



# Innis Arden Bulletin

INNIS ARDEN CLUB, INC. P.O. BOX 77738 SEATTLE, WA 98177-0738 September, 2006

On the Web at: [www.innisarden.com](http://www.innisarden.com)

## Board Members

**President**-Mike Jacobs

**Vice President**-David Fosmire

**Secretary**-Al Wagar

**Treasurer**-R.L. Smith

**Activities**-Tracy Landboe

**Building and Remodel-**

Robert Allen

**Clubhouse**-Harley O'Neil

**Grounds**-Brian Dodd

**Reserves**-Maggie Taber

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### Cottingham, Blauert et al v Innis Arden Club, Inc Plaintiffs' Motion for Class Certification Denied by Judge Barnett \*

This ruling means that the Cottingham/Blauert lawsuit is not binding on everyone in Innis Arden, but is binding only on the Plaintiffs. As a result, there will be no class action fund created.

Some points brought up in the Order include:

- Plaintiffs did not comply with Judge Armstrong's order of July 2005 (responding to the first lawsuit filed by Cottingham/Blauert in May 2005). As well as imposing sanctions against Blauert and Plaintiffs' attorney Starczewski, Judge Armstrong ordered that "Plaintiffs shall not file any future derivative action on the part of the Club unless the claims have first been tendered to the board of directors for consideration".
- Plaintiffs Rust and Phelps were members of the Innis Arden board when the board drafted the Mandatory Dues Amendment and solicited signatures for it. If, as Plaintiffs appear to allege, the Club Board improperly adopted the Mandatory Dues Amendment and failed to make important disclosures to Innis Arden Shareholders concerning its implications, then Ms. Rust and Ms. Phelps have a personal interest, in conflict with that of the purported class, in steering the litigation in such a way as to limit their own personal liability and exposure to potential claims.
- The facts and the conduct of both Plaintiffs' counsel to date with regard to conflicts demonstrate that they are not adequate representatives for the purported class. Ms. Starczewski has a conflict in her representation of plaintiff Maddox in his pending lawsuit against Innis Arden in *Maddox v Innis Arden Club, Inc.* Ms. Jenkins has a conflict in her representation of plaintiffs Blauert in their lawsuit against Bruce Hilyer and Innis Arden in *Blauert v Hilyer and Innis Arden Club, Inc.* Washington Rule of Professional Conduct requires prior execution of conflict waivers. Some Plaintiffs had no knowledge of their counsels' other ties when asked about them at deposition. Per deposition testimony, no Plaintiff had signed conflict waivers for Ms. Jenkins' representation of Blauert in *Blauert v Hilyer and Innis Arden Club, Inc.*
- A large number of Innis Arden Shareholders have already advised the Court in sworn declarations that they do not support the suit, again suggesting that a class action is not a superior way to other available methods of adjudicating this action.

Maddox v. Innis Arden Club, Inc.

### Plaintiff's Motion for Partial Summary Judgment Denied by Judge Roberts\*

Judge Roberts has denied Maddox's motion and has ruled that as a matter of law, Innis Arden is a Homeowner's Association and that Maddox's property is within the Club's jurisdiction.

\*Orders posted on <http://www.innisarden.com>

**Agenda for the October 10th, 2006  
7:00 PM Board Meeting**

1. Approve minutes
2. Committee Reports
  - A. Treasurer
  - B. President/Vice President
  - C. Secretary
  - D. Building and Remodels —  
Wagoner, 1066 NW 167th. Rebuild a shed
  - E. Activities
  - F. Grounds
  - G. Clubhouse
  - H. Reserves
3. Board Agenda—Political Signs
4. Community Comments
5. Adjourn

**Board Hearing, October 11th, 2006  
7:00 PM, Clubhouse**

- Rusts' request to rescind fines
- Other matters that may come before the Board

***Innis Arden Resident Passes***

*Condolences are extended to the family of Sally Daly (NW 186th St) who died in July 2006. She was one of the people who organized the first Innis Arden Club Rummage sale - actually she was the lead organizer. Her son Jay Daly was one of the local kids working on the building of the current Innis Arden Club playfield.*

**Stop Signs Ignored**



To the parents of teenage drivers: Please remind your young drivers to stop at the stop signs. Numerous young drivers at the corner of 15th and 188th have been observed failing to stop and also driving quite rapidly through this intersection. This intersection is used by many children who walk to the playfield and the pool. A moment's lapse in judgment could cause a tragedy that will last forever. Please observe the stop sign.

