

SANCTY MUDER
FILED
KENNETH O. KUNES, CLERK
BY LEANNE SYMONDS DEPUTY
NOV 14 2002
RECORDED IN _____
VOLUME _____ PAGE _____

SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR THE COUNTY OF GRANT

1
2
3
4
5
6
7
8
9
10 PELICAN POINT COMMUNITY,
11 ASSOCIATION, a Washington non-profit
Corporation,

12 **Plaintiff,**

13 vs.

14 KRIS DEXTER and THERESA DEXTER,
15 husband and wife,

16 **Defendants.**

NO. 01-2-00180-5

JUDGMENT

17
18 THIS MATTER having come on for trial on February 13-14, 2002, and September 5, 2002, before
19 the Honorable John M. Antosz, and the Plaintiff, Pelican Point Community Association, appearing through
20 its President, Alan White, and its attorney, Christopher F. Ries, and the Defendants, Kris Dexter and
21 Theresa Dexter, appearing through Kris Dexter and their attorney, Michael Rex Tabler, and the Court
22 having entered its Findings of Fact and Conclusions of Law; NOW THEREFORE,

23
24 IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

25 1. Pelican Point Community Association and its members, guests, heirs, successors and
26 assigns are granted a perpetual, mutual and non-exclusive easement for ingress and egress over, across and
27 along the following described real property:

28

1115467
Page: 2 of 6
12/12/2002 03:09P
RIES LAW FIRM JUDGE 24.00 Grant Co Aud

RIES LAW FIRM
CHRISTOPHER F. RIES
312 BALSAM, SUITE D
MOSES LAKE, WA 98837
(509) 765 - 4437
FAX 765 - 4491

NO. 01-2-00180-5
JUDGMENT
Page 1

S

51

1 Lots 34, 35, 36, 37 and 38 of Pelican Point Addition Number 1, as per Plat
2 thereof recorded in Volume 6 of Plats, page 32, records of Grant County,
3 Washington.

4 Said easement shall be located on the Existing Private Road as reflected on the survey map attached
5 hereto as Exhibit "A." Pelican Point Community Association and its heirs, successors and assigns shall
6 be entitled to maintain the road including, but not limited to, leveling and graveling to prevent ruts and
7 installation of drainage improvements, including ditches, pipes and culverts if necessary to maintain a road
8 that does not have natural spring water running over it. The easement runs with, is for the benefit of and
9 is inseparably appurtenant to Lot 149, Pelican Point Addition Number 1, as per Plat thereof recorded in
10 Volume 6 of Plats, page 32, records of Grant County, Washington.

11 2. All other claims by Pelican Point Community Association as against Kris R. Dexter and
12 Theresa Dexter are denied and dismissed with prejudice.

13 3. Kris R. Dexter and Theresa Dexter, husband and wife, are awarded title by adverse
14 possession to that portion of Lot 149, Pelican Point Addition Number 1, as per Plat thereof recorded in
15 Volume 6 of Plats, page 32, records of Grant County, Washington which is located between the high
16 water line of Moses Lake, *i.e.* elevation 1,047+/- feet, and the northwesterly boundaries of Lots 35, 36,
17 37 and 38 of Pelican Point Addition Number 1, as per Plat thereof recorded in Volume 6 of Plats, page
18 32, records of Grant County, Washington, and Lot 1, Pelican Point Addition Number 3, as per Plat
19 thereof recorded in Volume 12 of Plats, pages 30-32, records of Grant County, Washington. Lots 35,
20 36, 37 and 38, Pelican Point Addition No. 1 and Lot 1, Pelican Point Addition No. 3, are deemed to be
21 waterfront lots which extend to, and are bordered by, the high water line of Moses Lake, Washington, *i.e.*,
22 elevation 1,047+/- feet, as illustrated in the survey map attached hereto as Exhibit "A."

23 4. All other claims of Kris R. Dexter and Theresa Dexter as against Pelican Point Community
24 Association are denied and dismissed with prejudice.

1 DONE IN OPEN COURT this 14 day of November 2002.

2
3
4 John A. Tes
5 Judge/Court Commissioner

6 Presented by:
7 RIES & RIES

Approved as to form and content,
Notice of presentment waived:

8 CFR
9 By: Christopher F. Ries, WSBA #23584
10 Attorneys for Plaintiff

11 Michael R. Tabler
12 By: Michael R. Tabler, WSBA #6047
13 Attorneys for Defendants

14  **1115467**
15 Page: 5 of 6
16 12/12/2002 03:09P
RIES LAW FIRM JUDGE 24.00 Grant Co Aud

17
18
19
20
21
22
23
24
25
26
27
28
RIES LAW FIRM
CHRISTOPHER F. RIES
312 BALSAM, SUITE D
MOSES LAKE, WA 98837
(509) 765 - 4437
FAX 765 - 4491

