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

THERESA J. LOWE, a single woman;
LOREN J. BOSSHARD and DONNA A.
BOSSHARD, husband and wife;
BURLEIGH M. CUBERT and CAROLYN
R. CUBERT, husband and wife,

Plaintiffs,

vs.

FOXHALL COMMUNITY
ASSOCIATION, a nonprofit corporation,

Defendants.

No. 17-2-00812-34

**SUPPLEMENTARY DECLARATION
OF DENISE SOLVESON OPPOSING
SUMMARY JUDGMENT**

I, DENISE SOLVESON, do hereby declare:

1. I am over the age of eighteen, competent, and make these declarations based on my personal knowledge.

2. At all times relevant to this lawsuit, the Plaintiff was a member in good standing of the Foxhall Community Association, the homeowners association for the property owned by the Plaintiffs.

3. In 2015 I contacted Dennis Adams regarding the the letter which he sent to the Architectural Control Committee in 2001. Attached as Exhibit A hereto is a copy of the response which I received at that time.

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I hereby declare, under penalty of perjury, that the above declarations are true and correct to the best of my knowledge.

Dated this 29th day of June, 2017 at Olympia, WA.



Denise Solveson, Declarant

From: Dennis Adams <Dennis@virgiladamsre.com>
Date: October 27, 2015 at 5:00:01 PM PDT
To: Denise Solveson <denise.solveson@gmail.com>
Cc: "me14@qwestoffice.net" <me14@qwestoffice.net>
Subject: RE: Letter
Denise:

At the time we created the trails I believe it was my Dad's intent that these trails would be used by the residents of Foxhall for horse trails, or walking.

Les, who owned two 5 acre lots in Foxhall asked if he could board horses there and use the trails. At the time the trails were not being used and the weeds were growing up. Les was a good friend of ours and my Dad felt that would a good way at least keep the weeds down. Les had a small operation and my Dad felt if it became a problem Les would understand and take the appropriated action.

My Dad did not think that that use would grow into a larger operation that would upset the residents. It solved a problem at that time. Les was always respectful of the neighbors and was well liked.

Another property owner to the west of Foxhall wanted to us the trails for his boarding stable but Dad told his he couldn't use them.

His name was Sandy Mackie, but he no longer lives there.

I don't think Dad thought or wanted the use to grow and become a problem. If Dad would have wanted horse boarding and non-residents to use the trails beyond the small use that Les had, he would have changed the covenants while he still had a majority of the lots under his ownership.

Sorry I don't remember more details, but it was a long time ago.