**Do you have any new neighbors?**

If so, please contact the Hospitality Committee so they can deliver a welcome packet. The hospitality committee is:

**Jan Holbrook 546-3524  
Jeri Jacobsen 542-7373  
Shelley Watson 542-4369**

**Blockwatch Reminder**

Please report criminal activity to police at 911 (emergency) or 296-3311 (non-emergency) as well as to your Blockwatch captain.

- Innis Arden I—Brian Branagan 546-6773  
bbranagan@yahoo.com
- Innis Arden II—Shelley Watson 542-4369  
shell.watson@comcast.net
- Innis Arden III—Judy Allen 542-3219  
allenjnb@yahoo.com

If you don't know what Innis Arden subdivision you live in, refer to the address label of this Bulletin. In the upper left corner, subdivision, block and lot numbers are printed.

During the evening of September 18th, at 7:45 PM a solicitor called upon an Innis Arden resident. The solicitor was a tall, slender black man wearing white pants and white shirt with no visible name tag. The resident did not open the door and he left. On the street he met with another man who was white, dressed in gray baggy pants and parka. Both were in their twenties. As they were walking toward Springdale the resident called the non-emergency phone number (296-3311). At 8:15, the black man was back on the block, this time with a flashlight.

**Reminder**

If you plan on changing or adding any structure on your property (deck, garden shed, patio, remodel/addition) contact the Building and Remodels chair Robert Allen at 542-3219. This is your responsibility and obligation as a member of a covenanted community!



## Activities Announcements

### Salmon BBQ

The Salmon Barbeque was a big success this year. The "potluck style" format turned out well as everyone in the community contributed their favorite dishes. The salmon was delicious as usual thanks to Ed Stay's secret sauce and barbecuing techniques! The Clubhouse was transformed with the help of neighbors contributing flowers for Sheri Miller's beautiful flower designs and Judy Allen's decorating touches. And the kids had a great time bouncing in the bouncy toy and having their face painted. Thanks to everyone who helped to contribute their time and energy to this event. Many thanks to Harley O'Neil for chairing the event and also a huge thanks to Ed Stay for preparing and cooking the delicious salmon!

Thanks to the many other volunteers that contributed their time and talents!

- Flower design and set-up - Sheri Miller with help from Ritzco Wallace
- Flower Donations - Shelley Brodersen, Tracy Landboe, Sheri Miller, Pam Smit, Maggie Taber, Marian Thom, Ritzco Wallace and Betty Ward.
- Set-up Committee - Brad Decker, Phil Friend, Harley O'Neil, R.L. Smith, Al Wagar.
- Salmon Cooking and Serving - Brad Decker and Ed Stay
- Kitchen Help & Clean-up- Shelley Brodersen, Jeri Jacobsen, Chris Kocher, Tracy Landboe, Wendy Morales, Katherine Slack, Pam Smit, Ewa Sledziewski, Maggie Taber, and Mimi Wagar.
- Kids Activities - Julie Forster, Cindy Rasch.
- And thanks to Kelly Smit and friends for the face painting!

### Rummage Collection

10/7: 9-11 am

10/18: 10 - noon

We need volunteers to help with Collection - please can call Julie Forster at 542-9705.

Oktoberfest is scheduled for Saturday October 28th, starting at 6 PM. Fine NW Microbrew, brats, German Potato Salad, Cole-slaw, polka music and a fun time with your neighbors! (reservation form is included in

## Bulletin)

The Halloween Party is scheduled for Sunday October 29th from 2 p.m.-4 p.m. at the clubhouse. Kids should come dressed in costume, ready to play games and have fun. We would appreciate parents bringing a treat (cookies, cupcakes etc) for sharing.

### Upcoming Events -

Holiday Party, Sunday December 3rd - We need volunteers to chair this event or IT WILL NOT HAPPEN! This event is an annual Innis Arden tradition and we have a binder and last year's chairperson to walk the new chair through the details! Please call Shelley Brodersen at 533-8137 if you are interested in helping with this event!

