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SUPERIOR COURT
ARIZONA
2010 DEC -7 PM 4: 36 ✓
JEANNE WICKS, CLERK
BY: **BOBBI JO BALL**

6 IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA
7 IN AND FOR THE COUNTY OF YAVAPAI

8 JOHN B. CUNDIFF and BARBARA C.
9 CUNDIFF, husband and wife; ELIZABETH
10 NASH, a married woman dealing with her
11 separate property; KENNETH PAGE and
12 KATHRYN PAGE, as Trustee of the Kenneth
13 Page and Catherine Page Trust,

11 Plaintiffs,

12 vs.

14 DONALD COX and CATHERINE COX,
15 husband and wife,

16 Defendants.

CASE NO. P1300CV20030399

**MOTION FOR PERMISSION TO
SERVE REMAINING
PROPERTY OWNERS BY
PUBLICATION**

17 In accordance with this Court's May 6, 2010 Notice, Plaintiffs have exhausted all
18 acceptable means of service upon the property owners. The first packet of documents was
19 mailed to all property owners on or about July 22, 2010. Pursuant to this Court's May 6, 2010
20 Notice, the packet contained the Notice, a Summons, an Acceptance of Service form, and
21 Plaintiff's First Amended Complaint and requested that the owners sign and return the
22 Acceptance of Service. The Acceptances of Service that were signed and returned have been
23 filed with this Court.

24 The second packet of documents was mailed certified and to all property owners who did
25 not return the Acceptance of Service on or about September 10, 2010. The packet contained the

1 Notice, a Summons and the First Amended Complaint. The property owners who signed for the
 2 package have been served with the required documents by certified mail. The Affidavits of
 3 Service regarding the certified mailing were filed with this Court.

4 Finally, the property owners who refused to sign the Acceptance of Service and refused
 5 to claim or sign their certified receipts were identified and the owners' names and addresses
 6 were given to Palmer Investigative Services for personal service on or about November 10,
 7 2010. The process servers were able to personally serve the following property owners:

<u>Parcel No.</u>	<u>Owner Information</u>	<u>Date Served</u>
10301061E	Albert L. Ramirez 8805 E. Marrow Road Prescott Valley, AZ 86314	Served 11/11/10
10301077C	Thomas P and Kimberly L. Marty 8610 E. Marrow Rd Prescott Valley, AZ 86315	Served 11/11/10
10301078E	Gary W. and Dianna R. Cordes 8370 E. Spurr Ln Prescott Valley, AZ 86315	Served 11/11/10
10301079B	Kevin S. and Pamela K. Eikleberry 8255 Turtle Rock Rd Prescott, AZ 86315	Served 11/11/10
10301090G	Kevin Paul Sasse 9125 E. Dog Ranch Rd Prescott Valley, AZ 86315	Served 11/13/10
10301109B	Renee Meeks 8975 N. Lawrence Lane Prescott Valley, Arizona 86315	Served 11/11/10
10301112	Michael S. and Kristi A. Burginger 8225 Far Away Pl Prescott Valley, AZ 86315	Served 11/13/10
10301142B	Paul and Amella Stegall 8275 E Spurr Lane Prescott Valley, AZ 86315	Served 11/14/10
10301147A	Jerry and Leann Carver Family Trust 8940 E. Spurr Ln Prescott Valley, AZ 86315	Served 11/11/10
10301193B	Richard and Darlene Mauler 9655 N. Coyote Springs Road Prescott Valley, AZ 86315	Served 11/18/10
40101040	Linda Nason 9180 E. Spurr Lane Prescott Valley, AZ 86315	Served 11/11/10
40101078A	Robert and Constance Reordan 9185 E Morning Star Ranch Road Prescott Valley, AZ 86315	Served 11/11/10
40101078B	Reordan Revocable Trust 9185 E. Morning Star Ranch Road Prescott Valley, AZ 86315	Served 11/11/10
40101097	Daniel and Cynthia Warta 9125 E. Pronghorn Lane Prescott Valley, AZ 86315	Served 11/13/10
10301070K	Central Baptist Church of Prescott 8049 E Ashley Dr Prescott Valley, Arizona 86314	Served 11/11/10
10301070	Loren James and Tracy Lee Peterson P.O. Box 25977, Prescott Valley, AZ 86315	Served 11/17/10
10301079C	Kevin S. and Pamela K. Eikleberry 5416 E. Seven Palm Dr Cave Creek, AZ 85331	Served 11/11/10
10301081L	Cardella Leonara Ul Soanto & Rosa Fricano 12404 N. 33rd St Phoenix Arizona 85032	Served 11/19/10

