereas all pro-pool candidates were.

21
22 Dated this 27th day of January, 2015, at Coupeville, Washington.

23
24 *Darla M. Allen*
25 Darla M. Allen
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Darla M. Allen
DECLARATION OF Darla M. Allen
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IN AND FOR THE COUNTY OF ISLAND

5 ROBERT WILBUR and DUSTIN
6 FREDERICK,
7 Plaintiffs,

NO. 13-2-00741-4

GR 17 DECLARATION

8 vs.

9 ADMIRAL'S COVE BEACH CLUB, a
10 Washington non-profit corporation; et al.,
11 Defendants.

12 SUE CORLISS,

Intervenor,

14 vs.

15 DUSTIN FREDERICK, ROBERT
16 WILBUR, et al.,


17 Defendants.

18
19 UNDER PENALTY OF PERJURY AND PURSUANT TO THE LAWS OF THE
20 STATE OF WASHINGTON, I CERTIFY THE FOLLOWING TO BE TRUE AND
21 CORRECT:

22 I, Linda Williams, am assistant to Christon C. Skinner who is the attorney of
23 record for the plaintiffs herein. I received a document entitled Declaration of Darla M.
24 Allen Re: Corliss Motion for Summary Judgment from Darla Allen by facsimile.

25 I further declare that prior to signing this affidavit, I did examine the document,
26 determined that it consisted of two pages and that the document was complete and
27 legible.

28 DATED this 27th day of January, 2015, at Oak Harbor, Washington.

29
30
31 
32 Linda Williams