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SKAMANIA CO. WASH
BY SKAMANIA COUNTY
CLERK
JUL 29 1 19 PM '86
AUDITOR
GARY M. OLSON

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

CLIFFORD ORTH and DOLORES J. ORTH,)
husband and wife,)

No. _____

Plaintiffs))

SUMMONS

VS

ED CALLAHAN, BILL BENSON, and)
HAROLD VANDENBERG, in their)
capacity as SKAMANIA COUNTY)
COMMISSIONERS,)

Defendants)

TO THE DEFENDANTS: A lawsuit has been started against you in the above-entitled court by the named plaintiffs. Plaintiffs' claim is stated in the written complaint, a copy of which is served upon you with this summons.

In order to defend against this lawsuit, you must respond to the complaint by stating your defense in writing, and serve a copy upon the undersigned attorney for the plaintiffs within 20 days after the service of this summons, excluding the day of service, or a default judgment may be entered against you without notice. A default judgment is one where plaintiffs are entitled to what is asked for because you have not responded. If you serve a notice of appearance on the undersigned attorney, you are entitled to notice before a default judgment may be entered.

You may demand that the plaintiffs file this lawsuit with the court. If you do so, the demand must be in writing and must be served upon the plaintiffs. Within 14 days after you serve the demand, the plaintiffs must file this lawsuit with the court, or the service on you of this summons and complaint will be void.

If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your written response, if any, may be served on time.

This summons is issued pursuant to Rule 4 of the Superior Court Civil Rules of the State of Washington.

Dated this 23 day of July, 1986.

ROBERT D. WEISFIELD, Attorney for Plaintiffs

ROBERT D.
WEISFIELD
Attorney-at-Law

P.O. Box 421
218 E. Steuben
Wenatchee, WA 98605
(509) 493-2772

File answer with:

Clerk of the Superior Court of Skamania County
Skamania County Courthouse
Stevenson, Washington 98648
(509) 427-5141

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

CLIFFORD ORTH and DOLORES J. ORTH,)
husband and wife,)
)
Plaintiffs))
)
VS)
ED CALLAHAN, BILL BENSON,)
and HAROLD VANDENBERG, in their)
capacity as SKAMANIA COUNTY)
COMMISSIONERS,)
)
Defendants)

No. _____
COMPLAINT FOR DECLARATORY
JUDGMENT AS TO SKAMANIA
COUNTY RESOLUTION 284-A

COMES NOW THE PLAINTIFF, CLIFFORD ORTH, and for cause of
action against the defendants, alleges as follows:

I.

That the plaintiffs, CLIFFORD ORTH and DOLORES J. ORTH, are
husband and wife, and are owners of real property in Skamania
County, Washington.

II.

That the defendants, ED CALLAHAN, BILL BENSON, and HAROLD
VANDENBERG, are respectively the commissioners of the County of
Skamania, State of Washington, a seventh class county.

III.

That on the 20th day of February, 1979, the Skamania County
Commissioners enacted Resolution no. 284-A, providing for the
vacation of certain county roads, and that said resolution was
approved by the Skamania County Commissioners on February 20,

ROBERT D.
WEISFIELD
Attorney-at-Law
P.O. Box 421
218 E. Steuben
igen, WA 98605
509) 493-2772

1 1979.

2 IV.

3 That said Resolution 284-A was enacted in violation of the
4 Revised Code of the State of Washington, Title 36.87 et seq,
5 which requires publication and posting of the notice to vacate,
6 and is therefore without force and effect.

7 V.

8 That Tote Road should be reinstated as a county road.

9 W H E R E F O R E, plaintiffs pray for judgment as follows:

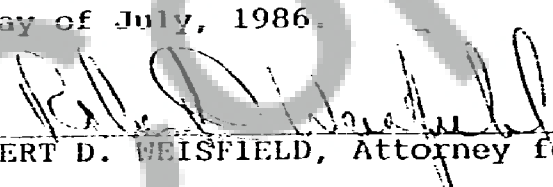
10 1. That the court enter judgment declaring Resolution 284-A
11 of the County of Skamania, State of Washington, to be null and
12 void.

13 2. That Tote Road be reinstated as a county road of
14 Skamania County, Washington.

15 3. That the plaintiffs recover their costs and
16 disbursements herein.

17 4. That the plaintiffs herein be granted such other relief
18 as the court may deem fit and proper.

19 Dated this 23 day of July, 1986.

20 
21 ROBERT D. WEISFIELD, Attorney for Plaintiffs
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27 ROBERT D.
WEISFIELD
Attorney-at-Law

28 P.O. Box 421
218 E. Steuben
19en, WA 98605
509) 493-2772

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1 STATE OF Oregon)
2 County of Multnomah) ss

3 CLIFFORD ORTH, being first duly sworn on oath, deposes and
4 says: That I am one of the plaintiffs in this action; that I
5 have read the foregoing complaint, and to the best of my
6 knowledge believe the same to be true.

7 Clifford Orth
8 CLIFFORD ORTH, Plaintiff

9 SUBSCRIBED and SWORN TO before me this 16th day of July,
10 1986.

11 Jean E. Grant
12 Notary Public for Oregon
13 Residing at Bresham, Oregon
14 My commission expires: My Commission expires 1-29-87

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27 ROBERT D.
WEISFIELD
Attorney-at-Law

28 P.O. Box 421
(218 E. Steuben)
ingen, WA 98605
(509) 493-2772

ORTH v. SKAMANIA COUNTY COMMISSIONERS
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