

# Innis Arden Bulletin

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

## **BOOMER (+ OR-) NIGHTS @ Shoreline-LFP Sr. Center Something NEW!**

Vision: To create a meeting place for Boomers who are still working but looking for something with a sense of community designed just for them.

On May 16, the Shoreline-LFP Senior Center morphed into the Shoreline-LFP SC for Active Boomers. Between 5:30 and 9:00PM, Mondays through Thursdays, the boomers-those born between 1946 and 1964- give or take, have the opportunity to come to classes designed with them in mind. On-going classes, monthly classes and special seminars will be offered. Among the classes currently ready to go are: Boomer Power, an exercise class and Yoga 4 Boomers. Among the line up for other classes: Knit, Chat & Sip, a knitting group, a Retirement Strategies Seminar, Writing Workshop, Needle & I Quilters, Genealogy and an E-Bay Computer class.

During 2006, the oldest of the baby boomers, the generation born between 1946 and 1964, will turn 60 years old. According to the U.S. Census Bureau, 7,918 people turn 60 each day; about 330 every hour. Senior Centers all over the nation are working on how to deal with this growing age group; programs and services will need to change to attract them to our centers while we continue to meet the needs of the seniors already with us. With the introduction of this new program in Shoreline, we hope to help the "young" seniors become part of the activities and community that is here and see it as something of their own. For information and a program flyer or to register for a class, please call 206-365-1536, Monday through Friday, 8:30AM to 4:30PM, or come by the Shoreline-LFP Senior Center, 18560 1st AVE NE #1. (the southern-most building at Shoreline Center).

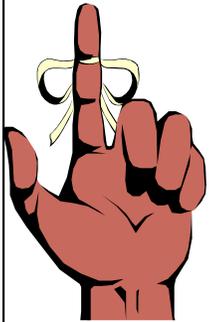
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**Agenda for the June 13, 2006  
7:00 PM Board Meeting**

1. Approve minutes
2. Committee Reports
  - A. Treasurer
  - B. President/Vice President
  - C. Secretary
  - D. Building and Remodels —  
Sig and June Hansen, **18361 8th Ave NW**, swimming pool.  
Eric and Ingrid Cheney, **17790 15th Ave NW**, patio.  
Doug and Beth O'Neill, **1038 NW Innis Arden Drive**, extend the east wall above the garage 6 feet to the east. The roof will have the same pitch and height.
  - E. Activities
  - F. Grounds
  - G. Clubhouse
  - H. Reserves
3. Board Agenda  
Discussion of Fine Caps
4. Community Comments
5. Adjourn

**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!

**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

On April 27<sup>th</sup> two bikes were stolen from a shed. Unfortunately the shed was unlocked at the time. One of the bikes was located at QFC, left on a bike rack. The other is still missing. The remaining bike is a black, boys trick bike with three pegs (two on the front one on the back), and the brand is Redline.

Although the shed was unlocked, the thieves were not afraid to walk right onto private property. Please call 542-9638 with any information.

**Neighborhood Post Office Available**

Although the Richmond Beach Post Office closed, a new one is located at the Spin Alley Bowling Center (1430 N.W. Richmond Beach Rd., next to LaPlaya restaurant). There are a lot of people who do not know that there is a Post Office so conveniently located. As gas prices increase, more and more people will be thankful that they do not have to go to 145th and Aurora to mail packages.

This is a contract Post Office, which means the Postal service gives the bowling alley almost enough money to cover the costs. But, even though the contract doesn't

pay for all of the costs, the Post Office looks at the revenue generated and decides each year whether or not they want to continue with the arrangement. So, the stamps sold, the post office boxes rented and any other postal services provided support this service.

The Post Office has its own zip code 98160 and post office boxes are available. It is open from 9:00 a.m. to 5:00 p.m. Monday through Friday and from 9:00 a.m. to 12:00 p.m. on Saturday. People wanting to access their P.O. Boxes can come in anytime the Bowling Alley is open.

## COMMUNITY NOTICES FROM THE BOARD

Board Hearing in the Smit v. Flick matter has been scheduled for June 14, 2006, at the Clubhouse.

### Legal Matters Summary

For more information, go to [www.innisarden.com](http://www.innisarden.com) and scroll to 'litigation links'

#### 1. Maddox v Innis Arden Club, Inc.

- September 2005, Gene Maddox filed a lawsuit against the Board challenging mandatory dues. The Club is vigorously defending against the suit and will attempt to recover attorney's fees.
- January 2006, the Club's attorney will file an answer to this suit.
- April 2006, the suit is in discovery phase and various motions will be filed soon.

