

AFFIDAVIT

Comes now, your affiant, ALAN PATCH, and upon his oath, states and alleges as follows:

1. That your affiant resides at 1965 E. Lipan Boulevard, in subdivision Tract 4076-D of Desert Lakes Golf Course & Estates having acquired his home in June 2015. Your affiant's home was built in approximately 2002.

2. That your affiant's home was a resale of a residence built by a prior owner.

3. That your affiant's home has a covered patio in the rear yard that extends into the rear yard to a distance of approximately 14' 6" of affiant's rear property line.

4. That your affiant has no side yard fence on the left side of your affiant's residence and on the right side there is a CMU block wall that runs to the golf course wall. Your affiant's golf course wall is constructed of CMU block with a stone overlay, is 32" high and includes a gate to the golf course. Your affiant's neighbor's golf course wall is constructed of concrete blocks and is also 32" high with a golf course gate access.

5. That the lot on one side of your affiant is improved with a residence that also has a rear or back yard covered patio that also extends toward his back yard fence to a distance of approximately 10'.

6. Viewing your affiant's home from the golf course in **Exhibit A** to this Affidavit depicts your affiant's home at 1965 E. Lipan Boulevard, your affiant's neighbor at 1961 E. Lipan Boulevard on the right, the vacant lot that borders your affiant on the left 1971 E. Lipan Boulevard, and the white roof residence at 1977 E. Lipan Boulevard is adjacent to the vacant lot's left side. The rear yard setback on 1977 E. Lipan Boulevard is approximately 9'3" from its covered deck to the rear yard property line.

7. Should the owner of the vacant lot be prohibited to build on his lot with a covered patio that substantially matches his neighbors' existing covered patios, the marketability and therefore value will be severely negatively impacted.

8. That your affiant would not have purchased his home had it not included his backyard patio for which there would not have been an adjacent pad size if the former owner had not been able to utilize at least 10' of the rear yard setback.

9. That your affiant's home has a rear yard fence consisting of block with stone, is 32" high, includes a gate access to the golf course and is equipped with a roof mounted TV antenna. This is predominately similar to most of your affiant's neighbors' golf course homes.

10. Your affiant was favorably motivated to purchase his home when he became aware that there is no HOA and the problems, difficulties and expenses that result from HOA involvement. Your affiant was unaware of there being any building restrictions that have ever been enforced or attempted enforcement

Affidavit of Alan Patch (continued)

thereof until your affiant heard that a neighbor in an adjoining subdivision was attempting to restrict building the few remaining undeveloped lots in Tract 4076-B.


Further, your affiant sayeth not, this 1 day of October, 2019.

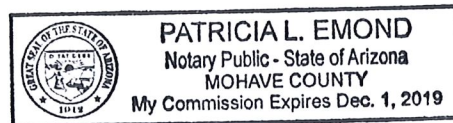

Alan Patch

STATE OF ARIZONA)
) ss.
COUNTY OF MOHAVE)

SUBSCRIBED AND SWORN TO before me, the undersigned officer, this 1st day of October, 2019, by Alan Patch, known or proved to me to be the person whose name is subscribed in the within instrument and acknowledged that he executed the same for the purpose therein contained.

In witness whereof I hereunto set my hand and official seal.


Notary Public,
My Commission Expires: 12-1-2019



Knight v. Ludwig, et al.
Mohave County Superior Court
Docket No. CV-2018-04003

Affidavit of Alan Patch

EXHIBIT A

Street View

1961 E. Lipan Blvd.
Rear yard setback 16'
(approximate)

1965 E. Lipan Blvd.
Rear yard setback 14'6"
(physical ground measurement)

1971 E. Lipan Blvd.

1977 E. Lipan Blvd.
Rear yard setback 9'3"
(physical ground measurement)

Google

34°58'58"N 114°34'53"W 785 ft

3D

