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✓  
SUPERIOR COURT  
YAVAPAI COUNTY, ARIZONA  
2014 JAN -9 PM 2: 19  
SANDRA K MARKHAM, CLERK  
BY: K. Sechez

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16 Co-Counsel for Defendants Robert and Catherine Cox

14 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
15 **IN AND FOR THE COUNTY OF YAVAPAI**

17 JOHN B. CUNDIFF and BARBARA C.  
18 CUNDIFF, husband and wife; ELIZABETH  
19 NASH, a married woman dealing with her  
20 separate property; KENNETH PAGE and  
21 KATHRYN PAGE, as Trustee of the Kenneth  
22 Page and Catherine Page Trust,  
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Case No. P1300CV 2003-0399  
Division 1  
**NOTICE OF ERRATA CONCERNING  
DEFENDANTS' EXHIBITS TO  
MOTION FOR NEW TRIAL RE:  
GRANT OF PLAINTIFFS' MOTION  
FOR SUMMARY JUDGMENT**

(Assigned to the Hon. David L. Mackey)

Defendants, by and through undersigned counsel submits this Notice of Errata concerning their Exhibits attached to their Motion for New Trial re: Grant of Plaintiffs' Motion for Summary Judgment. This Notice of Errata resulted from our discovery that during the copying of the sheer



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**EXHIBIT "11"**

# LONESOME VALLEY

Publishing Community News and Information • 26th Issue • August, 2003

**Newsletter®**

89A Edition



**Labor Day**  
Monday, Sept. 1<sup>st</sup>

**Grandparents Day**  
Sunday, Sept. 7<sup>th</sup>

**Patriot Day**  
Thursday, Sept 11<sup>th</sup>

**Autumn Begins**  
Tuesday, Sept. 23<sup>rd</sup>

*Education  
is the Key  
to Success!*

- 2 Important Phone Nos.
- 4 Sub-Division News
- 10 Regional Economic Development Meeting
- 11 Pressing Issues
- 11 When a Picture is Worth a Thousand Words
- 12 Events: Happenings
- 13 Churches & Organizations
- 14 Investing-Keeping Your Balance Can Help You Avoid Investment Pitfalls

- 15 BBB-What Should You Do When a Business Closes?
- 16 Real Estate Values and Information
- 17 Insurance Claims History-Potential Hi Jinx to Real Estate Transactions & Values
- 18 Health Dept.-Information on West Nile Virus and Viral Meningitis
- 20 Movie Review
- 21 Hay Prices
- 22 Latest Information on Hwy 89A & Fain Rd

LONESOME VALLEY NEWSLETTER is printed by Noble Graphics & Printing and is mailed monthly to property owners north of 89A, between The Viewpoint and Mingus Mtn. Estates and distributed to local real estate offices, Roberts Market and the Prescott Valley Chamber of Commerce. Or stop by our shop and pick one up. To place an ad or for more information call: 759-8811; fax: 775-8811; email: LVNewsletter@cox.net

Cox 0755

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## Important Phone Numbers

<b>APS (Power)</b>	<b>776-3636</b>
Arizona Game & Fish Dept.	(602) 942-3000
Arizona Dept. of Revenue	1 (800) 843-7196
Az. State Animal Serv. Div.	1 (800) 294-0305
Arizona State Governor	1 (800) 253-0883
Central Yavapai Fire Dist.	759-9933
Child Abuse Hotline	(888) SOS-CHILD
Emergencies	911
Mingus	775-4525
Mingus Mountain Estates	772-6394
Parks & Recreation	759-3090
Poquito Valley Road Association	775-6203
Prescott Ridge	775-0400
Pronghorn Ranch	775-4049
PV Chamber of Commerce	772-8857
PV Community Development	759-3050
PV Health Department	583-1000
PV Police Administration	772-9261
PV Police Animal Control	772-9267
PV Police Non-emergency	772-9267
PV Public Works	759-3070
PV Sewer / Water Billing	759-3020
PV Town Switch Board	772-9207
Small Business Association	(800) 827-5722
Score	778-7438
Social Security Earnings & Benefits	(800) 772-1213
The Viewpoint Real Estate Office	775-2000
Yavapai College SBDC	541-1405
Yavapai County Animal Control	771-3260
Yavapai County District 1 Supervisor	771-3200
Yavapai County District 2 Supervisor	771-3200
Yavapai County Fair Association	445-7820
Yavapai County Health Dept.	771-3122
Yavapai County Planning & Bldg	771-3214
Yavapai County Sheriffs Dept.	771-3260
Yavapai County Tax Assessor	771-3220
Yavapai Downs at Prescott Valley	775-8000
Yavapai Food Bank	775-5255
Yavapai Medical Regional Hospital	445-2700
Yavapai Family Advocacy Ctr (Family Violence Ctr)	775-0669

## Schools in the Area

Bradshaw Mountain High School	759-4100
Bradshaw Mountain Middle School	759-4900
Coyote Springs Elementary	759-4300
Excel Educational Centers	775-6681
Franklin Phonetic School	775-6747
Glassford Hill Middle School	759-4600
Lake Valley Elementary School	759-4200
Liberty Traditional	759-4500
Mountain View Elementary	759-4700
Prescott Christian High	759-9495
Yavapai College-Prescott	445-7300
Yavapai College Vocational Div	772-5001
YCFA Achieve Acad Cox 0756	5-8016



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# Beotys



772-1578

beotys@yahoo.com

8101 E. Hwy 69  
Prescott Valley  
(South side of Hwy 69  
near Robert Road)

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Clothing & More

Formally in Gateway Mall  
Come in and visit with Anna  
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Bring in this ad for 10% OFF  
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Pager: (928) 541-6218  
Website: karenbenson.com  
Email: karen@karenbenson.com

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For information on our Services - Contact  
Ellen Babbitt, Director of Business Development

1151 Iron Springs Road, Suite D  
Prescott, Arizona 86301

(928) 771-1225  
Fax (928) 708-0971

Visit AAM at [www.associatedasset.com](http://www.associatedasset.com)

**Welcome new residents to:**

The Viewpoint, Poquito Valley, Pronghorn Ranch, Antelope Meadows, Coyote Springs, Prescott Ridge, Mingus or Mingus Mtn Estates. Hope you enjoy and find your free copy of The Lonesome Valley Newsletter entertaining and informative.

## Community News

**The Viewpoint** --One of Northern Arizona's largest and most impressive and affordable master-planned community with a Homeowners' Association, sensible CC&Rs and stunning panoramic views of mountains, sunrise and sunsets. Other features: paved streets with winding sidewalks for free easy living; city water and sewer, and underground utilities, including cable TV; friendly neighbors and dedicated school and park sites; Park Ridge, an exclusive gated community with a water feature.

For more information about The Viewpoint, please call (928) 775-2000 or visit their web site at: [www.viewpointaz.com](http://www.viewpointaz.com). The Viewpoint Real Estate Office is located at 7218 E. Horizon Way, Prescott Valley, in The Viewpoint, just north of 89A on Viewpoint Dr.

## The Viewpoint East

NEWS FROM VIEWPOINT EAST

WANDERING YARD ART

Remember those pranksters who take things from one property and put them in the yard of another? Well, there are still some pieces of yard art that have not found their way home. Steve Parker currently has two rabbits and a cherub waiting to be claimed. If they might be yours, please call him at 759-2111 before the rabbits start to multiply!

Remember, if you LOSE a piece of yard art or have some sort of vandalism, report it to the police and to one of the Board members. If you FIND a new piece of yard art at your house that does not belong to you, call a Board member. The Board will then attempt to reunite the art with the proper owners. Above all, if you see any suspicious activity, call the police and let them know.

HOMEOWNERS MEETING

At the last meeting (July 22, 2003) the Board voted unanimously to adopt a more stringent fine and lien program as distributed with the July Viewpoint East Newsletter. Let's not let them be used - our CC&Rs are so easy to follow, since they are really meant to make Viewpoint East a great place to live!

Come join in the Open Forum at the next Homeowners Association meetings, Tuesday, August 26, at the Prescott Valley Civic Center, lower level Council Chambers, from 6:30PM to about 7:30PM. In addition to Association business and Open Forum, there are always interestir

Cox 0758

the meetings and drawings for door prizes to close. Hope to see you there!

Viewpoint East Board of Directors are:  
 Steve Parker, President  
 Wayne Hassing, Vice President  
 Judy Bowman, Secretary  
 Stan Nordel, Treasurer  
 Lionel Talbot, Director at Large

Management is by:  
 Brian Falk  
 Liberty Management Group  
 623 Miller Valley Road, Suite B  
 Prescott  
 Phone: 445-1225

If you need help or want to pitch in as a volunteer, contact the appropriate committee:

Approval of building, addition or landscape plans is handled by the Architectural Revue Committee (ARC), chaired by Grover Hilgedick. If you need approvals as required by the CC&Rs, call Grover at 775-8462.

If you have an idea to contribute to the monthly newsletter, contact the Newsletter Committee by calling Lynne Hassing at 775-8751.

If you want a lovely walk in the fresh air, call Angie Parker, interim head of the Newsletter Delivery Committee at 759-2111.

If you have a complaint about someone's disregard for the CC&Rs, call Lisa Dill, head of the Compliance Committee, at 772-5215. She and her committee members will try to resolve the problem before it has to go to the fines and liens department at Liberty!

If you want to be part of the party-planning group, call Angie Parker, head of the Social Committee at 759-2111.

AND DON'T FORGET TO VISIT OUR NEW WEBSITE AT WWW.VIEWPOINTEAST.COM!!

### The Viewpoint West

#### Board of Directors for 2003

President - Art Smith  
 Vice-President - Bob Naef  
 Director - Colleen Mellies  
 Secretary - Lloyd Caudle  
 Treasurer - Henry Brandt

Homeowners Association monthly meetings are held the 4th Monday of each month at the Civic Center Community Room-3rd floor, 7501 Civic Center Circle, Prescott Valley, 6pm-8pm. The next meeting will be on Monday, August 25 th.

We hope to see more homeowners at the meetings. We will have a drawing each month for a door prize. This is how we become involved in our community and the more homeowners who become involved, the better our community will be.

Viewpoint West has had some uninvited guests - name-Cox 0759

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ly cows - jumping the fence and getting into backyards. The Town of Prescott Valley Police Department has asked that if you see cows wandering around any residential area, phone the police dispatch at 928-772-9267 while the animals are "at large", rather than after the fact. This phone number is also Animal Control for the Town of Prescott Valley.

**Viewpoint West** residents have also been the recipients of late night pranksters - someone moving lawn ornaments from house to house. If you see anyone tampering with lawn ornaments that do not belong to them, please call 772-9267 and report it to the Prescott Valley Police.

The Yard of the Month award/sign for July was given to Bruce & Sue Lanning at 6965 N. Sunset view. They do a good job to keep their yard looking great. If you would like to nominate a yard for this award, you can notify a Board member or call AAM.

Associated Asset Management Co. is responsible for enforcement of our CC&R's. All architectural approvals, requests, letters, complaints, etc. should be addressed to Shirley at by calling 771-1225 or email her at [sbaker@associatedasset.com](mailto:sbaker@associatedasset.com).

To put an article in or advertise in **The Viewpoint West's** newsletter, please contact Colleen Mellies at 759-0136. The newsletter is printed quarterly. Currently, we are in need of someone(s) to put this together, as Colleen will be moving. If you are interested, please call Colleen or AAM.

