

EDGEMOOR ASSOCIATION TIME-LINE OF EVENTS

12/10/53

Edgemoor Association was formed to be able to take title to the lagoon. First mention of this was from Attorney Robert Sherwood in "Minutes of Preliminary Meeting of Edgemoor Residents".

Larrabee family decides to give south portion of lagoon to the residents of Edgemoor. To do so, a quit-claim deed needed to be signed, and the Edgemoor Association needed to become incorporated (to include By-laws & a Board).

Larrabee family: Consuelo Larrabee, Mary Larrabee, Mary L. Bourque (sister) (all 3 in favor of signing quit-claim deed) Geraldine L. Brady declined to sign as stated by Loomis Baldrey-Attorney.

Geraldine wants larger boundaries: South side of Lagoon Drive and Cowgill Ave to Hawthorn, to Willow Rd-east to Chuckanut (AKA Pacific Hwy) to Viewcrest, west to Fieldston and south on Fieldston to Bay

1/5/54

Notification from Robert Sherwood to Edgemoor residents of a meeting on 1/14/54 to vote on the formation of Edgemoor Association. Contains explanation of offer from Larrabee family to deed land on the south end of the lagoon known as, "Tract Reserve, Block 3, Edgemoor No 2."

1/14/54

Edgemoor Association preliminary meeting

2/16/54

ARTICLES OF INCORPORATION

Purposes:

1. "To promote general civic improvement to the residential area...known as Edgemoor..."
2. "To acquire title to Tract RESERVE, Block 3, Edgemoor, an Addition to the city of Bellingham, Division #2...recorded in Volume 7 of Plats, page 75 records of the Auditor of Whatcom County records."

Management:

Managed by a Board-not less than 5 nor more than 7 (as determined by the by-laws) to be elected by membership annually.

BY-LAWS

- ART. I Section 1: Eligibility for membership defined by Edgemoor, Division 1-A, 2 & 3
- ART. II Section 1: Meetings held last Tuesday of March each year
Section 2: Special Meetings called by Trustees or when 10% petition the trustees
Section 3: Meeting notice in Bellingham Herald or notice by mail
Section 4: 1 vote per household
Section 5: Quorum=1/3 of membership
- ART. III. Board of trustees=5 members.

- First year = 1 @1 yr, 2 @ 2yrs, 2 @ 3 yrs.
- ART IV. Officers
1 President, 1 Vice President, 1 Secretary/Treasurer to be elected by trustees annually except secretary/treasurer need not be a trustee
- ART V. Amendments by 2/3 of membership at meeting called for that purpose

4/9/54

DEED TO LAGOON PROPERTY

Quit claim deed for $\frac{3}{4}$ interest in the south end of the lagoon from the Larrabee Estate to Edgemoor Association.

Said land is hereby conveyed for park, boat haven, beach and playground purposes or for anyone or more of the aforesaid purposes, but may be held in an undeveloped state by grantee, its successors or assigns.

States if property of lagoon is more than 3 years delinquent in taxes or no longer desired that the title shall go to the city of Bellingham.

IT IS HEREBY UNDERSTOOD AND STIPULATED that whenever said grantee allows taxes to become delinquent for more than three consecutive years or permits the property to be used for any other purpose than above set forth, or no longer desires to retain title to said property, title thereto shall vest in the city of Bellingham, a municipal corporation, for public park purposes.

Rights to enforce covenants and building restrictions in Edgemoor, 1-A, 2 & 3.

Grantors hereby quit-claim, sell, assign and convey to said EDGEMOOR ASSOCIATION all rights and powers reserved or retained or jointly owned by the grantors as successors in interest to the said Larrabee Real Estate Company to enforce covenants and building restrictions held by Larrabee Real Estate Company, a Washington corporation, whose charter recently expired, on Edgemoor, an addition to the city of Bellingham, Whatcom County, Washington, as per the map thereof recorded in Book 7 of Plats, pages 49 and 50, in the auditor's office of Whatcom County, Washington, and on Edgemoor, an addition to the city of Bellingham, Division No.1-A and Divisions No. 2 and 3, Whatcom County, Washington

5/12/54

FIRST EDGEMOOR ASSOCIATION BOARD MINUTES

Resolved that a committee of officers be appointed to enforce building restrictions.