**2. Cottingham, Blauert, Phelps, Rust et al v Innis Arden Club, Inc. et al** (Mike Jacobs and his wife, Phyllis, David Fosmire, and his wife, Shelly Watson, Maggie Taber and her husband, Kelly, the Club's attorneys, Peter Eglick and Kris Sundberg, and their wives, the Club's property management firm, Cole Property Management, Inc. and Russell Cole and his wife, and John Hollinrake and his wife, Elizabeth).

May 18, 2005: Lawsuit was filed. The suit was styled as a class action and shareholder derivative suit whereby the plaintiffs were seeking damages for breach of fiduciary duty, unlawful adoption of the mandatory dues and refund of the same, mispending of dues, timber waste and trespass in the Reserves, legal malpractice, and other misdeeds. The Plaintiffs additionally sought a temporary restraining order prohibiting the Club from imposing fines, holding hearings regarding alleged covenant violations, and cutting trees in the Reserves.

- May 19, 2005: Lawsuit was withdrawn by plaintiffs without prejudice (indicating it could be re-filed again at any time)
- June 1, 2005: The Club made a motion for attorney's fees and sanctions
- June 30, 2005: The Club offered to have the governance issues raised in the lawsuit decided in an orderly and civilized manner in King County Superior Court, and to withdraw its motion for attorney's fees.
- Plaintiffs rejected the offer.
- July 19, 2005: The Judge ruled on the Club's motion for attorney's fees and sanctions, ordering plaintiff Paul Blauert and plaintiffs' attorney Starczewski to pay the defendants. Judge Armstrong said that Blauert and Starczewski engaged in "careless and unprofessional conduct".
- November 30, 2005: Another class action lawsuit was filed, similar to an earlier lawsuit from May 2005. The main points of the lawsuit are: to invalidate mandatory dues, to request an injunction on holding hearings, and to seek damages for timber trespass and mandatory dues.
- December 6, 2005: The Club proposed mediation.
- February 9, 2006: A letter was sent to the community, requesting that shareholders sign a declaration if they do not agree with the objectives of this lawsuit.
- April 2006: Plaintiffs moved for a protective order, which was denied, and were ordered to answer the Club's discovery request by April 13. Plaintiffs moved for class-action certification but withdrew the motion when Club objected.
- May 2006: The court granted the Club's motion for a discovery schedule and the plaintiffs' depositions will be taken over the next month.

#### 3. Robert and Janet Carlson, v Innis Arden Club, Inc.

- February 2006: Suit filed. Carlson seeks to have the Tree Height Amendment declared void despite the Court of Appeals decision in 1988 affirming King County Superior Court Judge Anne Ellington's decision that the Amendment is enforceable. He is also challenging Judge Ellington's decision that the amendment applies across Innis Arden's subdivisions.
- The Carlson motion for a preliminary injunction was denied by Judge Mertel.
- April 2006: Mr. Eglick sent a letter to Mr. Carlson on April 7th advising that his lawsuit was frivolous, ignored settled case law, and has been filed for an improper purpose. Mr. Eglick requested that Mr. Carlson dismiss his lawsuit and if he chooses not to do so, the Club will pursue sanctions including its attorney's fees. Club has spent about \$28,000 in legal fees on this case and we are waiting to hear whether our insurance will cover these costs. The Club has every intention of recouping its legal fees from Mr. Carlson.

**Innis Board Meeting Minutes  
May 9, 2006**

Present: Bob Allen, Brian Dodd, Dave Fosmire, Mike Jacobs, Tracy Landboe, Harley O'Neil, R.L. Smith, Maggie Taber, Al Wagar. (Harley had to leave early.) Approximately 25 other community members were present.

**Meeting called to order: 7:04**

**Approved minutes of April 11, 2006, 8 - 0**

**Committee Reports**

**Treasurer - R.L. Smith**

Innis Arden, Inc. accounts as of 30 April 2006	
WA MU Checking	\$27,393
WA MU Savings	97,182
Wells Fargo CD	54,278
Wells Fargo Club Rental	8,668
Shoreline/Club Remodel	<u>1,001</u>
Total	\$188,523

**President - Mike Jacobs**

Legal issues:

The Cottingham et al. suit is proceeding. The court granted the Club's motion for a discovery schedule and the plaintiffs' depositions will be taken over the next month.