1	10301086J	Santo and Rosa Fricano 5902 W. Cortez Glendale Arizona 85304	Served 11/23/10
2	10301142C	Robert and Starr Ladehoff 50 Rim Shadows Dr Sedona AZ 86336	Served 11/30/10
3	40101020K	David and Michelle Krause Revocable Trust 3824 Topeka Dr Glendale, AZ 85308	Served 11/29/10
4	10301065H	David Ungerer 13229 W. Doty Ave #4A Hawthorne, CA 90250	Served 11/23/10
5	10301074F	John D. and Sheila K Fox 1520 Scenic Loop, Fairbanks, AK 99701	Served 12/4/10
6	10301147B	PNC Mortgage 3232 Newmark Drive, Miamisburg, OH 45342	Served 11/22/10
7	10301147C	Terri A. Carver 27886 Via Ventana Way, Los Altos CA 94022	Served 12/2/10
8	40101040E	John and Jennifer Martin 1230 Bellflower Lane, Owatonna, MN 55060	Served 11/16/10
9	40101107B	James R Griset 444 Old Newport Blvd #A Newport Beach, CA 92663	Served 12/1/10

10 Service upon the following property owners was attempted, but not successfully
 11 obtained:

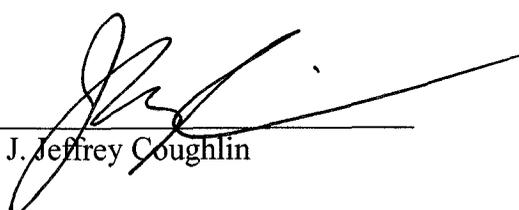
12	<u>Parcel No.</u>	<u>Owner Information</u>	<u>Attempted Service Information</u>
13	10301058C	Bruce K and Teri A. Morgan 8520 E. Lonesome Valley Rd, PV 86315 (New Owners 5/17/2010)	Has tenant, no address available
14	10301078C	Daniel and Ana M. Zepeda 8490 E. Spurr Prescott Valley, AZ 86314	Attempted
15	10301086K	William E. Brumbill Trust 8910 Morrow Drive, Prescott Valley, Arizona 86314	Neighbor said he had bad stroke, not sure where he is
16	10301095J	Jayme Salazar 11826 Coyots Springs Road Prescott Valley, AZ 86315	gated, neighbor believes he moved
17	10301095K	Anglin Living Trust 11950 Coyote Springs Road Prescott Valley, AZ 86314	Attempted
18	10301116	Anthony B. Lee 8496 Coyote Springs Rd Prescott Valley, AZ 86315	Attempted
19	10301133E	Art and Debra G. Gustafson 9975 N. Coyote Springs Rd Prescott Valley, AZ 86315	Gated, trees, can't see inside, no answer
20	40101005Z	Wiley and Kathleen Williams 9575 E. Turtle Rock Prescott Valley, AZ 86315	gated, dogs, no answer
21	40101011M	Gilstrap Family Trust 9300 E. Mountain View Road Prescott Valley, AZ 86315	Neighbor said they are part time residents, not home
22	40101037B	Timothy and Virginia Kilduff 9315 E. Spurr Lane Prescott Valley, AZ 86315	Attempted, gated, no answer
23	10301083A	Christopher Lefebvre 8250 E. Sparrow Hawk Rd Prescott Valley, AZ 86314	Has tenant, no address available
24	40101043	Todd and Barbara Bloomfield 9010 E. Plum Creek Way Prescott Valley, AZ 86315	gated, dogs, no answer
25	10301130E	Robert and Therese Taylor/Thomason-Taylor Restated Trust 1987 Havens End Prescott, AZ 86305	Attempted, not home, on vacation
	10301073D	Michael A. Kelley Family Trust P.O. Box 26232	Gated, no answer

	Prescott Valley, AZ 86312	
40101028C	Jerry and Paulette Getz P.O. Box 25567 Prescott Valley, AZ 86312	Attempted/part time resident
10301061D	Jeffrey Carlson 1451 W. Irving Pk Rd. #317 Itasca, IL 60143	Attempted
10301129A	Francis M Moyer 6 Meadow Green Ct Johnson City, TN 37601	Attempted, neighbor said he has mental problems, will not answer door

At this time, Plaintiffs respectfully request permission to serve the remaining property owners listed above by publication as provided in ARCP, Rules 4.1 (n) and 4.2 (f).

DATED this 7th day of December, 2010

J. JEFFREY COUGHLIN PLLC

By: 
 J. Jeffrey Coughlin

COPY of the foregoing
 mailed this 7th day of
December 2010 to:

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18 By: C. Padilla