Next Activities Meeting is scheduled for Monday, October 2nd at 7:00 p.m. at Shelley Brodersen's house - 16725 15th Avenue NW. Come socialize and learn more about the Activities Committee. This is a fun group of people who share a common goal - making Innis Arden a true community and a great place to live! We hope you can join us.



## Community Announcements by Judy Allen

### **E911 Calls**

When using your cell phone to report an emergency to the police you need to identify your exact location including county, city and street. If you make a cell call from Innis Arden it will always go to our closest line of sight cell tower, which is Kitsap county. GPS cell phones are not always sending accurate information at this time. Give as much accurate information as possible to the operator in order to get the quickest response time for the incident.

### **Solicitation**

Innis Arden is a target. There are 4 vans with Arizona license plates dropping groups of street kids onto our streets. They are selling magazine subscriptions illegally without a license or asking you for financial donations. DO NOT encourage these solicitors in any way. Chances are your house will be broken into the next day if you open your door. The driver of one of the vans has been arrested, thanks to the efforts of one of our very alert Innis Arden teenagers!

### **Right of Way Visibility**

School has started and many children are walking on the right of way. Some residents have planted landscape material that has not only grown into the right of way but into the street. Please be respectful for the safety of both drivers and pedestrians and remove overgrown vegetation on your property.

### **Sewer Improvement project**

Construction is ongoing at the substation and Boeing Creek Park. Current information indicates that construction will not move onto our residential streets until spring of 2007. If you have any questions please contact Jennifer Kauffman 206 205 5968.

### **Cascade Agenda**

City of Shoreline is being considered to be a part of the Cascade Agenda Cities Program. A presentation was made to the Council of Neighborhoods and if you would like any information on how it might affect your property please visit web site [cascadeagenda.com](http://cascadeagenda.com) or call Cascade Land Conservancy 206 292 5907.

### **New Radar Technology**

Police patrols have new radar guns with accurate readings to 400 FEET. School and Construction Zone fines are double. 25 MILES PER HOUR in Innis Arden!

### **Four Covenant Documents Update:**

**Please help those who will be contacting you to complete the requirements. Thank you!**

#### **Signatures Collected:**

	<b>IA #1</b>	<b>IA #2</b>	<b>IA #3</b>
Race	59	124	148
Sheds	52	111	126
Pets	50	96	120
Wells	49	117	123
Signatures Needed	60	150	150

**Innis Arden Board Minutes  
September 12, 2006**

Board members present: Bob Allen, Brian Dodd, Dave Fosmire, Mike Jacobs, Harley O'Neil, R.L. Smith, Maggie Taber, Al Wagar

Excused: Tracy Landboe

About 15 community members present,

Called to order: 7:05

Minutes of August 7, 2006 approved 7 – 0 (one Board member not yet present).

Stephen Spiedel, R.W. Thorpe & Associates, spoke for approximately 30 minutes, outlining how his group would interact with City of Shoreline on vegetation management planning and approval for Innis Arden reserves.

Innis Arden resident Kimberly Bell requested free use of Clubhouse for a new Girl Scout troop that would meet twice per month for about 1.5 hours each meeting. The 6 to 8 girls are in kindergarten and first grade, are almost all Innis Arden residents, and would have three adult leaders. The Girl Scout organization would provide full insurance. (See Board Agenda for discussion.)

Sherry Corsiglia requested use of the clubhouse for a Breathing, Stretching and Toning class she teaches as part of the Shoreline Parks and Recreation Department. It involves from 5 to 17 students, meets from 7 to 8:30 Monday evenings but would arrange for other space if Clubhouse were rented on a Monday evening. (See Board Agenda for discussion.)

**Committee Reports**

Treasurer – R. L. Smith

Financial Statement – Innis Arden Club  
Accounts

WA MU Checking	\$ 8,603
WA MU Savings	\$46,088
WELLS FARGO CD	\$54,401
WELLS FARGO Club Rental	\$ 3,506
SHORELINE CLUB REMODEL	<u>\$ 1,001</u>
TOTAL	\$115,599

2005 income tax report has been filed with and acknowledged by IRS. 2005 Audit Report for Club was received on September 11.