**The Viewpoint North** is located at the far north point of Viewpoint Drive. The next Homeowners Association meeting will be held in September. Owners will be notified of the exact date. If you have questions or need additional information, please contact Shirley Baker at Associated Asset Management 928-771-1225.

**Park Ridge at Viewpoint North** - is a gated community with private roads surrounding its unique park. The views at Park Ridge are some of the best in Prescott Valley. The next annual meeting of the Homeowners Association to be announced. For further information, contact Shirley Baker at Associated Asset Management 928-771-1225.

**In any area of The Viewpoint, if you have information to pass on, please get in touched with me. The information if free. Kathy, 759-8811 or email me at: LVNewsletter@commspeed.net**

Anyone not receiving a copy of The Lonesome Valley Newsletter can pick one up at The Viewpoint Sales Office or call us if you don't receive your mail where you live, we will put you on our mailing list. Our Phone number is 759-8811 or new email address [LVNewsletter@commspeed.net](mailto:LVNewsletter@commspeed.net)

**Poquito Valley** -- is a rural community that allows horses, etc. and has 2 acre minimums and up. Individual wells and septics required, graded dirt roads, telephone service in some areas, *great surrounding views.*

### August 1, ROAD NEWS

The maintenance on the road is being done every other month. Maintenance , Cox 0760 The

grader operator did not charge us for the previous 3 months. Money is very low in the road account, which has cancelled all improvement plans.

Anyone interested or has an idea of what can be done to improve the maintenance of the road is welcome to contact us and work with the account. Please call 775-6203, your help is welcomed. Work gets done when money is available. Donations of \$25 per homeowner, monthly, are still accepted and needed for the Poquito Valley Road escrow account. Your maintenance payments can be mailed to:

**Yavapai Title Acct. # M05001010**  
**Poquito Valley Road Maintenance**  
**P.O. Box 1900**  
**Sierra Vista, AZ 85636**

### MAILBOXES

*There are now 12 mail boxes left.* The boxes are near the Vineyard Church just past the cattle guard. Those wanting to purchase a mail box, please call Ted Moxley at 775-6203. (1) pay the \$82 for the key/box, (2) turn in your name, current mailing address, home address in Poquito Valley and phone number. Please pay by cash or money order only, to Ted Moxley, 7220 Moonlit Dr., Prescott Valley, Az 86314.

*Thanks to all, Ted Moxley 775-6203*

Volunteers to contact:  
Karen Benson 772-8358  
Ted Moxley 775-6203  
Linda Pope 759-3470

### ATTENTION POQUITO VALLEY RESIDENTS

Those who are now getting their mail delivered to your mail box in Poquito Valley, please notified me at 759-8811 or drop a note to 6425 E. 2nd Str., Ste. C, Prescott Valley, AZ 86314 of your new address. Help keep the costs down. Thank you. Also, anyone not receiving a copy of The Lonesome Valley Newsletter can still pick one up at the information board near the Vineyard Church / mail boxes.

**Pronghorn Ranch** --Pronghorn Ranch is located in the tranquil, wide open spaces of Prescott Valley and surrounded by majestic mountains. Pronghorn Ranch is a new kind of master planned community, one that offers expansive lots and a rich array of amenities at a surprisingly affordable price.

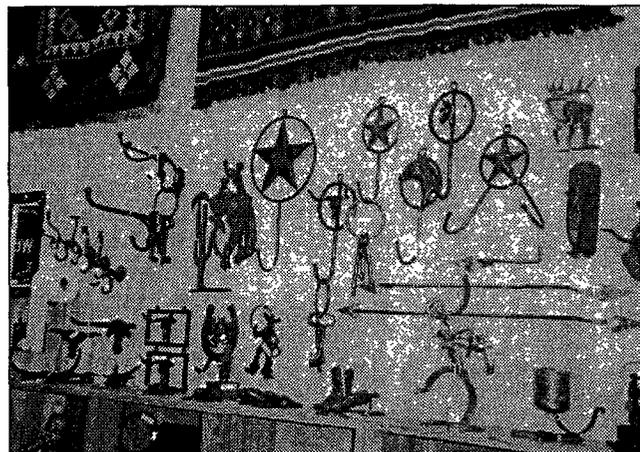
A tremendous amount of care and thought has been put into the 640 acres comprising Pronghorn Ranch. From the signature club house complete with putting green, swimming pool, tennis court, bocci ball court, horse shoe pit, fully equipped fitness center, dramatic gathering room with full kitchen, barbeque areas, as well as the parks and trail which make up the extensive open space through out this community. The attention to detail is apparent at Pronghorn Ranch. Homes start from the \$120's and custom lots start from the \$40's. Our unique country style homes range from 1,240 sq ft to 2,600 sq ft and our average lot size is 13,000 sq ft. The clubhouse alone will make you want to live in this unbelievable neighborhood.

Other features: paved streets with winding sidewalks for f... city water and sewer, and

Cox 0761

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Pronghorn Ranch is located north of Highway 89A, off Viewpoint Dr, between The Viewpoint and Coyote Springs Subdivisions and in front of Antelope Meadows.

**Antelope Meadows** --is a rural community with HOA, and sensible CC&R's and allows horses etc., great surrounding views. Individual wells and septic, lot sizes, 2 - 5 - 10 acres, graded dirt roads at this time.

The next HOA meeting will be Tuesday, September 9th and the next one not until November 4th at the Prescott Valley Civic Center, room 331, at 6:00pm.

Please mail all correspondence to our new P.O. Box in Prescott. That address is:

**Antelope Meadows Property Owners Association  
P.O. Box 1548  
Prescott, AZ 86302**

**AM Property Owners Association's phone number is (928) 636-8958 as of July 2, 2003.**

Tammy Mikkelson will be handling all our correspondence. You must submit your application packet, and resubmittals, to the new P.O. Box number prior to building. When you submit a complete packet, Tammy

will update your packet and pass the packet on to the Architectural Review Committee. Upon approval from the committee, you will be issued an Antelope Meadows building permit which must be posted throughout your entire construction process.

If you're interested in joining the Architectural Review Committee, please come to our next meeting at the Prescott Valley Civic Center. Meetings for the Architectural Review Committee, are held on the 2nd and 4th Wednesdays at 6:00.

We are still looking for a property inspector although we do have someone who is considering the position. We prefer to hire someone who is not an Antelope Meadows property owner and he/she would need to be available to complete drive-by inspections once every 2 weeks. If you're interested please call: Colleen: 445-1303 or Deanna: 899-8350

**Board of Directors:** Colleen Pouquette, Deanna Poppenberger, Gillis Bowling, David West, Mike Nassar.

**Road Committee Chairman:** John Shannon  
**Architectural Review Committee Chairman:** Carmen Bowling.

Sincerely,  
Board of Directors: Colleen Pouquette, Deanna Poppenberger, Gillis Bowling, David West, Mike Nassar;  
Road Committee Chairman - John Shannon;  
Architectural Committee Chairman - Carmen Bowling.

**Coyote Springs** --is a well established rural community that allows horses etc., has CC&Rs and approx. 10 acre minimums and up, individual wells and septic, great surrounding views, main road into Coyote Springs paved, side roads are graded dirt, telephone service in most areas.

There are mail boxes still available in front for anyone that wishes to have their mail delivered there. Contact Prescott Valley Post Office and ask for Gary Heinicke or Donna at 772-4406.

**Prescott Ridge** -- is located on the beautiful, nearby western slope of Mingus Mountain. This community has hilltop and hillside home sites with unsurpassed views of the surrounding mountains and Prescott Valley. Equestrian parcels are available and lot sizes range from 10 to 50 acres. Prescott Ridge offers underground power lines, paved roads and wells on many parcels. This master planned community is gated and has value protecting CC&R's.

Associated Asset Management is responsible for CC&R compliance. Shirley Baker, CMCA can be reached at 928-771-1225.

The Prescott Ridge Property Owners Association (PRPOA) President, James J. Moreau can be reached at 928-775-2749.

For sales information please call USA Real Estate Ventures, LLC sales office at 928-775-0400 or toll free at 800-801-1440, fax to 928-775-0404 or email to [info@usarev.com](mailto:info@usarev.com). Visit the website at [www.usarev.com](http://www.usarev.com) or stop by the office at 3661 N. Robert Rd. (near Lakeshore Dr.) in Prescott Valley.

**Mingus** --is a planned community with homeowners association and CC&Rs. Average lot sizes are 1/2 acre with all Prescott Valley Town servers, paved streets.

Mingus sub-division is located off Highway 89A, east of Yavapai D Cox 0762 ther infor-

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mation, please call: (928) 775-4500 or visit their on site sales office at: 13218 E. Buckshot Road, Prescott Valley, AZ 86314 or e-mail them at: [john.bolstad@era.com](mailto:john.bolstad@era.com)

Anyone wishing to submit information about your subdivision, up and coming events, garage sale, something for sale, etc. please contact me at 759-8811 or email me at: [LVNewsletter@commspeed.net](mailto:LVNewsletter@commspeed.net).

**Attention Parents with Children in Humboldt Unified School Dist.:** There is bus service that picks up the children in most of these areas. For more information, call the transportation division at 775-4346.

**Remember, school is back in session,** watch out for children crossing streets, waiting at bus stops, etc. And children, remember to stay out of the street when going to and from school or playing, etc.

Speed limit in most of our residential areas is 25 mph. Please obey speed limits, especially on dirt roads to keep the dust down and not throw rocks. Be safe and considerate.

### Something new, Granville -

Granville sub-division is located on Glassford Hill Drive between AZ Highway 89A and Spouse Dr. in the Town of Prescott Valley. This 1200-acre master planned community features models by Universal Homes, North Sky Development Inc. and Homes by Steve Anderson. Amenities include a full scale Community Center, swimming pool, tennis, volleyball and basketball courts and a horseshoe pit.

Granville recently sponsored a Community Appreciation Day for the Prescott Valley Police Department, Yavapai County Fire District and several other community organizations and volunteer groups. Granville volunteers hosted the event.

Granville Community Association is managed by Associated Asset Management. For information contact Shirley Baker at 928-771-1225.

More Granville information coming in a future newsletter, just for Granville Community. For more information, please call me at 759-8811 or email me at [LVNewsletter@commspeed.net](mailto:LVNewsletter@commspeed.net). Kathy

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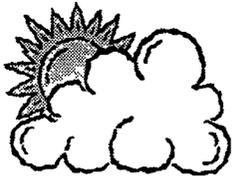
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## Regional Economic Development Meeting

At the July 11 Prescott Valley Chamber of Commerce Pressing Issue press conference, Joan Laurence, Vice President of Workforce and Economic Development at Yavapai College, and Ron Fain of the Fain Signature group discussed a recent meeting on economic and workforce development.

Ron began by explaining the simple premise that new industry in the area creates new exporters. In local terms, export means that goods and services are "exported" out of the local area, and therefore bring money into the area from outside of it. These two, new industry and new exporters, create more base jobs. "Base jobs" refers to jobs at those companies. Of course, increases and improvements in existing businesses have a positive impact as well. Base job increases also lead to increases in other jobs such as services, hospitality, and retail.

In the interest of promoting economic development and workforce development in Yavapai County, Yavapai College convened a gathering of tri-city leaders in business, government, and education. This group was charged with exploring how an increase in business diversity in the region could grow our economy.

Jobs are at the core of economic development, so the group needed to think about what the base job population is today, and how to add to it. In addition to base jobs, the percent of supplies and materials each business buys locally also impacts the economy. If a local manufacturer, for example, can not only create an item, but also buy the packaging for it locally, even more money flows into the local economy. Otherwise, dollars leave the area too rapidly.