The Maddox suit is proceeding.

The Carlson matter is proceeding and the Club will be seeking its attorney's fees which will be substantial. The arbitration between the Raschs and Carlsons is scheduled for May 18th at the Clubhouse at 1:00 P.M.

A petition was received from 64 Innis Arden I residents concerning the potential building of condominiums in Innis Arden I in the former business district which is zoned R24. It urges the Board to reject any request for the same. Two adjoining homeowners on 8th Avenue N.W. have entertained the idea of building eight condominiums and contributing the profits to fund the construction of a new clubhouse. Mike explained that there would need to be a strong consensus in favor of the project since the covenants would need to be amended to allow for such construction despite the zoning. If the residents are opposed, the project could not go forward.

The Hoffmans, 1415 NW 188th, have not brought their trees into compliance. Motion to impose fines starting May 9, 2006 passed 8-0-1

**Vice President ^ Dave Fosmire**

Three covenant violation petitions were filed in the last month:

- Howard and Mackey v Knauer and Montgomery at 933 Richmond Beach Road,
- Howard and Mackey v Oughton at 1001 Richmond Beach Road
- Rasch v Meln at 1440 NW 186th.

Mrs. Meln has had a number of trees cut but there is still disagreement as to whether she is in compliance. Mike will ask the arbitrator, Mr. Cooper, to provide a decision concerning compliance.

Rust matter – The Board has made a decision which Mike will issue this week.

**Secretary - Al Wagar**

No Report

**Remodels - Bob Allen**

Mike and Chris Joy, 17768 13th NW, enclose existing porch. Application approved unanimously, 9-0.

- Kevin and Clair Reuter, 811 NW 175th, adding a second story. Application approved unanimously, 9-0.
- Kang Gao, 915 NW Richmond Beach Road, new dwelling, applying for Critical Areas Reasonable Use Permit with City of Shoreline. End of public comment period May 15th, 2006, at 5 pm. Project manager for City of Shoreline is Matt Torpey 2106 546-3826. Written comments deadline was May 1, 2006.

Dave reported a "Notice of Application" for a Critical Areas Reasonable Use Permit for construction of a house at 915 NW Richmond Beach Rd. Bob noted that only a small corner of the lot is buildable and that the architect seems to be following all rules to the letter.

**Activities - Tracy Landboe**

Next meeting of Activities Committee is June 5th, 7:00 pm at the clubhouse.

The date for the Salmon Barbeque is September 10th. Volunteers are needed to chair the event. Please contact Shelley Brodersen if interested. Tennis sign-ups going on right now. Contact Kerry Ramsey for sign ups.

**Grounds - Brian Dodd**

Work on the playfield is well underway, with seed sprouting, temporary fencing up, and the sprinkler system is now working correctly.

**Clubhouse - Harley O'Neil**

*(Continued on page 5)*

*(Continued from page 4)*

During April there five parties, one memorial service, and two meetings were held in the Clubhouse, one of the parties and the memorial service being for non-members. Income for the month was \$1,600. Expenses were \$91.87. Harley is seeking bids on remodeling the bathrooms. Harley will seek Activities Committee input on remodel preferences.

Brian asked if there was any progress on changing the rental schedule. Harley said most comments have been to leave rental schedule as it is, but he will bring some recommendations at next Board meeting.

### **Reserves - Maggie Taber**

Maggie has done additional planting in Bear and Blue Heron Reserves. Please don't disturb the orange tags on the new material. Community members are encouraged to weed around new plantings and to remove trash from reserves. Darin French will be removing invasive plants in Bear, Grouse, Running Water, and Blue Heron, including some spraying which he will do personally to minimize problems on non-target species. Japanese knotweed is in Coyote, Bear, and Blue Heron, and we need to get on it since it is spreading. A car bumper is in Bear will be removed soon. In Boeing Creek Reserve a number of people removed ivy on Earth Day. Some was left in bags by the gate. Al will take care of it.