President – Mike Jacobs

**Litigation**

- Cottingham - waiting for judge's decision on class certification, which will determine future course of lawsuit. Hope to get decision this month.
- Maddox trial date is March 5, 2007. Also the Summary Judgment hearing with oral arguments is this Friday, September 22, at 11:00 A.M. in Judge Mary Roberts's court-

room at the King County Superior Courthouse. Maddox is asserting that the Innis Arden Club, Inc. is not a Homeowners Association and is requesting that the Court enter such a ruling. The Club is requesting that the Court rule that the Club is a Homeowners Association

- Blauert v Hilyer & Innis Arden - Judge Downs issued a decision staying the proceedings because issues are similar to those in Cottingham suit. Mr. Blauert filed motion and opening brief for discretionary review with Court of Appeals, with decision expected soon.
- Carlson v Rasch, Hollinrake, & Innis Arden Club, not much to report.
- The Club will seek its attorney's fees from the defendants. For the Cottingham case these are on the order of \$200,000, currently being paid by insurance. (Because of many suits against Innis Arden Club, renewal of such insurance is likely to have a deductible of \$50,000 to \$100,000.)

September 13 Compliance Committee determinations will deal with

- Hollinrake, Jones & Buchmayr v Lewis
- Martsof v Burns
- Dr. Flick's request for relief from fines
- Hollinrake v Meln matter to determine if fines should be imposed.

Vice President – Dave Fosmire

Two matters concerning fines:

The Tronson derelict house problem has not changed despite numerous letters informing Mr. Tronson of fines. A motion was made to discuss, in executive session, procedures for getting a judgment. Motion passed 8 - 0.

A motion was made to impose fines on Mr. and Mrs. Blauert, retroactive to July 29, based on their noncompliance with arbitrator's decision. Motion passed 7-0-1.

Secretary – Al Wagar

No report

Building & Remodel – Bob Allen

No report

Activities – Tracy Landboe (excused absence)

General comments on Salmon Barbeque: Great job! Potluck worked well. At least 170 people attended. Oktoberfest will be October 28.

Grounds – Brian Dodd

No report but comments that sprinkler system was off for at least a week due to someone's tripping a power main and that sprinkler system has developed a leak.

Clubhouse – Harley O'Neil

*(Continued on page 6)*

Income for August was \$600 and expenses were \$799.91. Posts and beams were installed in the men's and women's restrooms. New windows were placed in both restrooms and new ceiling tile and new lighting was installed in the men's room. New ceiling tile and lighting will be installed this week in the women's bathroom.

A motion to allow a newly formed Innis Arden Girl Scout troop to use the Club House for a maximum of three hours per month passed unanimously, after amendments were added that require the group to be made up of at least 60% girls from the Innis Arden community and that at least one leader of the troop is a resident of Innis Arden. The motion provides that the new Girl Scout troop be allowed to use the Clubhouse until further notice and free of charge, provided that at least 60 percent of the girls and one leader are Innis Arden residents with Girl Scouts providing insurance coverage. Meetings will be on first and third Wednesdays of the month, with Girl Scouts relinquishing the space whenever the Clubhouse is rented on one of these days.

After discussing possible use of Clubhouse for Breathing/Stretching/Toning classes, the Board decided to ask the Activities Committee to consider the matter, including the extent to which it would be an Innis Arden activity.

Reserves – Maggie Taber

Work parties are planned, probably for late September & October. We are exploring having Volunteers for Outdoor Washington (VOW) lead volunteers to improve the Boeing

Creek trail, concentrating on brushing to widen the trail and removing the boulders blocking the stream through the railroad underpass.

Judy Allen reported on important procedures for 911 calls from cell phones, a group illegally selling magazine subscriptions in Innis Arden, how "No trespassing" and "No soliciting" signs help address the problem, the need to keep road shoulders clear of view-obstructing shrubbery now that school children are walking there, the status of the sewer improvement project, possibilities that Shoreline will adopt the Cascade Agenda, and the signature count update for amending our covenants. (See page 4 for more details)

Board Agenda

After discussion of the Thorpe proposal, it was moved that we contract with Thorpe, with review after each step of the process and with clarification of the "deliverables." Motion passed 8-0.

