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SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR SPOKANE COUNTY

CITIZENS FOR SENSIBLE
TRANSPORTATION PLANNING,

No. 06-2-02484-7

Petitioner,

DECLARATION OF JOHN COVERT

v.

CITY OF SPOKANE,

Respondent,

And

ELLER CORPORATION,

Potentially Necessary Party

I, John Covert, declare as follows:

1. I am President of Citizens for Sensible Transportation Planning (“CSTP”), a nonprofit, 501-(c)-(3) organization. I am competent to testify and base the information in this declaration on my personal knowledge.

2. I have examined the City of Spokane Washington Comprehensive Annual Financial Report, Sections 1 and 2, for the fiscal year January 1, 2004 through December 31, 2004. This report identifies government fund number accounts for the City of Spokane. Fund Number 3404 is identified and labeled as “The Capital Improvements –

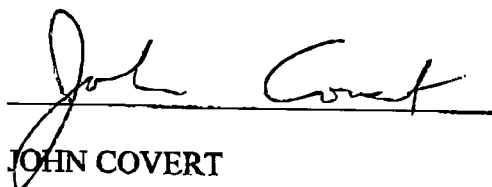
1 2004 Street Fund". This Report identifies this fund as the account for monies received
2 from 2004 bond proceeds.

3 3. I have examined the section of the City of Spokane 2006 Preliminary
4 Budget – Detail Report that itemizes the finances of fund number 3404. This fund lists
5 expenses for several 2004 Street Bond Projects, including the Bernard Street
6 Reconstruction project.
7

8 4. I have concluded from my examination of these documents that the City
9 considers the funds associated with the 2004 Street Bond projects to be Capital Funds.

10 I declare under penalty of perjury under the laws of Washington that the forgoing is
11 true and correct.
12

13 Dated this 19th day of June, 2006 in Spokane, Washington.

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16 JOHN COVERT
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