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IN THE SUPERIOR COURT FOR THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF ISLAND

ROBERT WILBUR and DUSTIN  
FREDERICK,

Plaintiffs,

v.

ADMIRAL'S COVE BEACH CLUB, a  
Washington non-profit corporation; and JEAN  
SALLS, MARIA CHAMBERLAIN, KAREN  
SHAAK, ROBERT PEETZ, ELSA PALMER,  
ED DELAHANTY AND DAN JONES,  
individuals,

Defendants.

SUE CORLISS,

Intervenor,

v.

DUSTIN FREDRICK, ROBERT WILBUR,  
ADMIRAL'S COVER BEACH CLUB, a  
Washington non-profit corporation, and its  
BOARD OF DIRECTORS.

Defendants.

Case No.: 13-2-00741-4

DECLARATION OF BRADLEY PORTIN

My name is Bradley Portin, and I am over the age of 18 and make this  
declaration based on my own personal knowledge.

1           1. My spouse and I own a home in Admiral's Cove, 1276 Byrd Drive,  
2 Coupeville, WA 98239. We built our home in 2009 and have lived in the home since  
3 it was completed April 2010. This is our secondary residence, our primary residence  
4 is 1231 NE 135<sup>th</sup> Street, Unit D, Seattle, WA 98125. We intend to become full-time  
5 residents in a few years upon retirement.

6  
7           2. We are members in good standing in the Admirals' Cove Beach Club and  
8 have been since the property was purchased. We have also paid prior assessments  
9 that were made with appropriate information and subject to the club's bylaws.

10  
11           3. I have never used the pool nor was it a consideration in the purchase of a  
12 lot in Admiral's Cove Beach Club.

13  
14           4. In the last five years, I have followed the issues around the maintenance  
15 of club assets including the pool, clubhouse, the lake, Tract A, the beach, and the  
16 road. These have included issues around the repaving of Byrd Drive in 2010, a  
17 prior board's decision to replace the lake tide gate without permits (causing a  
18 degrading of the lake's environment), and ongoing concerns for the condition of the  
19 pool.

20           5. I am aware via actions of the immediately prior board, that significant  
21 attention was paid to the pool's future. From my memory, these included: A)  
22 Extensive studies of the pool's condition which revealed significant safety issues,  
23 improper drains (non-VGB compliant), lack of ADA compliance, decay of the pool  
24 structure and pool deck, non-permitted prior repairs that raised safety concerns  
25 (electrical, heating, etc.). These condition issues were reported via both written  
26 information and photos; B) a survey of the membership was conducted regarding  
27 the extent of pool use by club members and outside groups, which I recall reporting

1 that the pool was used only by a small minority of the members; C) several  
2 published options of costs to repair the pool to current safety and health standards  
3 as well as costs to mothball or decommission the pool were provided; and, D) a vote  
4 of the membership in accordance with club bylaws via ballot on the question of  
5 whether to repair the pool or decommission the pool (the result of which was a  
6 majority of members voting to decommission the pool). It was after that vote that  
7 opposing members filed for an injunction.

8  
9 6. In each of the above actions, I recall that the prior board provided  
10 extensive information to the members via the club website, mailed information, and  
11 community meetings. I was fully aware of what I was voting on (to repair or  
12 decommission the pool), the implications of that vote, and the authority of the board  
13 to carry out the majority wishes of the membership in accordance with the bylaws  
14 and articles of incorporation.

15  
16 7. As we intend for our home to be our place of retirement and long term  
17 investment, I voted to decommission the pool for the following reasons: A) Prior  
18 boards had failed in their duty to appropriately manage the club's funds to provide  
19 for the growth of a reserve account necessary for the maintenance of an outdoor  
20 pool; B) the pool is no longer an asset to the community, but represents a  
21 significant health, safety, and monetary liability; C) it would be overly burdensome  
22 to now assess the membership (many of who are on limited income and could not  
23 pay a large assessment) to make up for decades of mismanagement and lack of  
24 planning; D) I do not use the pool or intend to; E) the pool is only used by a small  
25 minority of the community and that is only for a few months a year; and, F) I  
26 believe there are other pressing issues with the club's assets in Tract A that merit  
27 attention (including repair of the lake tide gate to restore the lake's health).

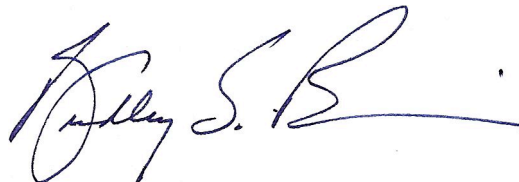
1 8. I believe the current board has failed to appropriately consider other needs  
2 in Tract A (such as the lake) or more cost-effective uses of the property that could  
3 provide a larger return on investment, be of greater benefit to more people, and  
4 even provide for self-sustaining revenue such as creating multi-use facilities that  
5 could truly be an asset and of value to the full community for 12 months a year.

6  
7 9. Explanatory note: I am signing this declaration from outside of  
8 Washington as I am currently away on a business trip.

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15 I declare under penalty of perjury under the laws of the State of Washington  
16 that the foregoing is true and correct.

17  
18 Done on this (day) 2nd day of (month) November, 2014, at (city) Dubai,  
19 United Arab Emirates.

20  
21 Bradley S. Portin  
22 Print Name

23  
24 

25  
26 \_\_\_\_\_  
27 Signature