### **Board Agenda**

Dave Fosmire presented a request from himself and six neighbors for pruning, by 25 percent, of 15 trees in Eagle Reserve, with the work to be performed by John Hushagen of Seattle Tree Preservation, Inc. In coordination, the Shafers at 18401 17th Avenue NW have agreed to pruning of their trees. – Costs are to be borne by the those requesting the pruning , with Shafers paying for work on their trees. Concern expressed about leaving the debris and replanting. City wants debris left. Branches can be lopped close to ground level.. Tracy urged that Board view the trees. Motion allowing neighbors to have arborist. John Hushagen prune the 15 trees in Eagle Reserve passed 8-0-1

### **Community comments**

Pam and Alan Smit asked why the Board is not moving ahead to fine Dr. Flick for noncompliance when it is moving ahead with other fines. Mike responded that Dr. Flick has applied for relevant permit, City has not yet responded and that there are many trees, some of which may be in critical areas. He advised the Smits to write letter to Board showing what trees are view blocking as basis for another hearing.

June Howard and Jim Shea attended May 4 meeting on proposed City code concerning hazard trees and critical area stewardship plans. June reported that Planning Director Joe Tovar said written and email comments will be accepted until the hearing on May 18. She questioned the 10-acre undivided ownership requirement for critical area stewardship plans.

Mike noted that the 10-acre requirement and provision for restoring views only to what existed at the time of purchase had been added after an earlier version.

Board Attorney Peter Eglick has sent a letter to the Planning Commission and Director of Planning, challenging, on legal grounds, many provisions of the proposed code.

A motion to send Mr. Eglick's letter to the whole community passed 8-0.

Jim Shea urged provision for some feedback to the Board so it could show how many community members expressed concerns.

Fran Lilleness proposed suing, individually, shareholders who are trying to undermine our covenants, as is done in some other communities. She also suggested, since properties not in the original plat have been brought into Innis Arden, perhaps properties of shareholders opposing the covenants could be excluded. R.L. Smith suggested that our dues would have to be huge to start suing shareholders individually and that it would be disastrous if we lost, which would be a possibility. Mike replied that we can't sue people for expressing their opinions.

Judy Allen - meeting on Boeing Creek Sewer Project on May 23 for those in Boeing Creek area only. On Block Watch concerns, huge number of car thefts occurring in Shoreline. Half of cars stolen are unlocked and can quickly be hotwired and taken.

2006 INNIS ARDEN JUNIOR TENNIS  
 Girls and Boys Ages 6-17  
 June 26 - August 8-- No classes July 4  
 End of session party August 2nd, 7pm

This is the registration form for the 6 week summer session of tennis lessons for juniors, beginners through advanced. Players will be divided by skill level into classes which will meet twice weekly at the Innis Arden tennis courts. This is also the sign up form for the Innis Arden TENNIS TEAM (youth over 12) and JUNIOR TENNIS TEAM (ages 6 to 12).

Players who played last summer will be placed in the appropriate skill level class according to recommendations made by the instructors at the end of last summer. If you did not take lessons last summer, please estimate skill level on the registration form below. If you would like to be in the same class as a friend, please note that on the form below and we will try to accommodate as scheduling allows. If you have a question about which class to register for, please call Kerry Ramsey at (206) 533-0888 or via email ramseykk@comcast.net.

**THE CLASS ROSTERS WILL BE POSTED ON THE BULLETIN BOARD LOCATED ON THE OUTSIDE WALL OF THE CLUBHOUSE ACROSS FROM THE TENNIS COURTS THE WEEK OF JUNE 19. PLEASE WRITE DOWN THE TIME OF YOUR CHILD'S CLASS WHEN YOU REGISTER OR CHECK THE ROSTERS. CLASSES START ON MONDAY, JUNE 26.**

**TENNIS TEAM** - All competition level players (12 years and older) are urged to join the team, which plays matches on **Wednesday** afternoons. We will be in the North End Junior Tennis League. Players are encouraged to sign up for lessons as well as for the team, but they are separate activities. **The first meeting of the tennis team will be at Innis Arden on Wednesday, June 28 at 12:30pm.**

REGISTRATION

Registration will be on a first-come, first-serve basis with Innis Arden residents having priority until June 16. Thereafter, remaining class spaces, if any, will be filled in the order of registrations received.

BEFORE JUNE 16

Please register by sending the following registration form, with check made out to IAAC (Innis Arden Activities Committee), to Kerry Ramsey, 18815 17th Ave. NW, BEFORE JUNE 16.

