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

**ROBERT WILBUR and DUSTIN  
FREDERICK,**  
  
Plaintiffs,

**NO. 13-2-00741-4**

vs.

**DECLARATION OF RICHARD  
M. KERR RE: CORLISS  
MOTION FOR SUMMARY  
JUDGMENT**

**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.**

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

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

My wife and I purchased property in Admirals Cove in the early 1990's and built a house shortly after. We have been members in good standing with the Admirals Cove Beach Club (ACBC) since that time.

When we purchased the property, it was evident that we were members of ACBC, and that our family would enjoy full access to the swimming pool. We've enjoyed our beach house for 25 years and never expected anyone to attempt to take

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this asset away from us. The pool was an important factor in our decision to purchase this property, and we knew it would add to the value and salability of the property if we ever decided to sell.

Prior Boards, however, failed to exercise their responsibility to maintain the pool by wrongly delegating their sole maintenance authority to the general membership for approval, in violation of the ACBC's governing documents. These failures compounded over the years because dues were not set to ensure the funds needed for effective maintenance. As a result, the pool now requires major repair.

Failure to maintain the pool as promised in the Articles of Incorporation, Article V, Paragraph 1, will impact the recreational enjoyment for me and my family, and damage the value of my investment, and is an unanticipated violation of trust that I placed in the governing documents and Boards. I am more than willing to pay my share to ensure that we keep the pool maintained to a high standard.

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

Dated this 27 day of January, 2015, at Edmonds, Washington.

  
Richard M. Kerr

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

ROBERT WILBUR and DUSTIN  
FREDERICK,

Plaintiffs,

NO. 13-2-00741-4

GR 17 DECLARATION

vs.

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

Defendants.

\_\_\_\_\_  
SUE CORLISS,

Intervenor,

vs.

DUSTIN FREDERICK, ROBERT  
WILBUR, et al.,

Defendants.

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

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

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

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

  
Linda Williams