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COPY

IN THE SUPERIOR COURT OF WASHINGTON FOR SKAMANIA COUNTY

GLORIA HARTMAN,

Plaintiff,

vs.

SKAMANIA COUNTY, a Municipal
Corporation, JUDY CARTER, County
Commissioner, EDWARD MCLARNEY,
County Commissioner, ALBERT MCKEE,
County Commissioner, and GRAY LODGES,
INC., formerly known as SALISHAN LODGE,
INC., a partnership,
Defendants.

NO. 97-2-00040-0

SUMMONS

SKAMANIA COUNTY
ORIGINAL FILED

APR 22 1997

Lorena E. Hollis, Clerk

TO: SKAMANIA COUNTY;
TO: SKAMANIA COUNTY COMMISSIONERS, JUDY CARTER, EDWARD MCLARNEY
AND ALBERT MCKEE;
TO: GRAY LODGES, formerly known as SALISHAN LODGE, INC., dba SKAMANIA
LODGE

A lawsuit has been started against you in the above entitled Court by the 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
20 days after the service of this Summons, excluding the day of service, if served upon you
within this State, and within 60 days after the service of this Summons is served upon you
outside of Washington, 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
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.

SUMMONS -1-

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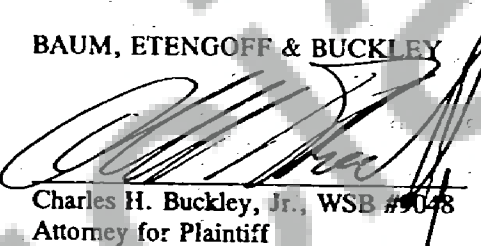
1 If you wish to seek the advise of an attorney in this matter, you should do so promptly
2 so that your written response, if any, may be served on time.

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

5 DATED: January 7, 1997

6 FILE RESPONSE WITH:
7 Clerk of the Court
8 Skamania County Courthouse
9 240 Vancouver Street
10 Stevenson, WA 98648

BAUM, ETENGOFF & BUCKLEY


Charles H. Buckley, Jr., WSB #9048
Attorney for Plaintiff
900 Washington Street, Suite 760
Vancouver, WA 98660

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SUMMONS -2-

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COPY

IN THE SUPERIOR COURT OF WASHINGTON FOR SKAMANIA COUNTY

GLORIA HARTMAN,

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vs.

SKAMANIA COUNTY, a Municipal
Corporation, JUDY CARTER, County
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Defendants.

NO. 97-2-00040-0

AMENDED COMPLAINT FOR
TRESPASS AND QUIET TITLE

SKAMANIA COUNTY
ORIGINAL FILED

APR 22 1997

Lorena E. Hollis, Clerk

COMES NOW, Gloria Hartman, and alleges the following:

I. JURISDICTION

1.1 Plaintiff, Gloria Hartman is the owner of Lot One of the Pappas Short Plat located in Skamania County. She purchased the lot from Anthony Pappas on September 3, 1987. A copy of the document is attached hereto as Exhibit "A" and by this reference incorporated herein as though fully set forth.

1.2 Defendant, Skamania County, is a municipal corporation within the State of Washington.

1.3 The Commissioners of Skamania County, duly elected are Judy Carter, Edward McLarney and Albert McKee.

AMENDED COMPLAINT FOR TRESPASS
AND QUIET TITLE -1-

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1 1.4 Defendant, Gray Lodges, Inc. is an Oregon corporation, licensed to do business in
2 the State of Washington, during all times relevant to this matter, formerly known as Salishan
3 Lodge, Inc., dba Skamania Lodge.
4

5 1.5 The court has jurisdiction. Venue is properly within this court because the action
6 involves real property and activities over certain real property located in Skamania County,
7 Washington.
8

9 II. CAUSE OF ACTION

10 2.1 The County of Skamania, State of Washington, purchased land from Talent Lake
11 Club, Inc., a Washington corporation. Said property consists of approximately 62.3 acres of
12 land. The property lays to the North East of the Plaintiff's property, abutting directly on
13 Plaintiff Hartman's property.

14 2.2 On or about July 30, 1992, Skamania County filed a cause of action to quiet title
15 on the easement over the Plaintiff's property for use by Skamania County for the property lying
16 to the North East of the Plaintiff's property.