-----  
 INNIS ARDEN JUNIOR TENNIS REGISTRATION FORM 2006

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE NO. \_\_\_\_\_ AGE \_\_\_\_\_

CLASS TIMES AND FEES

___ Beginner (6-8 yr olds)	T/Th	10:15-11:00	\$60
___ Beginner (8 -10 yr olds)	M/W	10:15-11:00	\$60
___ Beginner (12+)	M/W	5:30- 6:30	\$75
___ Adv. Beginner	T/Th	11:00- 12:00	\$75
___ Intermediate	M/W	11:00-12:00	\$75
___ Intermediate	T/Th	1:00- 2:00	\$75
___ Adv. Intermediate	M/W	4:30-5:30	\$75
___ Adv. Intermediate	T/Th	12:00-1:00	\$75
___ Competition class (team priority, max. 6 players per class)	MON/FRI	12:00 – 4:00, One hour class, both days, class to be assigned by coach	\$95
___ TENNIS TEAM (over 12)	WED	12:30-3:30	\$35
___ JUNIOR TENNIS TEAM	WED	TBA	\$35

Please register early. Classes **DO** fill up! Make checks payable to **IAAC** and send with your registration.

### Ten Reasons to Volunteer for our Neighborhood:

1. Protect your self-interests. Protect your property values and maintain the quality of life in your community.
2. Correct a problem. Do you think common area maintenance has been neglected? Do you want the reserves to be blackberry free and replanted? Do you want new entrance signs?
3. Be sociable. Meet your neighbors, make friends, and exchange opinions.
4. Give back. Repay a little of what's been done for you.
5. Advance your career. Build your personal resume by including your community volunteer service.
6. Have some fun. Association work isn't drudgery. It's fun accomplishing good things with your neighbors.
7. Get educated. Learn how it's done—it's on the job training.
8. Express yourself. Help with creative projects like community beautification.
9. Earn recognition. If you would like a little attention or validation, your contributions will be recognized and celebrated.
10. Try some altruism. Improve society by helping others.



### Here's What HOA Residents Have to Say

Americans who live in community associations are overwhelmingly pleased with their communities, expressing strong satisfaction with the board members who govern their associations and the community managers who provide professional support.

More than seven in 10 community association residents expressed satisfaction with their community experience, according to a survey conducted by Zogby International, a leading public opinion research firm. Almost 40 percent of community association residents say they are "very pleased," with only 10 percent expressing some level of dissatisfaction. Almost 20 percent express neither point of view.

An estimated 54 million Americans live in some 274,000 homeowner associations, condominium communities, cooperatives and other planned developments.

Here's what community association residents say:

- 88 percent believe their governing boards strive to serve the best interests of the community.
- 90 percent say they are on friendly terms with their association board members, with just 4 percent indicating a negative relationship.
- 86 percent say they get along well with their immediate neighbors, with just 5 percent reporting a negative relationship. Of those who reported issues with neighbors, the most common problems were pets, general lifestyle, noise, and parking.
- 78 percent believe community association rules "protect and enhance" property values, while only one in 100 say rules harm property values. About 20 percent see no difference.
- 88 percent of residents who have interacted with professional community managers say the experience has been positive.

The research was sponsored by the Foundation for Community Association Research, a non-profit organization created in 1975 by Community Associations Institute (CAI).

Based on telephone interviews conducted in August 2005, the survey has a margin of error of +/- 3.5 percentage points. A summary of the results is posted at [www.caionline.org/about/survey.cfm](http://www.caionline.org/about/survey.cfm).

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



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**COMING EVENTS**

**Activities Meeting**  
June 5, 7:00 PM  
**Board Meeting**  
June 13, 7:00 PM  
**Board Hearing**  
June 14, 2006  
All at the Clubhouse

**Deadline for June Bulletin—  
June 18th**

**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** 

**Activities Announcements:**

The next Activities Meeting is Monday June 5th - 7:00 p.m. at the Clubhouse.

As you make your summer plans - be sure to mark your calendars for the Annual Salmon Barbeque, Sunday September 10th.



**Summer Nanny Position Sought:**

16 year-old responsible female and life long Innis Arden resident looking for part-time summer nanny position. Has car and drivers license. Available day hours and occasional evening hours. Call Cait 206-546-9201.

**Book Sale**

Save books for the Council of Neighborhoods Book Sale to take place on Wednesday, July 26 at Swingin' Summer Eve, Cromwell Park, 18009 Corliss Avenue North, from 5:30-8:30 p.m.. The book sale is a fundraiser for neighborhood associations, and proceeds are split between neighborhoods which participate by providing both books and event staff. For more information, contact Nora Smith, City of Shoreline, (206) 546-8564.