

127832

FILED FOR RECORD
SKAMANIA CO. WASH.
BY Skamania County

APR 10 12 40 PM '97
G. Mason
AUDITOR
GARY M. OLSON

RETURN ADDRESS:

Skamania County

Please Print or Type Information.

Document Title(s) or transactions contained therein:

1. Summons and Petition for Declaratory Judgment
- 2.
- 3.
- 4.

GRANTOR(S) (Last name, first, then first name and initials)

1. Carter, Judy etal
2. McLarney, Edward A. etal
3. Skamania County
- 4.

☐ Additional Names on page ____ of document.

GRANTEE(S) (Last name, first, then first name and initials)

1. Bacus, Joseph Alan
- 2.
- 3.
- 4.

☐ Additional Names on page ____ of document.

LEGAL DESCRIPTION (Abbreviated: I.E., Lot, Block, Plat or Section, Township, Range, Quarter/Quarter)

N/A

☐ Complete legal on page ____ of document.

REFERENCE NUMBER(S) Of Documents assigned or released:

N/A

☐ Additional numbers on page ____ of document.

ASSESSOR'S PROPERTY TAX PARCEL/ACCOUNT NUMBER

N/A

☐ Property Tax Parcel ID is not yet assigned.

☐ Additional parcel #'s on page ____ of document.

The Auditor/Recorder will rely on the information provided on the form. The Staff will not read the document to verify the accuracy or completeness of the indexing information.

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127832

RECEIVED

APR - 9 1997

SKAMANIA COUNTY
AUDITOR

11 AM

SUPERIOR COURT OF WASHINGTON
FOR THE COUNTY OF SKAMANIA

JOSEPH ALAN BACUS

Plaintiff,

VS.

JUDY CARTER, In her
capacity as Skamania County
Commissioner, Defendant (1);

EDWARD A. MC LARNEY, In his
capacity as Skamania County
Commissioner, Defendant (2);

and

SKAMANIA COUNTY

Defendants.

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C. Moser

CARY M. UL...

SKAMANIA COUNTY
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Lorena E. Hollis, Clerk

NO. 97-2-00031-1

SUMMONS

TO THE DEFENDANT:

A lawsuit has been started against you in the above
entitled court by Joseph Alan Bacus, plaintiff. Plaintiff's
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 by serving a copy upon the person signing this summons
within twenty (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 plaintiff is entitled to what he asks for because you
have not responded. If you serve a notice of appearance on
the undersigned person, you are entitled to notice before a
default judgment may be entered.

You may demand that the plaintiff file this lawsuit with
the court. If you do so, the demand must be in writing and
must be served upon the person signing this summons. Within
fourteen (14) days after you serve the demand, the plaintiff
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 8th day of April, 1997.

J. Bacus
Joseph Alan Bacus, Pro se
Plaintiff

Joseph Alan Bacus
Attorney at Law (Ill. 89443)
91 Sprague Landing Rd.
Stevenson, WA 98648

IN THE SUPERIOR COURT OF WASHINGTON
FOR SKAMANIA COUNTY

JOSEPH ALAN BACUS
Plaintiff,

v.

JUDY CARTER, In Her
Capacity as Skamania County
Commissioner, Defendant;

EDWARD A. MC LARNEY, In His
Capacity as Skamania County
Commissioner, Defendant

AND

Skamania County, Defendant

SKAMANIA COUNTY
ORIGINAL FILED
APR - 9 1997

Lorena E. Hollis, Clerk

No. 97-2-00031-1

PETITION FOR
DECLARATORY JUDGMENT

COUNT I

COMES NOW Plaintiff and for Count I of his Petition
for Declaratory Judgment respectfully states as follows:

1. That Plaintiff Joseph A. Bacus is a resident and taxpayer of Skamania County.
2. That Defendant Skamania County is a corporate body with the power to sue and be sued pursuant to the laws of the State of Washington.

3. That Defendant Judy Carter is a Skamania County Commissioner.

4. That the Columbia Gorge Interpretive Center, Inc. is a private not-for-profit corporation licensed and doing business in the State of Washington.

5. That on or about February and March of 1997, while an officer of the Columbia Gorge Interpretive Center, Inc., Defendant Judy Carter, in her capacity as a Skamania County Commissioner, deliberated upon and voted to approve a service contract and supplemental service contract between Skamania County and the Columbia Gorge Interpretive Center, Inc. aggregating \$154,000 which contract and supplemental contract were to be performed in one year.

6. That Defendant Judy Carter's actions violated the Washington State Code of Ethics for Municipal Officers, RCW 42.23.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court enter a Judgment declaring that Defendant Judy Carter violated the Washington State Code of Ethics for Municipal Officers and must be penalized as required by RCW 42.23.050 which includes a mandatory fine of \$300 and forfeiture of office and that the service contract and supplemental service contract are void and for payment of reasonable attorney fees and costs.


Joseph Alan Bacus
Plaintiff

COUNT II

COMES NOW Plaintiff and for Count II of his Petition for Declaratory Judgment respectfully states as follows:

1. That Plaintiff repeats and realleges the allegations in numbered paragraphs 1 and 2 of COUNT I as the allegations in paragraphs 1 and 2 of Count II.

3. That Defendant Edward A. McLarney is a Skamania County Commissioner.

4. That Columbia Cascade Housing is a private not-for-profit corporation licensed and doing business in the State of Washington.

5. That Defendant Edward A. McLarney was both a Skamania County Commissioner and an officer of Columbia Cascade Housing throughout the deliberative process regarding the proposed leasing of Skamania County real estate to Columbia Cascade Housing and orally resigned his office with Columbia Cascade Housing minutes before voting on March 10, 1997, as a Skamania County Commissioner, to approve the lease.

6. That Defendant Edward A. McLarney's actions were in violation of the Washington State Code of Ethics of Municipal Officers, RCW 42.23.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court enter a Judgment declaring that Defendant Edward A. McLarney violated the Washington State Code of Ethics of Municipal Officers and must be penalized as required by RCW 42.23.050 which includes a mandatory fine of \$300 and forfeiture of office and that the real estate lease with Columbia Cascade Housing is void and for payment of reasonable attorney fees and costs.



Joseph Alan Bacus
Plaintiff

1 SKAMANIA COUNTY AUDITOR0
1 GARY M. OLSON

47602

Date: 04/10/1997 12:40

Type: FILED DOCUMENTS

Receipt#: 51545

Amount: \$.00

0Input by: ASM

Funds paid: NO CHARGE

From: SKAMANIA COUNTY

Memo: SUMMONS AND PETITION FOR DECLARATORY JUDGMENT

cash	check	warrant
.00	.00	.00

Auditor file#: 127832

Return to: SKAMANIA COUNTY

Grantor:

CARTER, JUDY ETAL
47603

MC LARNEY, EDWARD A ETAL
47604

SKAMANIA COUNTY ETAL
47605

Grantee:

BACUS, JOSEPH ALAN

BACUS, JOSEPH ALAN

BACUS, JOSEPH ALAN

Parcel: