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TIME 2:32 P.M.

JUL 6 2018

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

VIRLYNN TINNELL
CLERK SUPERIOR COURT

IN AND FOR THE COUNTY OF MOHAVE By: UB DEPUTY

HONORABLE DEREK CARLISLE, SUPERIOR COURT JUDGE
DIVISION II
DATE: JULY 6, 2018

*mk

COURT NOTICE / ORDER

NANCY KNIGHT,

Plaintiff,

CASE NO. CV2018-04003

and

GLEN LUDWIG, et al.

Defendant(s).

Attached to this court notice/order is a copy of correspondence received from the plaintiff. The same constitutes ex parte communication from the plaintiff. The Court has not considered the communication and will take no further action on it.

cc:

Nancy Knight* ✓
1803 E. Lipan Circle
Fort Mohave, AZ 86426
nancy@thebugle.com
Plaintiff

Daniel J. Oehler* ✓
Attorney for Defendants
djolaw@frontiernet.net

Honorable Derek Carlisle
Superior Court Judge



B8015CV201804003

King, Mary

From: nancyknight <nancyknight@frontier.com>
Sent: Friday, July 06, 2018 5:33 AM
To: King, Mary
Cc: djolaw@frontiernet.net; medhi@fairwayconstructors.com
Subject: Knight v Ludwig et al. CV 2018 04003 URGENT
Attachments: 226-13-098 AP, PLOT PLAN.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the Honorable Judge Carlisle,
Please find attached, as evidence for the need to amend the Court Order and not deny the Plaintiff's rights to prosecution of violations in Tract 4076-B, a PDF file of the permit for another home in Tract 4076-B that Fairway Constructors, Inc has begun building in violation of the CC&Rs. They not only have thumbed their noses at the setback for the rear yard on this home but also have violated the minimum square footage of livable space for homes adjacent to the golf course. It makes is appear that they thought Mr. Oehler had the Hon. Judge Carlisle in his pocket for the taking of my rights for prosecution of CC&R violations.

I have also pasted below my email as sent to Mr. Azarmi, VP of Fairway Constructors, requesting that they remedy the violations.

Work has stopped on this home however our neighborhood now has what appears to be an abandoned structure and is a blight on our community.

I do not know at this point if I need to file a new Complaint or if you would allow a second attempt at an Amended Complaint with the removal of the Roberts and insertion of the Grice's who own the lot on which Fairway Constructors, Inc was attempting to violate the CC&Rs.

In light of this additional egregious offence, I respectfully request that you reconsider my rights to prosecution in Tract 4076-A by amending the Order to "without prejudice". I had an offer in on a lot prior to finding you gave Mr. Oehler his request for "with prejudice" for violations in Tract 4076-A. I need to know if I need to withdraw my offer to purchase the lot.

Respectfully,
Nancy Knight

P.S. The is the content of the email sent on June 25, 2018

Dear VP of Fairway Constructors,
This is a courtesy email regarding current CC&R construction violations at the above noted address. I have been unsuccessful in finding contact information for Mr. and Mrs. Grice. They need to be informed of the setback violation and potential minimum square footage violation for the home they are having you construct at 1839 Lipan Blvd. Please advise them that in order to avoid prosecution, the protruding roofline needs to be remedied and square footage of the home needs to be modified for a minimum of 1600 square feet of livable space.

You are the Applicant with full knowledge of the CC&Rs for Tract 4076B. Buildings and Projections must be 20 feet from the property line.

The protruding rear yard roofline is cited at 12 feet on your plan drawings in violation of Land Use Article II, paragraph 6, of the CC&Rs in Book 1641 on page 897. The square footage is not cited on the Permit Plan Drawings but my calculations, based on the dimensions cited for habitable space, computes to a shortage of the required 1600 sq. ft. for homes adjacent to the golf course (refer to CC&R paragraph 4).

Per your attorney Oehler in case number CV 2018 04003, the Plaintiff [Nancy Knight] has "Ownership standing to enforce the CC&Rs for Tract 4076B". This is noted in Mr. Oehler's Findings and Order paragraph H dated on or about June 11, 2018

Since the Court denied Plaintiff Nancy Knight's prior "Motion to Amend the Complaint" the Plaintiff will not attempt to amend again to add Jordan and Gina Grice to the existing Complaint that is still being litigated therefore a new Complaint is pending an unfavorable outcome to this courtesy email notice.

I look forward to confirmation from the Grice's that they have been advised of the violation. You have my permission to provide my email address to them for questions as they appear to be out of state residents.

I also expect to observe your cooperation in removing the protruding roofline within three days of this correspondence and a modified permit for habitable space to be submitted to Development Services in compliance with the livable space requirements cited in the CC&Rs.

If Mr. or Mrs. Ludwig, of Fairway Constructors, Inc., would like to confer with me regarding resolution of this matter, I can be reached by phone at 928-768-1537.

Contact from Attorney Oehler is not advised nor welcome at this time.

Sincerely,
Nancy Knight

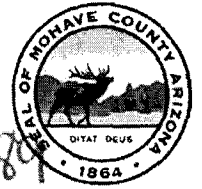
Mailing Address: DEPARTMENT NAME P.O. Box 7000, Kingman, AZ 86402-7000

**Mohave County
Permit Application Worksheet
Residential**

Date 3-21-18

Project # _____

Permit # BLD 2018-00584



PLOT PLANS MUST BE NO LARGER THAN 8 1/2" X 11"
NOTE: Shaded areas are for county use only.

1. Type of Improvement: NEW HOME CONSTRUCTION

2. Applicant's name: Fairway Constructors Inc
Mailing address: 5890 S. Hwy 95, Suite A
City: Fort Mohave State: AZ Zip: 86426

2A. Contact Name: MEHDI AZARMI PHONE: 928-303-4443
Fax Number: _____ Email: mehdi@fairwayconstructors.com

3. Property Owners Name: JORDAN & GINA GRICE
Mailing Address: _____
City: _____ State: _____ Zip: _____
Fax Number: _____ Email: _____

4. SITE LOCATION ADDRESS: 1839 E LIPAN BLVD
House No Street Dir Street Name:

5. Legal Description:
Assessor Parcel Number: 2 2 6 1 3 0 9 8 Parent Parcel: Yes
Subdivision Name: DESERT LAKES Corner Lot: Yes
Unit/Tract/Block/Lot: _____ -- 4076-B -- F -- 107
Township/Range/Section: 19N -- 22W -- 35

6. Plot Plan Drawing (see instructions on plot plan form) Cont Acres

Public Works, Flood Control Division

7. Is there an existing structure? YES NO **FLOOD \$** _____
7A. Previous PEI#: _____ Previous FUP#: _____

Environmental Health Division

8. Is this an existing system? YES NO **Number of bedrooms:** _____
8A. Is this a Conventional Septic? YES NO, Alternative System? YES NO **Number of fixture units:** _____
9. Septic Tank Size: _____ Manufacturer: _____
10. Septic Contractor: _____ License #: _____
Or Owner / Builder: YES NO
11. Water Source: _____

Planning & Zoning Division

12. Zoning: SD1R2 **ZONING \$** _____
13. Mobile Home or Recreational Vehicle Information:
Make: _____ Size: _____ of beds: _____ Year: _____ **BLDG \$** _____
State #: _____ HUD or VIN: _____ **P/C \$** _____
Mobile Home Installer Name: _____
License #: _____ Address: _____
Phone: _____ **AUTOMATION FEE \$** _____
14. Water Source: _____ **OTHER \$** _____
15. Sanitation: Sewer Septic [Septic Permit #: _____] **SUBTOTAL \$** _____
16. Contractor Information (Names & License #'s)
- General Contractor: Fairway Constructors License #: ROC090937
- Electrical Contractor: HTWT Electric License #: ROC149809
- Plumbing Contractor: Action One Plumbing License #: ROC165642
- Mechanical Contractor: River Valley License #: ROC200411
17. GRADING PERMIT: Material amount (cubic yards)? _____ **DEPOSIT < \$** 540.2038 *CIC*
18. Bond Exemption: 08021772 **BAL DUE \$** _____

Note: Must provide construction drawings for Development Services application (Residential - 2 complete sets)