17 2.3 Pursuant to the law suit, Skamania County did, in fact, have an order entered in the
18 courts allowing them to use the easement pending the resolution of that particular court case.
19 Pursuant to that court case, Skamania County did, in fact, have Dr. Anthony Pappas execute a
20 Quit Claim Deed which essentially granted Skamania County a right across the Plaintiff's
21 property, thereby clouding the Plaintiff's title to her property.
22

23 2.4: On or about April, 1996, the County dismissed their law suit against the Plaintiff,
24 with prejudice. The County knew that they did not have the right to use the roadway in question
25
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AMENDED COMPLAINT FOR TRESPASS
AND QUIET TITLE -2-

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1 and further, that they did not have the right to obtain a Quit Claim Deed which has clouded the
2 Plaintiff's title to the property.

3 2.5 The County continued to use the property for a period from August 1992, through
4 April, 1996. The County continued to use the property in violation of the Plaintiff's rights,
5 effectively trespassing during that period of time.
6

7 III. SECOND CAUSE OF ACTION

8 3.1 By way of second cause of action, the plaintiff re-alleges the facts contained in
9 the first, second, third and fourth paragraphs of the First Cause of Action.
10

11 3.2 The County had executed and filed a Quit Claim Deed granting the rights to use
12 the Pappas property easement by the County. They filed the Quit Claim Deed and thereby
13 executed a subsequent deed to the Skamania Lodge whereby they granted them the right to use
14 the property in questions. The filing of the original Quit Claim Deed and the execution and
15 filing of the subsequent Deed to the Skamania Lodge has clouded the Plaintiff's title. The
16 Plaintiff's property and right to exclusive use of the property has been interfered, specifically
17 by the deeds that have been filed in this matter by Skamania County. Therefore, the Plaintiff's
18 right to exclusive use of her property has been specifically clouded and interfered with by the
19 actions of the defendant County.
20

21 3.3 The Plaintiff's right to transfer the property has been interfered with and she has
22 been damaged by the cloud on her title.
23

24 IV. THIRD CAUSE OF ACTION

25 4.1 By way of third cause of action, Plaintiff re-alleges the facts contained in the first,
26

AMENDED COMPLAINT FOR TRESPASS
AND QUIET TITLE

-3-

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1 second, third and fourth paragraphs, as outlined in the First Cause of Action.

2 4.2 The Skamania Lodge, Gray Lodges, Inc., has been using the roadway across the
3 Plaintiff's property since April, 1996.

4 4.3 The use of the roadway is without permission of the Plaintiff herein.

5 4.4 The Plaintiff has a right to exclusive use of property subject to specific easements
6 contained in her deed.

7 4.5 The Defendants, the Skamania Lodge, has no ownership interest in the real
8 property in question, or to use of an easement across the Plaintiff's property.

9 4.6 It is the Plaintiff's understanding that the Defendant, Skamania Lodge, in
10 fact, transfer by deed, a right to use the roadway across the Plaintiff's property to the defendant
11 Skamania Lodge.

12 4.7 Such deed is in violation of the exclusive rights of the Plaintiff for the use of her
13 property.

14 4.8 Said deed clouds the title of the Plaintiff to her exclusive right to her property.

15 4.9 The Plaintiff has requested that Defendant, Skamania Lodge, quit using her
16 property.

17 4.10 The Lodge has continued to use the Plaintiff's property, despite protests of the
18 Plaintiff, ingress and egress to their property. That use has substantially interfere with her
19 quiet enjoyment of her property.

20 4.11 Said use of the property constitutes trespass of the Plaintiff's property and the
21 continued use continues to cloud the Plaintiff's right to exclusive of her property.
22

23 AMENDED COMPLAINT FOR TRESPASS
24 AND QUIET TITLE
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1 WHEREFORE, the Plaintiff, having listed the causes of action in the above-referenced
2 complaint, prays for relief as follows:

3 1. For judgment against the defendants for damages, economic and non-economic,
4 in an amount to be determined a later hearing or trial;

5 2. For judgment against the defendants for attorney's fees and costs incurred herein;

6 3. For judgment quieting title in the land of the Plaintiff and extinguishing clouds
7 imposed upon the title by the defendants.

8 4. For such other and further relief as deemed reasonable by the court.

9 DATED THIS 21 day of January, 1997.

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14 Charles H. Buckley, Jr., WSB #9048
15 Attorney for Plaintiff
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AMENDED COMPLAINT FOR TRESPASS
AND QUIET TITLE -5-

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