Adjourned: 9:17

**Innis Arden Memories**  
**By Kathryn Vaughn Compton**

My parents were Ken and Ellie Vaughn who moved here in 1950, when I was 11 months old. My Dad was the land surveyor who platted Innis Arden and that is how he found out about the area. We lived between 175th & 10th NW, lot numbers 31&38 (my parents subdivided when they sold in 1975). Our house was the "caretaker's cottage" for Bill Boeing's pheasant farm. He had hundreds of pens on our property and other adjacent parcels for raising pheasants. I have lots of fond memories of exploring the woods, hunting for pollywogs in Hidden Lake, playing down at Boeing creek and carefree summers at the beach!

My siblings included Mike, Terry and sister Patty. My older brother and I started off in school at the old Richmond Beach Elementary, where the library is now, and then when Sunset was built my younger siblings and I went there. We all went to Butler and then Shoreline High School.

Oddly, our move back to Innis Arden though was due to my in-laws who moved here in the mid 60's. The house, for which they paid around \$30K, had a view of the Kingston Ferry Dock. We cannot even see it now. My husband Tom grew up in Ballard and never lived here as a child. After we started dating and I visited his parents for the first time, we discovered their house was one I had been in as a kid...both my sister and I had friends who had lived in the house prior to Tom's parents. When his Mom died in 1999 we lived in Salt Lake City and before to our move back to the Northwest we knew a major remodel would be necessary. After consulting with a builder, we came to the conclusion that a tear down and rebuild was the best way to go...hence, here we are!!

# Oktoberfest Party



The Innis Arden Club House

Saturday October 28th

\$10.00 in advance by October 8th or \$15.00 at the door.

Send your check (payable to IAAC) to Tracy Landboe at  
16741 15<sup>th</sup> Ave NW Shoreline, WA 98177

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**We start at 6:00 p.m.**

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**Fine NW Microbrew, brawtz, German Potato Salad,  
Coleslaw, polka music and a fun time with your  
neighbors!**

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**October fest reservation form (By October 14<sup>th</sup>, 2006)**

NAME: =====

NUMBER OF PEOPLE AT \$10.00/EA=====

TOTAL \$=====

MAKE CHECKS PAYABLE TO INNIS ARDEN ACTIVITIES AND MAIL TO TRACY LANDBOE

**INNIS ARDEN CLUB**  
P.O. Box 77738  
Seattle, WA 98177-0738



PRSRT STD  
U.S. Postage  
PAID  
Seattle, WA  
Permit No. 12410

**COMING EVENTS**  
**Activities Meeting**  
October 2, 7:00 PM  
At Shelley Brodersen's  
**Board Meeting**  
October 10th, 7:00 PM  
**Board Hearing, October 11th**  
**Oktoberfest**  
October 28th, 6:00 PM  
At the Clubhouse

Deadline for October Bulletin—  
October 15th  
Community Notices  
(no anonymous items)  
Carol Solle, 542-4978  
csolle@earthlink.net  
17061 12th Avenue N.W.

Remodels—Robert Allen 542-3219

*We're on the Web!*  
[www.innisarden.com](http://www.innisarden.com)



## Innis Arden Bulletin Board



### Rummage Collection:

10/7 9-11 am and 10/18 10 - noon

We collect clothing (men's women's, children's, infants), bedding, linens, house wares, glassware, collectables, furniture, toys, games, books, stuffed animals, small working appliances, holiday items, tools, paintings, pictures, jewelry (costume and real).

We can't accept pillows, mattresses, televisions, stereos, speakers, bed frames, box springs, ski poles, microwaves, washers, dryers, copy machines, fax machines, computers, monitors, printers, sinks, toilets and car batteries.

THANK YOU!

### Work Parties

Work parties are scheduled in Boeing Reserve Oct 28 and in Blue Herron Sept 30. Please contact Maggie Taber by email or phone if interested.

### House Sitting Offered/Accommodations Sought

If anyone is going out of town over the Thanksgiving holidays, please let us know if you need a house sitter. We have a 50th anniversary party the Saturday after Thanksgiving and we are looking for accommodations for two quiet and clean adults. Please let us know. The Meyers 206-546-8954.

### FOUND:

Some items that apparently were stolen and then ditched across from our house in late August. We have a bike, skate board and basketball. Please call and describe and you can pick-up your missing items. The Meyers 206-546-8954.