

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said court, the 16 day of Nov 2004

PAT SWARTOS

County Clerk and Clerk of the Superior Court of the State of Washington, in and for the County of Mason.

By [Signature] Deputy

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MASON CO. WA.
PAT SWARTOS, CO. CLERK

BY _____ DEPUTY

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

RESIDENTS FOR PRESERVING)	
QUALITY OF LIFE ON HOOD)	NO. 04 2 00954 9
CANAL)	
)	JUDGMENT
Plaintiff)	
)	
V.)	
)	
PORT OF TAHUYA,)	
)	
Defendant)	

The court having previously entered an Order of Default and Findings of Fact and Conclusions of Law, and it appearing to the court that the following order should be entered, IT IS NOW THEREFORE ORDERED ADJUDGED AND DECREED AS FOLLOWS:

1. The Port of Tahuya Public Access Plan has not been

Smith & O'Hare, P.S., Inc.
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Silverdale, Washington 98383
Phone: (360) 692-5566
Fax: (360) 692-1373
E-Mail som@tsnet.com

1 validly adopted as a result of failure to conduct a public
2 hearing on the adopted plan as required by RCW 53.08.010.

3 2. The Port of Tahuya Public Access Plan has not been
4 validly adopted as a result of failure to submit the final
5 draft of the plan for review to the Director of the State
6 Parks and Recreation Commission and the governing body of
7 the Mason County park agency having jurisdiction of the
8 area.

9 3. The Port of Tahuya Public Access Plan is invalid because
10 it exceeds the authority of the Port of Tahuya to plan for
11 park and recreation facilities which are not necessary for a
12 fuller utilization of permitted port district facilities.

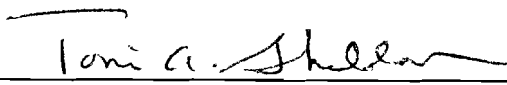
13 4. The Port of Tahuya Public Access Plan is invalid because
14 it was adopted in reliance on and to carry out planning
15 activity under RCW Chapter 35.63 which may not be validly
16 carried out by a port district.

17 5. The Port of Tahuya Public Access Plan is invalid because
18 it purports to plan for recreation facilities outside of the
19 Port of Tahuya port district boundaries.

20 6. The Port of Tahuya Public Access Plan is invalid because
21 neither the Public Access Plan nor any prior Port of Tahuya
22

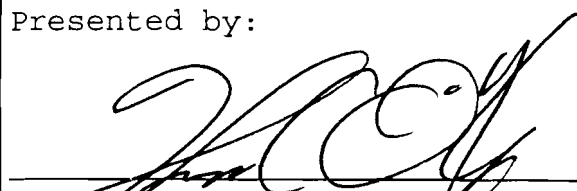
1 resolutions comply with the requirements of RCW 53.08.010
2 for adoption of a port district comprehensive scheme of
3 harbor improvements.

4 DONE IN ~~OPEN~~ COURT THIS 15th DAY OF NOVEMBER, 2004

5 

6 JUDGE

7 Presented by:

8 

9
10 THOMAS C. O'HARE (WSBA #220)
SMITH & O'HARE P.S. INC.

11 Attorneys for Plaintiff Residents for Preserving
12 Quality of Life on Hood Canal

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