President or Vice President shall be authorized to place a stamp of approval for E.A. on building plans and specifications.

9/9/54

Board of Trustees meeting

- Approved building plans of Diehl, White, Keith, Singer
- Waived a building restrictions on Lots 14 & 15, Block D, Edgemoor and permit two private dwelling units.

- Robert Sherwood, Attny, reported he received a deed for $\frac{3}{4}$ interest in the beach property from the Larrabee estate. Geraldine Brady declined to grant her portion and letter stating her reasons was attached to the minutes.

4/20/56

IRS Form 1024 filed and we applied for a 501-C-4, Civic league or Social Welfare Exemption. Note: Cannot find the exemption letter from the IRS and we would have lost the exempt status due to not filing annual 990 reports.

3/3/70

Non-profit certificate. "Public benefit" class, #2-125463-6. Must be renewed each year. Paperwork in "Working File"

EXAMPLE OF COVENANTS

American Land Title Association Loan Policy TP-47 8/70
Schedule B; Part I; W-8153

Shows paperwork for:

Easement for the Sewer Line:

Recorded: December 21, 1956

Recording No. 829438

Records of: Whatcom County

Covenants, conditions and restrictions contained in the following instrument;

Executed by: Larrabee Real Estate Comp

Recorded: March 2, 1956

Recording No: 79073

As follows (abbreviated)

1. No building erected until design, plans specifications and location be approved in writing by grantor (E.A.)
2. No advertising signs
3. Building line to 40 feet from nearest existing road boundaries. No subdivisions.
4. Dwelling erected and enclosed in 9 months
5. Septic tank description
6. Regarding animals and pets
7. All owners bound by covenants

12/21/70

Judgment and Decree from the office of Sam Peach about the suit against Great Northern Railway regarding the construction of double trackage which blocked the flow of water and boating into the lagoon and the noise of reefer car activity on the tracks. Evidently the RR agreed to terms and the suit was dropped. (see 7/2/92)

2/10/71

Letter from Burton Kingsbury granting permission, as Trustee of Edgemoor Association, for Burlington Northern to install an "underground 120/240 V single phase service line across a reserve area...to provide power for operation of RR facilities nearby." In the letter Burton states he has been the only active officer for more than 10 years and no meeting has been held in that time. He refers to former president of Edgemoor Association, HR Main (deceased) and former secretary, Robert Sherwood.

5/18/71

Legal document signed by Burton Kingsbury, Secretary, Edgemoor Assn and the vice president of Burlington Northern regarding the power line on the reserve. The document contains conditions:

1. \$25 Annual Payment (in advance) starting 3/1/71
2. Cost of construction and maintenance to be paid by BN
3. Remove all equipment after construction completed
4. Each party shall have the right to terminate this permit with 6 months written notice.

2/26/80

Letter from Burton Kingsbury asking for RR rent increase from \$25 to \$60 per year.

3/780

Burlington Northern agrees to the increase in rent effective 3/1/81

6/10/81

Quit Claim Deed from the estate of John W Brady for “an undivided one –quarter interest in Reserve Track, Block 3, of ‘Edgemoor Addition, Division No. 2,’ according to the Plat thereof, recorded in Volume 7 of Plats, Page 75, records of Whatcom County, Washington.”

8/12/83

Greene, et al. v Miller, et al.

Edgemoor Association hired Phil Serka, Land Use Attorney, to bring suit against the Millers who wanted to subdivide a property they purchased on Middlefield Road. Note: I cannot find a record of decision in the matter. However a later document from Mr. Fred Kohlmeier, Feb. 27, 2002, refers to the court decision. It states, “ you can be reasonably sure...the covenants do apply and can be enforced...”

Statement from Phil Serka for **Greene, et al. v Miller, et al.** was \$1,713.50 and this must have been paid by the Millers, since no funds were taken from Edgemoor Association account.

3/3/86

Burton Kingsbury retires and Jim Doran becomes trustee of Edgemoor Assn. Sam Peach writes letter to BN changing address for RR rental check.

6/1/88

Notice of Edgemoor Assn meeting from Jim Doran announcing his intention to reorganize the association after several years of inactivity.

6/16/88

Minutes of Edgemoore Association reorganization meeting.

6/16/88

Letter from Grace Jackson to Jim Doran thanking Jim for reorganizing Edgemoor Assn. with suggestion to extend the boundaries of the Edgemoor Association “South to include all of Bayside Rd, plus all of Briar Rd and both sides of the road of Fieldston up to Viewcrest.” Included \$5 dues.

7/2/92

Detailed letter from Jim Doran to Burlington Northern containing historical information.

- In 1967, or thereabouts, Great Northern built a passing track from the Fairhaven Station to just past the Edgemoor Lagoon. The building of the second track precipitated a lawsuit (see 12/21/70).
- The solid rock causeway was blocking tidal action, making the lagoon a stagnant pond. The RR later offered to build a bridge through which small boats could travel and the tide could pass in and out of the lagoon.
- Reefer cars stationed on the causeway were making noises, which kept most of Edgemoor awake at night. The RR later agreed to use the passing track as such and not allow trains to remain on the track for more than 10-20 minutes at a time.
- The body of the letter addresses current noise issues due regarding the use of the passing track with trains parked for as long as 36 hours.

7/29/92

Letter from attorney for Burlington Northern stating the “trackage in Question is what is known as CTC (Centralized Traffic Control) siding. It is normally not to be used for switching or storage purposes.” He goes on to state it will not be so used in the future and thanks Jim Doran for his handling of the matter.

11/18/93

Letter from Jim Doran to Burlington Northern asking for payment of rent for 91-92, 92-93 and 93-94 in the amount of \$180.

9/26/94

EA Meeting

Discussion regarding Adult Group Home at 426 Bayside Road and Donovan Street closing. See file for activity during that period of time.

Phil Serka, Land Attorney, hired to look into matters at cost of \$1,472.50. A portion of the bill was left unpaid and sent to collection until Mary and JC Hickman paid it personally in 1996.

Edgemoor Directional Sign

10/18/94

Joel Douglas (grand fathered sign improperly removed by city). States Lairmont willing to pay all costs for sign

10/25/94

Letter from Fred Kaiser to Bruce Ayers. Writes that Joel Douglas offered to pay for sign

12/12/94

Jack Garner, Public Works Director

Writes OK for sign and no charge for permit

- 1: Submit location
- 2: Traffic visibility a concern

12/19/94

Paula Beatty, Legal Coordinator

1. Exact location
2. Drawing of design
3. Will issue permit at no charge

12/27/94

1. Joel Douglas submits design to Fred Kaiser

4/3/96

Letter from Jim Doran to Burlington Northern asking for payment of rent for 94-95 and 95-96 in the amount of \$120.

5/17/98

RR Statement sent on March 1 for previous year in the amount of \$60:

W.E. Thompson, Director of Administration
Burlington Northern Santa Fe Railroad
2454 Occidental Ave. S., Suite IA
Seattle, WA 98134

Statement was prepared by Mary Hickman for past due Right-of-Way Rental payments from Burlington Northern. In hand-written notes Mary documents her attempts to determine to whom the bills should be sent. The statement was for back-due payments including late fees in the amount of \$290.40.

12/5/2000

Edgemoor Assn meeting. Mary Hickman, President.

Discussion of reserve:

1. Deeded to all members of assn
2. Reduced assessment in 1998
3. Water main damage and repairs in September, 2000
 - a. Trail widened and gravel and rock steps added by the city
4. Current status
5. Suggested repairs
 - a. Post signs "Resident Parking Only"
6. Proposals...keep and pursue RR payment or give to city
 - a. Property should remain in the control of the Association
7. Liability
 - a. Liability issues and need for insurance to protect Association members should a person become injured on the reserve will be pursued

Shorewood Condominiums discussion.

3/1/2001

Statement to Burlington Northern RR for 98-99, 99-00, 00-01 in the amount of \$201.60.

3/1/2002

Statement to Burlington Northern RR for 01-02 in the amount of \$60.

7/9/2002

Edgemoor Association meeting. Mary Hickman, President
Meeting called due to Conditional Use Permit application for !0,000 sq. ft. home at 318 Bayside Road.