Joan Laurence was glad to note that almost everyone asked to the meeting was thrilled to participate. Almost 50 people attended, and 30 of those committed to ongoing participation. Yavapai College will continue to support the effort, but Joan noted that "this needs to be driven by private sector business leaders." The public sector, government, education, economic development and chambers of commerce can support the efforts, but it's the business sector that must take the plunge.

"The tri-city area has typically taken a shotgun approach to bringing in new industries, and supporting existing businesses," Ron noted. The meeting led to a recommendation to target four key industries:

- \* Healthcare - support current and add to capabilities
- \* Aeronautical - building on our success with aerospace manufacturers, ERAU, the airport)
- \* Agri-business, pharmaceutical, bio-industry and nutraceuticals
- \* Sports - envisioning a large multi-sports complex to boost the quality of life in the area

Forecasts cited indicate that, if growth continues as expected, 6000 more base jobs will be needed to support the larger regional population in the next 7 years. Each base job, at a core industry or company, leads to even more jobs being created in service and supporting areas.

Several outside speakers on economic development were present to support the tri-city efforts. Ken Poole, the head of Regional Business Competitiveness at George Mason University spoke on the need for regional cooperation in order to be competitive, Dan Olmstead talked about the role of private sector support, and Mark Lapman complimented the group on the high level of regional cooperation already in evidence. For example, the mayors of Chino Valley, Prescott, and Prescott Valley were all at the meeting. The next economic meeting will be held in August, when the group will decide on the forward movement required, and begin to push for commitments and support.

Kristin J

Cox 0764

, 928-775-9575

**Pressing Issues July, 2003**

Each month, the PV Chamber hosts a half hour show on current issues and information in the PV area. Catch it on cable channel 13 throughout the month. Speakers at July's Pressing Issues were Ron Fain, of the Fain Signature Group and Joan Laurence, Vice President of Workforce and Economic Development at Yavapai College and discussed issues from a recent meeting regarding our areas economic and workforce development. (See article on page 10.) Also at the pressing issue meeting, Mary from the Better Business Bureau gave some great tips on recent scams and schemes to watch out for. Jennifer Miller, our friendly law enforcement representative gave a briefing on the recent National Night Out and informed us that Arizona is the top state in the nation for auto theft?

*Kristin Jacobsen, Higher Power Marketing, 928-775-9575*

**When a Picture Really is Worth a Thousand Words.....**

While many forms of dementia, particularly Alzheimer's disease, can rob a person of much of their memory and cognitive ability it is only when you see a sufferer painting that you realize there are still sparks of memories deep inside each person. Through the creation of art, people with dementia can increase awareness of self and others, help in coping with stress and traumatic experiences, enhance cognitive abilities and increase self-esteem. Let us not forget that many great artists suffered from depression and other mental illnesses that kept them from social interactions but allowed them to create the masterpieces we see today.

Today it is very easy and relatively cheap for anyone to begin a painting class with their loved one. Many chain stores craft departments have shelves and shelves of watercolors, oils, acrylics and tons of ancillary art equipment at very reasonable prices. And the fortunate thing is that to create an enriching experience for your loved you are not required to buy expensive high quality paints and equipment. The important point is to let your 'class' have fun and express themselves. My current art class is full of gifted "dabblers" who use potted water paints, sponges and old paintbrushes to create stunning interpretations of pictures I pull from calendars, magazines and travel posters. Some of my "dabblers" have painted before but tell me that they have not had the opportunity or funds to continue their hobby and many say, "I always wanted to try that". At this stage in their lives it is extremely rewarding for me to let these wonderful people do something they have not done for years or do something they have always wanted to do.

But in the meantime, if your loved one would benefit from an informal art class but you don't have time to organize and lead the session come join us at THE CENTERS ADULT DAY CARE in Prescott (445-6384) and Prescott Valley (775-3563) where each weekday from 8am to 5pm a variety of activities including arts and crafts, ceramics and scrap booking are offered. Or if your needs are for classes in a residential setting call THE MARGARET T. MORRIS CENTER where Susan Rheem our Executive Director (445-6633) will be happy to meet with you to discuss your family's needs.

For a virtual tour of either facility contact us on the web at [www.adultcareservices.org](http://www.adultcareservices.org)

Anji Grasso, Community Relations Director  
Adult Care Services, Inc.

\* The Alzheimer's Association also assists people across the country with a program called 'Memories in the Making'. The Margaret T Morris Center is one of eleven facilities statewide chosen to be part of the program and The Centers Adult Day Care in Prescott and Prescott Valley will join the program when volunteer artists become available.

Cox 0765

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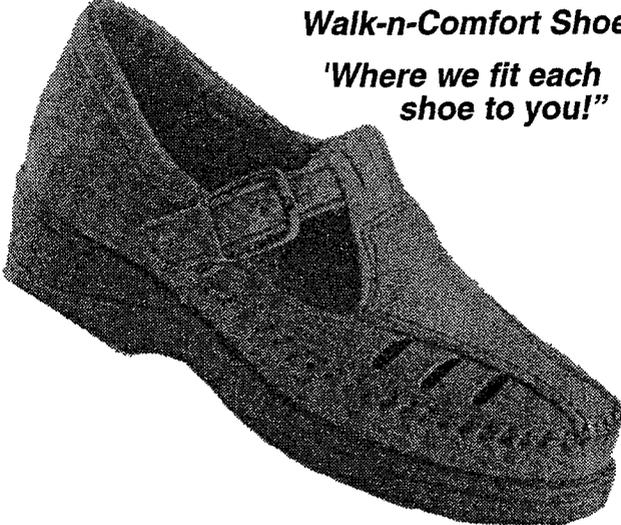
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Pronghorn Ranch • Antelope Meadows  
Coyote Springs • Prescott Ridge  
Mingus • Mingus Mountain Estates

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Our Prescott Valley Chamber,  
Roberts Market Place and various  
advertisers place of businesses.

So...

• If you have something to say • A club meeting coming up or are starting a club • An interesting story about the area or yourself or company • Yard/ garage /moving/ estate sale to advertise • A joke or quote you would like to share • Need someone to carpool with • Something lost or found • A poem to share • A new service to offer • A job opening to list • Up & coming event to get out • Trivia questions to ask the readers • Starting a new business and want to get the word out about your services • Professional item to write about • Something to sell/trade/rent • Favorite recipe to share • Organizing a bus trip • Tricks of your trade • Someone sick and want to send best wishes to • A new baby or wedding to announce • Or Just Want to Say Thanks For ...

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## Events Happenings:

The Yavapai Downs race track on Highway 89A in Prescott Valley opened Sat., May 24th and continues through Labor Day. For more information about events and post times call 775-8000.

August 14-16, The 2003, 16th Annual Arizona Cowboy Poets Gathering at the Yavapai College Performance Hall and Sharlot Hall Museum. 445-3122 website: www.sharlot.org.

### SILVER ANNIVERSARY OF PRESCOTT VALLEY

On August 22, 1978, the Town of Prescott Valley was officially incorporated as a town. Now 25 years later, you can celebrate this momentous occasion by participating in two events scheduled for Friday, August 22, 2003. 11:30am-1:30pm: Town Picnic. Enjoy a complimentary light lunch, listen to speakers (including the mayor and governor); enjoy booths displaying information about city services and local non-profits, and be part of an historical aerial photograph of citizens (at 12:45pm). 7:00pm-10:00pm: Taste of PV/ Silver Moon Dance. Sample food from local restaurants for donations, which go to local nonprofits, and dance to the tunes from the 70's spun by the DJ Guy! Both events are on the Civic Center Grounds. Questions: Call 928-759-5522 or e-mail silver@pvaz.net .

**Chili Cookoff, Sat. Sept. 27th** at Peddlers Pass, "Old Time Farmers and Flea Market", here in Prescott Valley. Proceeds benefit Big Brothers, Big Sisters program. Enter before Sept. 20th. For more information please call 775-5336.

**Support group for parents of challenging children** meets Monday evenings from 6:30-8:00 and Wednesdays from 11-1, starting week of August 18th, at the Family Learning Center, 8173 Dust Devil Dr., Prescott Valley. For more information, please call Mary at 759-0760 or cell at 710-4316.

**Yavapai County Jeep Posse** is looking for a few good men and women to join this volunteer Search & Rescue organization. And that is not all they do. They are very involved in FIRE EVACUATION AND SAFETY in our communities. Their members are of all ages and backgrounds. Some work and some are retired. A 4 x 4 vehicle is not a requirement. You can make a difference. To learn more about them and how you can become part of this group of dedicated people, contact Ed Lorenzen at 775-4240 or Rudy Nafaratte at 541-9684 or Jim Grimm at 759-0747. Also, check they out on the website at www.ycjp.org.

### BACK TO SCHOOL BASH

Please support your local high school's back to school bash benefit concert on Saturday, August 16th from 11:00 a.m. to 5:00 p.m. at BMHS. Entertainment by Little Larry and Latigo. Raffle, food, games for kids, clowns, face painting. Donations accepted at the door and proceeds will be divided among HUSD PTO's. An event for the whole family. Bring picnic blankets, lawn chairs, umbrella, but don't bring coolers, pets or food/beverages.

Cox 0766

TELETECHNET, in partnership with Yavapai Community College, provides individuals with the opportunity to complete bachelor and master's degrees from Old Dominion University without leaving the Prescott or Verde Valley areas.

Fall 2003 classes begin August 23, 2002.

Registration is open until start of classes, but earlier is better in getting your preferred selection. Students who have been approved for admission can register over the web site, or can call for help in registering for the fall term.

To register for classes or for more information, call 928-445-4616 in Prescott, or 928 639-4481 in the Verde Valley, or stop by our offices on the Yavapai College campuses, or e-mail srparker@odu.edu.

**Soroptimist International Prescott Valley**, is a service organization of professional women working together to make a difference in the lives of woman and youth and to promote a stronger, more vital community. For more information about this worthwhile organization, please call Brenda Parson at 775-3095

**The Prescott Valley Toastmasters (Formerly Antelope Valley Toastmasters)** meets Tuesday evenings from 6:30pm to 8:00pm at Stepping Stones, 8070 E. Hwy 69, P.V. The Toastmaster is an organization that was founded 75 years ago by Ralph Smedley, for the purpose of helping people become better communicators. The mission of a Toastmaster Club is to provide a mutually supportive and positive learning environment in which every member has the opportunity to develop communication and leadership skills, which in turn foster self-confidence and personal growth. For more information, contact: Bob Clark at 772-2754

**The Prescott Valley Art Guild** meets the second Tuesday of each month at 9:30 a.m. at the Prescott Valley United Methodist Church, 8944 E. Sommer Dr. (just east of Navajo Drive between Lakeshore Drive and Hwy 69). For more information, call Barbara Hanselman at 759-2257.

**Prescott Computer Society** usually meets on the second Saturday of each month at the Prescott Public Library, in the third floor meeting room. Various type of classes start at 1 pm, 2 pm, and 3 pm. There is a small annual fee to join this will worth program. They offer prepared but informal training classes on computer hardware, software and operating topics for both the novice and experienced user. For more information, call Larry Rifkin at 778-7239 or visit their website at: [www.PrescottComputerSociety.org](http://www.PrescottComputerSociety.org).

Did you know we have an outstanding **Prescott Valley Historical Society of Arizona** organization. For more information about Prescott Valley's history, contact Joyce Irwin at (928) 775-5847.

Interested in **Prescott Area Arts & Humanities**, visit their website at: [www.prescottarts.com](http://www.prescottarts.com) or e-mail them at: [president@prescottarts.com](mailto:president@prescottarts.com).

Did you know that Yavapai County has a **Community Outreach & Independent Living Services** organization. This organization offers various programs for teens, from learning life skills to homeless youth intervention. For more information on these services call (928) 776-0425.

If you are interested in saving our trails, you can join the **Prescott Open Trails Association**. They are a private, non-profit organization committed to Off-Highway Vehicle trails preservation. Their members are dedicated to promoting motorized hiking as a safe and healthy, family-oriented activities. For more information call 928-445-8289 ext. 17 or 800-264-5449 ext. 17 or e-mail them at: [sanford9@mindspring.com](mailto:sanford9@mindspring.com) or [donyblackburn@cablone.net](mailto:donyblackburn@cablone.net).

**Lonesome Valley Quilters Guild** meets the first Monday of the month at Prescott Valley United Methodist Church at 6:30 p.m. located at 8944 Sommer Drive in Prescott Valley. All skill levels are welcome to join us for the evening. If you would like additional information please contact Linda Blake (928) 632-8451.

Cox 0767

### *Churches in Our Area*

**Living Faith Christian Center 775-3025**

7225 Coyote Springs Rd, Prescott Valley  
Sunday Worship 10:30am & 6:00pm  
Wednesday 7:00am  
Pastor: Randy Vanesian

**Vineyard Christian Fellowship 772-8477**

9100 N. Poquito Valley Rd, Prescott Valley  
Sunday Worship 10:00am  
Various Kinships throughout the week  
Including High School & Jr High on Wed. 6:30 - 8:00pm  
Pastor: Harry Van Aken

**Landmark Baptist Church 772-7909**

7440 E. Addis Ave., Prescott Valley  
Sunday Worship 10:50am & 5:30pm  
Sunday School 9:45am  
Various Wednesday meetings: 6:30pm & 7:00pm  
Pastor: Dennis Sullivan  
[www.LandmarkMBC@juno.com](mailto:www.LandmarkMBC@juno.com)

**St. Germaine Catholic Community 772-6350**

7997 East Dana Drive • Prescott Valley  
Sat. Mass 5:30pm  
Sunday Mass 8:00am & 10:00am  
Pastor: Rev. John Shetler

**The Church at Glassford Hill 775-4331**

6901 E. Bear Path, Prescott Valley  
(At Glassford Hill Middle School)  
Sunday Worship 10:30 am  
Various fellowships  
Pastor: Rick Edwards

**Mtn. Valley Church of God 772-5713**

8123 E. Manley Dr., Prescott Valley  
Sunday Services: 9am and 10:30am  
Wed. Bible Study 7 pm  
Pastor: Don Tjema

**New Destiny Fellowship 775-6892**

8933 E. Florentine, Ste. C & D • Prescott Valley  
Sunday Worship 10:30 am  
Wednesday 7:00 pm  
Pastor: Greg Johnson

**Emmanuel Lutheran Church**

7763 E. Long Look, Prescott Valley  
Sunday Worship 8:30am and 11:00am  
Fellowship w/coffee & goodies between services  
Pastor: Kirk Anderson

### *Fraternal Organizations*

**American Legion Post 6 778-6628**

202 S. Pleasant St., Prescott  
Elks Lodge 772-8660

6245 Hwy 69, Prescott Valley

**Fraternal Order of Eagles 778-6688**

218 N. Cortez, Prescott

**Lions (Early Bird) 775-9545 or 771-6288**

**Masonic Temple Aztlan Lodge No. 1 445-1412**

1028 Willow Creek Rd., Prescott

**Moose Lodge 319 772-3700**

6501 E. 6th Str., Prescott Valley

**Shrine Club 775-5907**

## Keeping Your Balance Can You Avoid Investment Pitfalls

The road to investment success is filled with potholes. Financial markets are rocked by wars, scandals and political turmoil. Today's "sure thing" turns into tomorrow's "never was." Prognosticators conveniently forget their mistakes and trumpet new recommendations. What's an individual investor to do?

For starters, you can keep your balance. By building a balanced portfolio, and taking a balanced view of your expected returns, you can help make steady progress toward your long-term goals - and typically avoid a lot of frustration and disappointment.

How can you build a balanced portfolio? First, you need to recognize that the term "balanced" means differ-

ent things to different investors. Suppose, for example, that you are by nature an aggressive investor, willing to take greater risks in exchange for potentially high returns. In your eyes, a properly balanced portfolio should be more heavily weighted with growth stocks than with fixed-income vehicles, such as Treasury bills and Certificates of Deposit. Conversely, if you are willing to sacrifice potential future growth for greater relative stability of principal, then you might view a balanced portfolio as one that has greater percentages of bonds and government securities and smaller percentages of equities.

In other words, the concept of "balance" is somewhat in the eyes of the beholder. Still, no matter what your risk tolerance is, you'll almost certainly need some amount of diversification - some exposure to a wide variety of high-quality investments. By spreading your investment dollars among stocks, bonds, Certificates of Deposit, Treasuries and other securities, you can help maintain your balance - especially in the face of market downturns that may hit one asset class particularly hard.

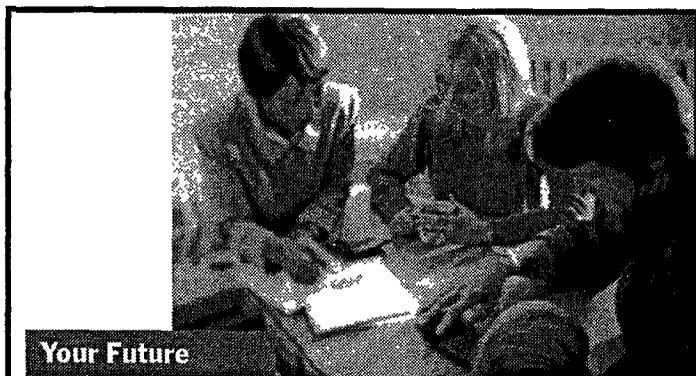
While building a balanced, diversified portfolio is a key ingredient to investment success, it's not the only ingredient. You also need to maintain a healthy balance, in your mind, between what you hope to achieve with your investments and what is realistic. During the late 1990s, many investors got "spoiled" by years of double-digit returns on their stocks. Yet, when viewed in a historical context, these huge returns were clearly aberrations - not the norm. But ever since early 2000, when the bubble burst on the raging bull market, a lot of people still anticipate the day when they'll once again get those annual returns of 15 percent or more on their investments.

This is a dangerous way to look at investing. If you delude yourself into thinking that those 1990s-style returns will be back soon, you will make mistakes with your investment choices, and, just as importantly, you will never be satisfied with the more realistic 6 or 7 percent returns.

By basing your long-term plans on reasonable rates of return, and by staying invested through all types of markets, you may maintain your psychological balance, even in the face of the market corrections and downturns that are inevitable.

So, there you have it: two types of investment balance to strive for. First, build a diversified portfolio of high-quality investments that's balanced according to your investment personality, time horizon and long-term goals. Second, balance your passionate hopes for investment success with a cold-eyed view toward what's possible and likely. If you can keep these balancing acts going, you'll be prepared for just about anything that comes your way.

*Above information provided by  
Dick Palm of Edward Jones® in Prescott Valley.  
For more information call 775-2445*



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### BAD CHECK PROBLEMS?

Having problems with people giving you bad checks that you can not collect on? You're not alone. Administered by the Yavapai County Attorney's Office, at no cost to you, is a Bad Check Program. For more information call (928) 771-3490. They are located at 255 E. Gurly Street, Prescott, AZ 86301.

**What Should You Do,  
When a Business Closes?  
The Better Business Bureau Has Some  
Suggestions For You!**

You have been working with a company when you find that business is no longer answering their phones or has "closed their doors." What do you do when the company you've been doing business with or expect further service from has suddenly gone out of business? Trying to locate a company that has gone out of business can be difficult.

The Better Business Bureau suggests the following:

- Go to the last known location to see if the company has posted any instructions or signs. If not, ask neighboring companies if they know what may have happened. If the business was located in an office building, you should try contacting the landlord of the building.

- Send a letter to the company's last known address asking the owner to contact you. Even if the business is closed, the mail may be subject to a forwarding order. You can also pay a visit to your Post Office to see if the company has a forwarding address.

- If you don't know the names of the principals, check with your city or county clerk's office. This may require a personal visit and you may be charged a small fee.

- If the business is regulated, such as attorneys, doctors, engineers, employment services, new car dealer, etc., contact the licensing agency. If you're not sure whether the company is regulated, contact your state's Department of Licensing & Regulations office. They will be able to tell you how to contact the appropriate regulatory authorities.

- Contact the Clerk of the Bankruptcy Court in the area where the company was located to see if the company may have filed for bankruptcy.

- Contact your local Better Business Bureau. The BBB does not trace companies, but it does receive information daily on a number of changes in business locations and ownerships and may be able to help you.

- If you are successful in locating the owner and the business is not in bankruptcy, you are still owed your services, product, or money. Closing a business does not relieve the owner of his or her obligation to you. If you cannot obtain an appropriate settlement from the company, file a complaint with the Attorney General's office, with Small Claims Court, or seek the help of an attorney.

- If the company has filed for bankruptcy, you should file a claim with the Bankruptcy Court. The court will suspend the company's obligations to creditors and customers until it approves a plan to reorganize or liquidate the company. Under the plan you, as a claimant, may or may not get all or part of what you are owed.

To obtain reports on companies or charities, or to receive a list of BBB member companies in a particular type of industry, visit us online at [www.arizonabbb.org](http://www.arizonabbb.org) or call The Better Business Bureau of Central/Northern Arizona, Yavapai County Office at 928-772-3410. The BBB is located at 3045 Tani Road, Prescott Valley; office hours are 9am-11:30am.

Cox 0769

**BEFORE YOU BUY, CALL US FIRST.**

*Call for a business reliability report  
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**772-3410**

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**Yavapai County Sales Tax Increased  
again...as of July 1, 2003.**

The Yavapai County Board of Supervisors voted to increase the County Jail Tax. The new county rate for most business classifications will be 0.25% or .0025. That would be 25¢ (previously 20¢) tax on a \$100 transaction. Exceptions include nonmetal mining (0.156% or .00156), hotel/motel (0.275% or .00275), jet fuel excise tax (0.152% or .00152). The total combined state and county rate for most transactions will be 6.35%. For Prescott Valley, the total sales tax is now 8.68% or .0868 for most things. For more information, visit their website at [www.revenue.state.az.us](http://www.revenue.state.az.us).

## Real Estate Values and Information

	# of Prop Sold	Dollar Value ASP*	Avg. Days on the Market	# of Prop. Listings	Dollar Value ALP**	Avg. Days on the Market
THE VIEWPOINT	49	162,222	102	24	182,810	63
POQUITO VALLEY	4	125,000	86	9	165,155	71
PRONGHORN RANCH	14 Custom Lots sold	(4/23/03),	60 Brown F	Family Homes,	ASP \$170,000	(6/27/03)
ANTELOPE MEADOWS	4	179,225	53	12	260,375	86
COYOTE SPRINGS	1	285,000	294	8	260,837	120
PRESCOTT RIDGE	1	550,000	382	6	500,799	198
MINGUS	8	186,835	74	2	207,900	106
PRESCOTT VALLEY HOMES	263	131,891	75	199	154,295	64
P.V. MOBILE HOMES	47	64,380	112	49	81,736	120

\* Average Selling Price, \*\* Average List Price,

**Viewpoint: Rising Sun Homes:** (Opened 6/1/2002) Sold 53 homes, ASP \$148,900 (as of 6/27/03)

**Stoneridge:** (Opened 6/2002) 130 homes sold - ASP \$190,00; 12 of these are townhomes (as of 12/15/02)

**Grannville:** (Opened 6/1/2002) By Universal Homes, 72 homes sold - ASP \$145,000; (as of 12/15/02)

By North Sky Homes, 35 homes sold - ASP \$163,000 (as of 6/27/03); and  
30 new lots available in next phase.

**Interesting Fact:** Approximately one-third of the buyers in Grannville, by North Sky Homes, are from Prescott & Prescott Valley!

Real Estate Transactions in this section are provided by Karen Benson, Kooiman Realty, Prescott Valley.

Above chart is from the Multiple Listing Service as of July 24th for the last six months.

This information is deemed to be reliable, but not guaranteed. This publication is not intended as a solicitation.

If your property is currently listed, we fully cooperate with the MLS System.



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## INSURANCE CLAIMS HISTORY: Potential Hi Jinx to Real Estate Transactions and Real Estate Values

In representing the buyer of a duplex recently a contingency was added to the contract requiring the seller to provide a CLUE report (Comprehensive Loss Underwriting Exchange) to the buyer for his approval or disapproval during the 15 day inspection period. Failure to have done so could very well have led to a dire termination of the contract.

CLUE Reports, provided by Choice Point, provides underwriters with both the claims and damage history of a property. In the case of the duplex my client was purchasing there had been 3 claims by the seller for damages to the interior by a renter in the past two years. Many insurance companies will no longer consider coverage for properties with multiple claims in the past three years. This duplex was no exception. (In fact many insurance companies will reject a property with even one claim relating to mold or water damage-the industry is especially skittish after suffering 9 billion dollars in losses last year).

After contacting four insurance offices we finally found an agent who could procure coverage through an outside underwriter for a premium of \$1,500,00-three times the rate for an untainted property of this kind. Plus there was no assurance that the provider would not drop my client over the slightest claim in the future. Needless to say my buyer was none to pleased and the contract was ready to be withdrawn on the last day of the inspection period.

Fortunately, however, the existing underwriter finally acknowledged that the previous claims, which had been filed on consecutive days, actually stemmed from a single event. That insurer was then able to offer acceptable coverage at a reasonable premium and the deal was saved.

Had the contract not called for the CLUE report my buyer might not have discovered the insurability problem until well after the inspection period, and perhaps even to near the close of escrow to have found a remedy. Furthermore, the seller had not mentioned the properties damage history in the SPDS (Seller's Property Disclosure Statement). He may not have felt this omission significant since the cabinets and carpet were replaced as compared to repaired. However, had the transaction fallen through at the last minute due to non-insurability the return of earnest money could well have become a point of contention. And naturally each party would feel grievous over the inconvenience and lost opportunity.

Although the number of sales which have fallen through at the last minute as a result of CLUE related problems in obtaining insure is rather small, the problem was virtually none existent until recently. In the past the CLUE data base was used by insurance firms primarily to check for fraud and screen for consumers with a history of numerous claims. If a nervous insurance industry chooses to further shun properties with even minor damage history, provision of CLUE reports could become an essential disclosure issue and a prudent addition to all real estate contracts involving physical structures.

A recent internet article by Liz Pulliam Weston posted on MSN provides a lengthy discussion regarding use of the CLUE data base. Given the current state of the insurance industry she makes five suggestions to protect your property's insurability.

Cox 0771



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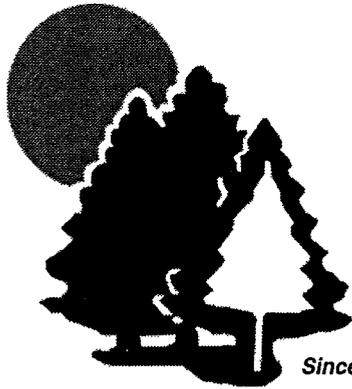
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Mark & Bonny Eakins

- 1) Keep your home in good repair-especially with regards to your roof, paint & plumbing-areas where water damages could occur which scares the insurance industry most.
- 2) Keep your deductible high and pay for smaller expenses out of pocket.
- 3) Don't tell your insurer about problems unless you're sure you'll file a claim (I'd like to note that this does not imply that omissions are acceptable on the SPDS)
- 4) Think twice about water-related claims, especially if you plan to sell within a few years. Liz Westen suggests you might be better off paying for the repairs than to have you home branded as high risk and I would like to note that some insurance companies are canceling coverage after paying water/mold related claims
- 5) Consider getting a copy of your CLUE report. If you've been rejected for insurance coverage you can get a copy of the CLUE report for free. Via the internet I found a web site that provides five year CLUE reports for both homes and autos. The site is [www.choicetrust.com](http://www.choicetrust.com). Their fee is currently \$12.95.

*Information Provided by Chuck Meinke  
Red Arrow Real Estate, Prescott Valley 772-0330*

*This information is deemed to be reliable, but not guaranteed. This publication is not intended as a solicitation. We fully cooperate with the MLS System.*



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NEWS RELEASE FOR IMMEDIATE RELEASE - July 10,  
2003 Contacts: Chris Sexton, Environmental Health Manager:  
(928) 771-3123

## Health Department Cautions of West Nile Virus as Monsoon Approaches

As the monsoon and mosquito breeding season approaches, Yavapai County Health Department warns that yard maintenance and personal protection are critical to avoid exposure to West Nile Virus (WNV).

Although mosquito surveillance around the county and state has produced no evidence of WNV, and no human cases have been confirmed, the general consensus among environmental health professionals is that the virus is likely to appear in Arizona this year.

"There is a good chance of West Nile Virus showing up in the state in the next couple months," said Chris Sexton, manager of Environmental Health at the Department. The Department receives most of its mosquito complaints from mid-August through mid-September, according to Sexton. "We need to maintain our vigilance by clearing our yards of items that can hold water and by taking personal protection measures," he added.

By the end of 2002, WNV had spread across the continental United States and was found in mosquitoes, animals or humans in every state but Oregon, Nevada, Utah, and Arizona. As of July 7, 2003, 28 states reported WNV activity. The first human case in 2003 was confirmed in an elderly South Carolina man this week.

WNV is found most often in birds and is spread to other birds, animals and, occasionally, humans by mosquitoes (mosquito-borne) that have fed on infected birds. WNV is similar to other mosquito-borne viruses commonly found in Arizona such as the St. Louis Encephalitis Virus and the Western Equine Encephalitis Virus.

The virus is feared most for its threat of the rare, but serious and sometimes deadly illness West Nile encephalitis (swelling of brain tissue). WNV has been well established in Africa, Eastern Europe, West Asia and the Middle East for many years, but the United States received its first reports in New York City during the

summer of 1999.

Most people infected with WNV have no noticeable symptoms, but some may experience mild to moderate symptoms 3-15 days following infection. Mild symptoms of West Nile virus include fever, head and body aches occasionally accompanied by skin rash and swollen lymph glands. More severe symptoms may include headache, high fever, neck stiffness, disorientation, coma, tremors, convulsions, muscle weakness, paralysis, and rarely, death.

Persons who suspect that they have symptoms of West Nile Virus should contact their physician as soon as possible, but should be aware that no one has contracted WNV in Arizona to date.

Arizona has established a surveillance network in order to detect and monitor the appearance of WNV in the state in humans, mosquitoes, birds, horses and other animals. ARBOnet, an electronic surveillance system established by the Centers for Disease Control and Prevention (CDC) and used by each state, has aided in monitoring the spread of disease across the country.

Participation in the surveillance process by Arizona physicians, veterinarians, and health officials is critical for early detection and response to the virus. Residents may also play a key role in surveillance by reporting dead birds, a possible indication of virus infection. If you encounter a bird that has not been dead long, contact the Yavapai County Health Department at (928) 771-3149.

### To best avoid mosquito bites:

• Use insect repellent containing DEET (N, N-diethyl-methyltoluamide), with concentrations of 30-35% DEET for adults and 15% for children. Do not use repellent on infants. Repellents containing concentrations of more than 35% DEET do not provide additional protection. Note: whenever insecticide or insect repellent is used, be sure to read and follow the manufacturer's DIRECTIONS FOR USE, as printed on the product.

• Avoid being outdoors for long periods of time at dawn, dusk, and in the early evening when mosquitoes are most active and likely to bite.

Cox 0772

- Wear loose-fitting, long-sleeved shirts and long pants when outdoors.
- Spray clothing with insect repellent containing DEET. Mosquitoes may bite through thin clothing.
- Install or repair window and door screens so that mosquitoes cannot get indoors. Avoid leaving doors and windows without screens open.
- Vitamin B and "ultrasonic" devices are NOT effective in preventing mosquito bites.
- Horse owners may want to talk to their veterinarian about an experimental WNV horse vaccine.

**Prevent attracting mosquitoes outside the home:**

- Eliminate standing water sources from around your home such as blocked or clogged gutters, leaky pipes and air conditioners, bottles, buckets, old tires, toys, and any other objects that may hold water. Standing water is a breeding area for mosquitoes. Swimming pools and fountains do not pose a threat as long as water is kept circulating. Swimming pools that are not maintained need to be covered at all times (covers should be drained of pooled water frequently).
- Control irrigation. Fill low spots and level yards and/or pastures. Water should never stand more than three days.
- Change water in birdbaths, planters, and animal watering dishes at least twice weekly.
- Mow the lawn regularly. Overgrown yards, especially if they contain tree holes or stumps, can also be attractive breeding sites for mosquitoes.
- Share mosquito control measures among neighbors.

Knowledge helps to prevent potential problems.

For more information on West Nile Virus, please visit the Yavapai County Health Department website at <http://www.co.yavapai.az.us/departments/health/PrepResp/WestNile.aspx>, or call (928) 771-3149. More information can also be obtained at the Centers for Disease Control and Prevention website, <http://www.cdc.gov/ncidod/dvbid/westnile/>, the Arizona Department of Health Services website, [http://www.hs.state.az.us/phs/oids/vector/wnv\\_surv.htm](http://www.hs.state.az.us/phs/oids/vector/wnv_surv.htm), or by calling the State Public Health Hotline at (800)314-9243.

**NEWS RELEASE FOR IMMEDIATE RELEASE - July 9, 2003**  
 Contacts: Sandra Halldorson, Director of Nursing,  
 Yavapai County Health Department (928) 771-3122

**Yavapai County Sees Increase in Viral Meningitis**

Many county health departments across the state have observed an increase of aseptic (viral) meningitis cases in 2003, and Yavapai County Health Department is no exception. As of July 9, the Health Department already received 12 reports of viral meningitis for 2003; 11 cases were reported for all of 2002.

Maricopa County had 181 cases of viral meningitis reported as of June 20, compared to 74 cases reported by that time in 2002. While viral meningitis can be serious, it is a relatively common infection and is rarely fatal.

Viral meningitis is an inflammation of the lining of the brain caused by a virus. Symptoms of viral meningitis include sudden fever, headache, stiff neck, drowsiness or confusion, and nausea and vomiting. Symptoms usually last from 7 to 10 days and most often result in complete recovery. Anyone can become infected but children aged seven to 14 and persons with weak immune systems are more prone.

Viral meningitis is contagious, but preventable. The virus can be spread through direct contact with respiratory secretions (e.g., saliva, nasal mucus) or the stools of an infected person. Thorough and frequent handwashing and good hygiene can help prevent the spread of the virus.

Bacterial meningitis, which has similar symptoms as viral meningitis, is much more serious and may cause disability or death if not promptly treated. Anyone concerned that they may have meningitis should see a physician as soon as possible.

Call Cox 0773 or please contact the Yavapai (928) 771-3122.



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### NOTICE: PLEASE Don't Throw Away USED INK CARTRIDGES And OLD CELL PHONES!

Neighbor-to-Neighbor, a non-profit agency serving elders along the Highway 69 Corridor, is now collecting used ink cartridges and cell phones for recycling.

#### OLD CELL PHONES - USED INK CARTRIDGES DROP OFF LOCATIONS

Heritage Memorial Park office  
1163 Old Chisholm Trail  
Prescott Country Club

CASA Senior Center  
9360 E. Manzanita Circle  
Prescott Valley

Neighbor-to-Neighbor office  
8501 E. Yavapai Road  
Prescott Valley

This program is Win/Win! By participating, you are being environmentally conscientious PLUS helping to raise funds to serve area seniors in need!

If you have any questions regarding this or any other Neighbor-to-Neighbor program, please call 775-6145.

### Help in Recycling

The various Lions Clubs have several bins in Prescott, Prescott Valley and Dewey in which to drop off paper such as newspapers & magazines. Please do not place cardboard, plastic & phone books in any of these bins. One hundred percent of your donations go to local charities. The different Lions Clubs are looking for new members and/or volunteers to help.

#### Prescott Valley

**Central Yavapai Fire Station**, Robert Road & Judy Dr;

**Northridge Village** - Hwy 69, behind Texaco;

**New Fire Station**, Bob Dr off Navajo, N of Hwy 69.

**Fry's**, rear parking area. (bright yellow bin)

Another recycling area for Prescott Valley is located at 2600 S. Lake Valley Road and is opened on Wednesdays and Saturdays. You can drop off aluminum and steel cans, plastic containers and cardboard boxes. Donate newspapers and junk mail to the area Lions Clubs are at the same location. do your part to help recycling succeed in Prescott Valley. Our community recycling task force would also like your input the last Wednesday of the month at Prescott Valley Town Hall. For more info please call 759-3105.

## Movie Review

It is summer and the time to have fun at the movies and I did just that at, "Spy Kids 3-D: Game Over." It is the third and supposedly last in the Spy Kids saga. This time, we find young Juni Cortez (Daryl Sabara,) still upset at the way he felt betrayed by the OSS, and is out working on his own. He not only has broken professional ties, but is separated himself from his family. After many attempts to contact him, the president tells him that his sister, Carmen (Alexa Vega), has been taken prisoner by a master criminal known as the Toymaker (Sylvester Stallone).

The Toymaker has devised a plan to get all of earth's children to buy his virtual reality game, "Game Over," and trapped them inside it. Juni goes into the game to release Carmen and then shuts the game off. While inside the game the film is in three dimension (3D) and the audience is required to wear special optical glasses (provided by the theater), in order to get the affect. Not wearing the glasses will make the picture quite distorted. Juni is allowed by the game to bring in one person with him to help him on his cause. He brings his grandfather (Ricardo Montalbon) to help.

They run into many obstacles in the multi-leveled game, including young beta testers who are seeking the great prizes that are supposed to be at the end of the way. Grandpa causes some problems because he holds Toymaker responsible for the loss of the use of his legs 30 years earlier. It is fun to watch the group travel on to the finish.

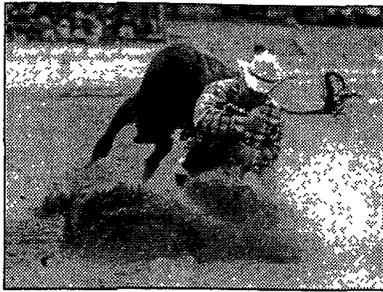
"Spy Kids 3D: Game Over," does not have a large believable or realistic plot but it does entertain the audience, young and old. The 3D effects are largely successful but, as usual the glasses are bothersome, especially for those who must wear them over regular glasses to be able to see the movie. Its really is the Juni Cortez show and most of the feature cast from the first two movies, including Antonio Banderas and Carla Gugino have limited screen time. It was fun and interesting to see the effects at work. Enjoy!

"Spy Kids 3-D :Game Over," playing at Harkins Theatres Prescott Valley 14, at 7202 Pav Way. Call 775-7444 for showtimes and tell them I sent you.

CINEMA SAM

**Help find a cure for diabetes! AMERICA'S WALK FOR DIABETES, 2003**, will be on Sat. Sept 13th at the Yavapai-Prescott Indian Reservation, 5300 E. Merrit, Prescott, AZ. Call 1-888-DIABETES (342-2383) ext. 7093 for more details or to register, or register and fundraise online at [www.diabetes.org/walk](http://www.diabetes.org/walk).

**CASA Senior Center**, in Prescott Valley, is in need of volunteers of all ages to help serve the need of the growing population of Seniors in the this area! Call Betty at 772-3337. Did you know, also, at CASA Senior Center, you can play bingo on Tuesday afternoons or Saturday evenings, (772-3337); or get medicare benefit counseling on the 2nd Thursday of each month, (772-6564); learn to line dance on Fridays, (636-0568 or 772-3337); receive food for a small donation, Meals on Wheels, Mon - Fri (772-3337); walk in a group on Thursday mornings, or receive information on how to prevent falls (583-1029 or 772-3337); or enter drawings for quilts and things, plus many more activities going on every week at CASA Senior Center, located at 9260 E. Manzanita Cir, Presc Cox 0774



Travis Black, Coyote Springs Resident, has been traveling 2 months in Arizona, Colorado, New Mexico, Kansas and Texas with his hazer, Dick Aronson, who is a champion calf roper, and Bo Bilel, steerwrestler. Travis is currently #1 in

the Grand Canyon Pro Rodeo Association (as of 8/1/03) and won 3rd place in the 1st go around and 5th overall in steerwrestling during the past 4th of July Prescott Rodeo. Travis rides Dicks horse, but has a practice horse named Einstein, that he uses several times a week when he is not on the road. *Congratulations Travis. It is nice to hear local does good.*

**Steerwrestling**, also known as "Bulldogging" is said to have been developed by a cowboy named Bill Pickett. What started out as an act of frustration, with Pickett being unable to retrieve a steer from dense underbrush while on horseback, has become the rodeo world's fastest rodeo event. In fact, competitive times at major events only take 3 to 5 seconds. Steerwrestling is a timed event of rodeo. The competing cowboy and his assistant (called a hazer), must chase down a 500 pound steer while mounted on horseback. Once in position, the bulldogger must transfer his weight from the horse, positioning his body on the horse's right side. Once in this position, the bulldogger rests his weight on the steer's back until the steerwrestler's horse runs by the steer. Once the bulldogger lands on his feet, he must either stop the forward motion of the steer or change the steer's direction of travel before he can legally throw the steer to the ground with all four feet and the nose lying in the same direction.

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**Olsen's Grain, Dewey, 632-5233**  
*Pickup Prices Only: (excludes tax)*

Alfalfa-\$7.95ea. (15 or more \$7.75ea P/U only),  
Bermuda-\$9.95ea. (15 or more \$9.70ea P/U only),  
Timothy-\$14.95ea. (15 or more \$14.70ea P/U only),  
Straw \$5.25 ea. (25 or more \$5.00ea P/U only)

*Delivery Prices: (excludes tax)*  
\$100 minimum order at regular price and \$10 delivery charge.

**Northern Arizona Hay, Coyote Springs**  
**775-9119 or 713-2551**

Alfalfa-\$7.75ea. Alfalfa/Grass-8.75  
Bermuda - \$9.50

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**Scattered Rock Ranch, Mayer, AZ 632-7955**  
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Cow-\$4.00ea. Straw-\$5.00

*Delivery Prices* (20 bale min): add .25¢ per bale to above prices  
All prices include sales tax (Closed Sundays)

**K-Barbs Quality Feed & Supply,**  
**Chino Valley, 636-4393**  
*Pickup Prices* (includes tax):  
Alfalfa-\$9.00ea. Straight Bermuda-\$11.00ea.  
Bermuda Mix-\$10.00ea:  
Wednesdays \$.50 off each bale if you pick up!  
*Please, cash or checks only on Weds pick-up prices!*

*Delivery Prices:* (includes tax)  
\$15.00 charge for Prescott Valley;  
\$10.00 Williamson Valley & Paulden; \$5.00 for Chino Valley.

**J & M Feed Store, Chino Valley, 636-1303**  
*Pickup Prices* (excludes tax):  
Alfalfa-\$7.75ea. (under a ton)  
Alfalfa-\$7.50ea (1 ton or more, 17 bales)  
Timothy 3 wire-\$15.95ea.

*Delivery Prices:* (excludes tax)  
\$100 min. delivered plus \$10 delivery charge in Chino Valley;  
\$150 min. delivered plus \$10 outside of Chino Valley.

**Please note that all prices are subject to change and you should call to confirm.**

Interested in hunting or fishing or need a license, call Arizona Game & Fish Commission at 602-942-3000 or 1-866-462-0433 or visit their website at: [www.azgfd.com](http://www.azgfd.com)

## Latest news on the 89A Proj & Fain Road

ADOT, Yavapai County geared up for Fain Road-Highway 89A celebration on Saturday (August 9).

Local residents were invited to check out what will soon be a new and improved way to get around the Prescott area at a public celebration of the new Fain Road and State Route 89A connection on Saturday. The entrance to Fain Road is along Highway 69, across from the Prescott Country Club.

The Arizona Department of Transportation (ADOT) and Yavapai County hosted the public open house. The public was encouraged to bring bicycles, roller blades and running shoes to the event. Runners also took part in a 5K Fun Run on Fain Road Saturday. Several community groups and businesses displayed and had informational giveaways. There was also entertainment and free refreshments provided by the construction contractors.

ADOT and Yavapai County are preparing to open the combined Fain Road and Highway 89A projects in a few weeks.

ADOT's \$14.1 million Glassford Hill project along SR 89A is being built by R.E. Monks. Yavapai County's \$12 million Fain Road project has been built by Ames Construction.

Normal construction hours are Monday through Friday, 6 a.m. to 4 p.m. The \$14.1-million effort by ADOT and R.E. Monks Construction Co. began in August 2002. Improvements will include the realignment and widening of SR 89A from a two-lane roadway to a four-lane, controlled-access, divided highway.

Motorists are asked to watch for flaggers and obey all traffic signs. For the most current information, please call the Glassford Hill Road/SR 89A Highway construction hotline at (928) 772-0774. ADOT and R.E. Monks Construction Co. thank the public for its patience while they work on these roadway improvements.

For more information, please contact StarTangle, LLC - Community Relations Managers, Dexter Albert/Sara James (928) 774-8344; dalbert@startangle.com / sjames@startangle.com

### Some Questions/Answered from LVN/StarTangle:

- **When will traffic be switched to the new overpasses and ramps? (from 7/29/03 email)**  
The traffic will be switched onto the overpass and the ramps in two to three weeks and the whole project is expected to be finished in a month.
- **Why are walls being installed along the new 89A Hwy?**  
The walls on either side of Viewpoint Drive are noise walls, to reduce the highway noise impact to the nearby homes.
- **Why was it necessary to move so much dirt?**  
The dirt volume was required to build the new roadway grade. Dropping Glassford Hill Road down to go under the new highway created a lot of excavation. There were also two large retention basins on either side of Glassford for drainage purpose. A lot of dirt came out of this area.
- **When will the overpass be built over Viewpoint Dr.?**  
No idea on the schedule for the Viewpoint Drive bridges, they are not in the current construction program. It will depend on future traffic volumes and available funding.

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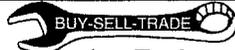


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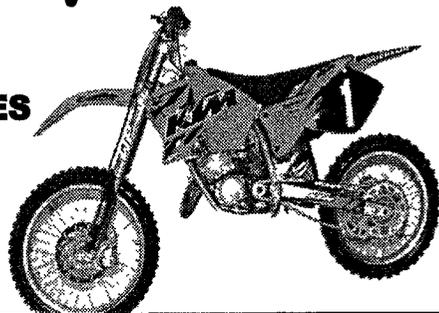
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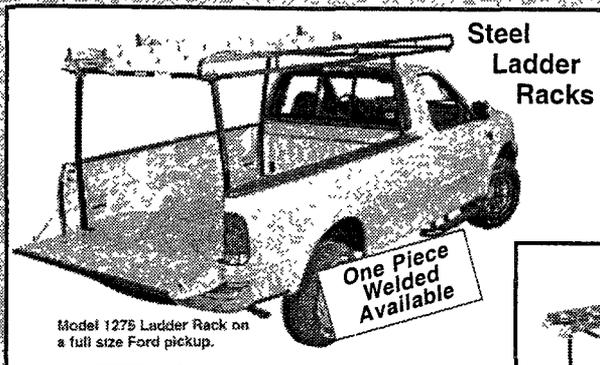


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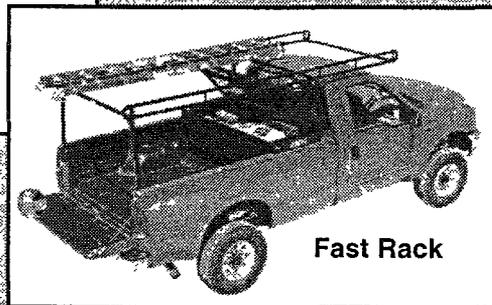
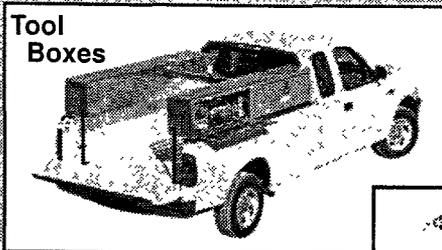
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1 Jeffrey R. Adams, Esq. #018959  
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5 Prescott, Arizona 86302  
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7 Fax: (928) 443-9230  
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9 Attorneys for Defendants

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IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF YAVAPAI

JOHN B. CUNDIFF and BARBARA C. CUNDIFF, husband and wife; BECKY NASH, a married woman dealing with her separate property; KENNETH PAGE and KATHRYN PAGE, as Trustee of the Kenneth Page and Catherine Page Trust,

Plaintiffs,

v.

DONALD COX and CATHERINE COX, husband and wife, et al. et ux.,

Defendants.

Case No. CV 2003-0399

Division No. 6

**AFFIDAVIT OF SHEILA M. CAHILL**

STATE OF ARIZONA            )  
  ) ss.  
County of Yavapai            )

SHEILA M. CAHILL, having been duly sworn upon her oath, deposes and states as follows:

1. I am over eighteen (18) years of age and have personal knowledge of the matters set forth herein.

1           2.     I have personal knowledge of, or am otherwise competent to testify as to, each and  
2 every fact set forth in this Affidavit.

3  
4           3.     I am a licensed private investigator for Palmer Investigative Services where I have  
5 worked since June, 1985.

6           4.     I have been a licensed private investigator for 27 years.

7  
8           5.     I was hired by the Defendants in the above-referenced cause to investigate the  
9 conditions of properties, and the existence of business and commercial activities, in what is commonly  
10 referred to as Coyote Springs Ranch, which is located along Highway 89A in Yavapai County,  
11 Arizona ("Coyote Springs"), and which is allegedly governed by the Declaration of Restrictions for  
12 the Coyote Springs Subdivision that were recorded on June 13, 1974, at Book 944 Pages 752-754  
13 ("Declaration").

14  
15           6.     I originally performed my work in this matter in 2004. I now understand that the  
16 above-captioned case still has not yet resolved and was asked to update my efforts from 2004.

17  
18           7.     After again reviewing the Declaration, my staff and I visited each and every one of the  
19 more than approximately 400 properties in the Coyote Springs and took photographs of all of the  
20 properties that appeared to violate various provisions of the Declaration. Copies of those photographs  
21 are attached as Exhibit "1" attached hereto. These photographs were taken between February 22,  
22 2012, and March 7, 2012. Each photograph was marked with the parcel number.

23  
24           8.     Many of the properties in Coyote Springs are "vacant" according to the records of the  
25 Yavapai County Assessor. In our canvas of the neighborhood, we found that the records of the  
26 Assessor are not accurate. Many of the properties showing as vacant are not vacant.

1           9.       In all of Coyote Springs, we were only able to find 30 non-vacant properties, which is  
2 less than ten percent (10%) of the total properties in Coyote Springs that we viewed, that do not appear  
3 to have a violation of the Declaration. Thus, approximately 90 percent (90%) of the properties we  
4 viewed in Coyote Springs appear to violate the Declaration.  
5

6           10.       During my investigation, my staff and I observed numerous apparent violations of  
7 paragraphs 6, 7(a), 7(b), 7(c) 7(e), 8, 9, 12, 13 and 16 of the Declaration. Almost all of the properties  
8 have a propane tank in open view. Others have other violations such as trash receptacles being in  
9 open view; junk and abandoned vehicles being on the property; dwellings on the property without a  
10 residence being erected; travel trailers or campers on the property; two residences on the same  
11 property; or they have more than one violation on the same property. On some of them, the residences  
12 themselves are falling apart and are unlivable. Below is a listing of specific examples of violations  
13 of the Declaration noted and observed that in our view were obvious based upon our visual  
14 inspections:  
15  
16

- 17           Parcel 103-01-001T -       Abandoned and unlivable trailer
- 18           Parcel 401-01-042D -       Abandoned and boarded up
- 19           Parcel 401-01-042B -       Residence on property along with a motor home which is also  
20 being lived in along with propane tanks for both.
- 21           Parcel 103-01-131E -       Empty house; overgrown weeds
- 22           Parcel 103-01-131D -       There is a "not for hire" truck there and a couch left in the yard.
- 23           Parcel 401-01-025 -       Lots of trailers, trucks and other items
- 24           Parcel 401-01-090C -       Two residences
- 25
- 26
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- 1 Parcel 401-01-019 - Appliances in the yard
- 2 Parcel 401-01-024B - Two residences - one shows as a guest house with the Yavapai
- 3 County Assessor's Office
- 4 Parcel 401-01-036B - Trailer on the property has the slide out; possibly being lived in
- 5 Parcel 103-01-224A - House looks to be abandoned
- 6 Parcel 103-01-137 - People were unloading a large truck filled with tires, and there
- 7 was an additional truck on the property, filled with tires.
- 8 Parcel 103-01-064A - Residents appear to be living in the travel trailer
- 9 Parcel 103-01-132 - There are two mobile homes affixed to this property, and there
- 10 are numerous vehicles on the property. A business is being
- 11 conducted from here.
- 12 Parcel 401-01-040H - Has not only a lot of junk but two abandoned school buses
- 13 Parcel 103-01-067C - Abandoned property
- 14 Parcel 401-01-028D - Multiple structures, trailers and other junk
- 15 Parcel 103-01-065F - Abandoned house and multiple vehicles
- 16 Parcel 103-01-065C - Multiple houses with addresses; face painting business; and
- 17 tanks
- 18 Parcel 401-01-005U - Multiple propane tanks, recreational vehicles and junk
- 19 Parcel 103-01-129B - Broken down vehicles
- 20 Parcel 401-01-005V - Two houses
- 21 Parcel 103-01-061F - Trailers and junk
- 22 Parcel 103-01-074G - Trailers, propane tanks, run down house
- 23 Parcel 401-01-134 - This property has a residence and a rental house on the same
- 24 property.
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- 1 Parcel 401-01-014 - There is a little shed type house on the property; it may not  
 2 make the square footage mentioned in the restrictions for a  
 3 structure.
- 4 Parcel 401-01-040A - Lots of trash, trailers and tanks
- 5 Parcel 103-01-083F - Trash, trucks and a possible refrigerator outside
- 6 Parcel 103-01-150C - Two houses
- 7 Parcel 103-01-186E - There is a big garage and two travel trailers, but there does not  
 8 seem to be a residence, which is in violation
- 9 Parcel 103-01-077E - Only a little shed is on the property; no residence
- 10 Parcel 103-01-068 - Two residences
- 11 Parcel 103-01-080K - Strange little building, may not comply with structure square  
 12 footage requirements
- 13 Parcel 103-01-092D - Blue shed and tank; no residence
- 14 Parcel 103-01-092E - Two residences
- 15 Parcel 103-01-113E - Abandoned buildings
- 16 Parcel 103-01-089L/E- Abandoned and demolished house; living in travel trailer or  
 17 other structure on property, in violation, along with a lot of  
 18 junk
- 19 Parcel 103-01-085D - Excessive amount of dogs and two houses; other violations
- 20 Parcel 103-01-113A - Excessive amount of dogs and kennels; other violations
- 21 Parcel 103-01-072J - Two houses
- 22 Parcel 103-01-103E - Trashed mobile home, propane tank and junk
- 23 Parcel 103-01-101J - Two houses, trailers, propane tanks
- 24 Parcel 103-01-057F - Numerous trailers, tanks and other items
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1           11. I also noted numerous properties where business and commercial activities are being  
2 conducted in apparent violation of paragraph 2 of the Declaration. To determine whether businesses  
3 or commercial activities are being operated on the Coyote Springs properties, we searched the records  
4 of the Arizona Secretary of State, the Arizona Corporation Commission, the Arizona Registrar of  
5 Contractors, and the Yavapai County Recorder's Office. Our search covered the period from January  
6 1, 1970 to February 12, 2012.  
7

8  
9           12. Specific examples of business and commercial activities identified included the  
10 following:

11           Parcel 401-01-042B - There are several horse trailers on this property showing "Alvey  
12 Racing Diane Darrel Darcey" and "Saunders Racing Stables",  
13 along with the extra residences and all of the horses.

14           Parcel 103-01-084D - According to the Arizona Secretary of State, Bruce Friss-Pettitt,  
15 the owner of the parcel, has an active trademark under the name  
16 of "Round Logo, Red, Navy and Cream Colored with All New  
17 Again Paintless Dent Removal, Windshield Repair, Interior  
18 Repair, Paint Touchup". His address is listed in the corporate  
19 records as 8750 E. Faraway Place, in Prescott Valley, which is  
20 in Coyote Springs.

21           Parcel 103-01-078B - Daniel G. Belangeri, the owner, is involved in a lawsuit with  
22 Gloria A. Miller as Plaintiff, in the Yavapai County Superior  
23 Court case number CV 2003-0851. In that case, Gloria Miller  
24 alleges in her complaint that Mr. Belangeri operates a mobile  
25 home transportation company on and at the property.

26           Parcel 401-01-126A&B - Owned by the owners of Wargo Construction, Inc. and Wargo  
27 Masonry, Inc. In the records of the Arizona Registrar of  
28 Contractors, they list P.O. Box 725, Prescott, Arizona, but use  
a Prescott Valley phone number, 928-772-3210. The property  
has a block fence around it and the observation of the property  
revealed that it was being used as a storage facility for  
construction materials, supplies and vehicles.

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Parcel 103-01-067F - The owners, Grant and Pamela Griffiths, have a company licensed with the Arizona Registrar of Contractors, and registered with the Arizona Corporation Commission, under the name of New Life Landscapes Inc. The address is listed as 8815 Spurr Lane, Prescott Valley, Arizona, which is the address in Coyote Springs.

Parcel 401-01-037B - The owners, Shawn Timothy Kilduff and Virginia Marie Kilduff, have two licenses with the Registrar of Contractors, and a corporate filing with the Arizona Corporation Commission, under the name of Custom Crete Inc., with their address showing as 9315 E. Spurr Lane, Prescott Valley, Arizona, which is in Coyote Springs.

Parcel 401-01-015C - Owned by Robert Taylor, he is licensed with the Registrar of Contractors, and listed with the Arizona Corporation Commission under the name of R T Contracting Specialists LLC, which appears to being operated at the property. He also owns Parcel 103-01-130E.

Parcel 401-01-015D - One of the owners of the property, Robert K. Gardiner, has a listing with the Arizona Corporation Commission under the name of Valley-to-Valley Transport, Inc. With the Secretary of State, he has registered the trade name Valley-to-Valley Transport/Feed, and shows himself as owner at the address of 9690 E. Plum Creek Way, Prescott Valley, which is in Coyote Springs.

Parcel 103-01-065H - William H. Jensen is running a ranching/livestock corporation from this property under the corporate name of Coyote Springs Llama Ranch, Inc.

Parcel 401-01-020E - The owners, Ross Rozendaal and Kara Rozendaal, are members of Dependable Dutchman Excavating, LLC, with the address of 9335 E. Turtle Rock Road, Prescott Valley, which is in Coyote Springs. They are listed with the Registrar of Contractors and the Arizona Corporation Commission.

Parcel 401-01-020D - The owners, Leo M. and Marilyn K. Murphy, are also members of Dependable Dutchman Excavating, LLC. There is also a

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sign at the driveway which shows "Registered Quarter Horses Prescott Valley, AZ".

Parcel 401-01-005Z - Wiley L. Williams, the owner, currently has a corporation listed with the Arizona Corporation Commission, being Northern Arizona Hay, Inc. The domestic address of the corporation is listed as 9575 E. Turtle Rock, Prescott Valley, in Coyote Springs.

Parcel 103-01-133E - Arthur Gustafson, an owner of this property with his wife Debra Gustafson, have a listing with the Registrar of Contractors, Blackhawk Builders Inc., dba Blackhawk Construction. The property has on it plants, pallets, and buckets everywhere. It definitely looks like a nursery.

Parcel 103-01-056B - Michael Glennon and Diane Glennon, have a corporation listed to this address with the Arizona Corporation Commission under the name of Sparrow Lab, Inc.

Parcel 103-01-057F - Jimmy Ray Hoffman and Nancy Ethel Hoffman have a current license with the Registrar of Contractors, under the name of Hoffman Barns, being a dba of Hoffman Building and Barns, Inc. The Arizona Corporation Commission lists the type of business as Contractor, and the corporation is in good standing. There is also a Financing Statement recorded on June 28, 1996, against the Hoffmans, listing the Coyote Springs Road address, covering all equipment, etc., for their business.

Parcel 103-01-123D - The corporate records revealed that Michael T. Alexander and his wife, Kelly J. Alexander, use the address of 7515 Coyote Springs Road, Prescott Valley, for a corporation named Cobra Enterprises, Inc.

Parcel 103-01-073F - This is a church owned by Living Faith Inc.

Parcel 103-01-073D - Michael A. Kelly is currently listed with the Arizona Corporation Commission as the Statutory Agent, and Manager, of Northland Equipment Rental & Service, LLC. The address listed is 8920 Dreamy Draw Way, Prescott Valley, which is in Coyote Springs.

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- Parcel 103-01-001S - The address for the parcel is 8055 E. Dog Ranch Road. The Arizona Corporation Commission shows a Jared Lish with a business by the name of Cripple Creek Guide Services, LLC with this address. This parcel is actually owned by Linda McFarlin, who shows her mailing address as 11850 Coyote Springs Road, Prescott Valley, which does not exist according to the records of the Yavapai County Assessor. Linda McFarlin also has a business, which she runs out of her house, called LAM Investments LLC.
- Parcel 103-01-131D - Owners Robert Kelley and Lisa Kelley owned Covenant Excavation Inc., which had two licenses: one for sewage treatment systems and the other for excavating, grading and oil surfacing, with the Arizona Registrar of Contractors. These licenses, however, were suspended in June of 2009 for non-renewal.
- Parcel 103-01-001E - Bernard Carroll Simons and Carol Ceryes own this property. Mr. Simons owns Equipment Plus, and has a current license with the Arizona Registrar of Contractors for excavating, grading and oil surfacing, which has been renewed through February 28, 2013.
- Parcel 103-01-001D - Dana S. Frank, DVM and her husband own P.V.P.C. It Forward, P.C., and runs it out of her house. It is veterinary medicine and animal care. The also own DNR Properties, LLC. Both companies have domestic addresses of 11600 Malouff, in Prescott Valley, according to records of the Arizona Corporation Commission.
- Parcel 103-01-095K - Lori-Beth Anglin, one of the owners, is a real estate agent, but she seems to have an office that she works out of in town.
- Parcel 401-01-042 - Diana K. Garcia and Robert L. Weaver run Orion Land Surveying, Inc. from this address.
- Parcel 103-01-064J - Two businesses are registered to the owners of this property, being Picture This, LLC and P.V. Terra Visions, LLC, both with domestic addresses at this location. The owners are James Nardo and Cheryl Nardo.

- 1 Parcel 103-01-132 - Curtis Kincheloe is running Coyote Curts Auto Repair from  
2 this residence at 8950 E. Mummy View Drive, Prescott Valley.
- 3 Parcel 103-01-065C - A photograph of the FACE Painting trailer was taken at this  
4 address. It was found that Rex and Carrie Thompson own the  
5 business and work out of their house. The residence itself,  
6 however, is owned by Christine Bowra, Jeff Westra and  
7 Mychel Westra.
- 8 Parcel 103-01-056F - Leon and Noreen Vaughan own and run Arizona Alpacas &  
9 Flying "V" Alpacas at this location. They have been breeding  
10 alpacas since 1994 and breed and raise them currently. They  
11 have a trademark and a trade name at this address.
- 12 Parcel 401-01-038A - Michael and Julie Davis own this parcel, and Julie Davis works  
13 for Tarheel Towing, which is known as Rolaway Enterprises,  
14 Inc. There are vehicles from Tarheel Towing at this property,  
15 even though their office is elsewhere.
- 16 Parcel 103-01-002K - William Matthew Grace, also known as William M. Grace and  
17 W. Matthew Grace, run Calderaro Motor Sports LLC from this  
18 property.
- 19 Parcel 401-01-011A - Lloyd E. and Melva J. Self at 9250 Slash Arrow Drive, Prescott  
20 Valley, own and run Circle S Trucking LLC from this property.
- 21 Parcel 401-01-022B - Gary McCorkle does land surveying from this address; his  
22 business is called Advanced Surveys, Inc.
- 23 Parcel 103-01-089D - Christopher and Debra Vaughan run Coyote Springs  
24 Candleworks from this address.
- 25 Parcel 103-01-069H - Wendy L. Changose, who is now known as Wendy Dittbrenner,  
26 is running Peaceful Prairie Alpaca & Merino Ranch from this  
27 property, offering boarding and breeding services, owner  
28 support and fiber products.
- Parcel 103-01-002Q - Kimberly Sharp is currently running Country Heritage Farm  
from this address.
- Parcel 401-01-028A - JM Quarterhorses shows as being listed at this address

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- Parcel 103-01-113J - This is the Mountain View Paint Horse Ranch, owned by Sherry Marx.
- Parcel 103-01-120 - Gwendolyn Anderson has a trade name registered for Coyote Springs Investments at this address, which is good until March 5, 2014.
- Parcel 103-01-063C - Prescott Area Animal Lifesavers is running out of this address, adopting out pets.
- Parcel 103-01-103A - Weir Stables
- Parcel 401-01-134 - Automated Entry Services is being ran out of this parcel

13. Our investigation is on-going and we will update the foregoing findings as we move forward.

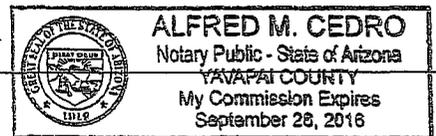
AFFIANT FURTHER SAITH NOT.

DATED this 16<sup>th</sup> day of October, 2012.

*Sheila M Cahill*  
SHEILA M. CAHILL, AFFIANT

SUBSCRIBED AND SWORN TO BEFORE me this 16 day of October, 2012, by SHEILA M. CAHILL.

*Alfred M. Cedro*  
Notary Public



1 Mark W. Drutz, #006772  
2 Jeffrey R. Adams, #018959  
3 **MUSGROVE, DRUTZ & KACK, P.C.**  
4 1135 Iron Springs Road  
5 Prescott, Arizona 86305  
6 (928) 445-5935

Attorneys for Defendants

7  
8 **IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA**

9 **IN AND FOR THE COUNTY OF YAVAPAI**

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

17 Plaintiffs, )

18 v. )

19 DONALD COX and CATHERINE)  
20 COX, husband and wife, )

21 Defendants. )

CASE NO. CV 2003-0399

DIVISION 1

**AFFIDAVIT OF SHEILA M. CAHILL**

(Assigned to the Honorable David L. Mackey)

22  
23 STATE OF ARIZONA )  
24 ) ss.  
25 County of Yavapai )

26 SHEILA M. CAHILL, having been duly sworn upon her oath, deposes and states as follows:  
27  
28

1           1.     I am over eighteen (18) years of age and have personal knowledge of the matters set  
2 forth herein.

3  
4           2.     I have personal knowledge of, or am otherwise competent to testify as to, each and  
5 every fact set forth in this Affidavit.

6           3.     I am a licensed private investigator for Palmer Investigative Services where I have  
7 worked since June, 1985.

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9           4.     I have been a licensed private investigator for 19 years.

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11 conditions of properties, and the existence of business and commercial activities, in what is commonly  
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13 Arizona ("Coyote Springs"), and which is allegedly governed by the Declaration of Restrictions for  
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16

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18          6.     After reviewing the Declaration, my staff and I visited each and every one of the more  
19 than approximately 400 properties in the Coyote Springs and took photographs of all of the properties  
20 that appeared to violate various provisions of the Declaration. Copies of those photographs are  
21 attached as Exhibit "1" attached hereto. These photographs were taken between August 10, 2004 and  
22 August 12, 2004. Each photograph was marked with the parcel number.  
23

24          7.     Many of the properties in Coyote Springs are "vacant" according to the records of the  
25 Yavapai County Assessor. In our canvas of the neighborhood, we found that the records of the  
26 Assessor are not accurate. Many of the properties showing as vacant are not vacant.  
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1           8.     In all of Coyote Springs, we were only able to find 38 non-vacant properties, or  
2 approximately ten percent (10%) of the total properties in Coyote Springs that we viewed, that do not  
3 appear to have a violation of the Declaration. Thus, approximately 90 percent (90%) of the properties  
4 we viewed in Coyote Springs appear to violate the Declaration.  
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6           9.     During my investigation, I and my staff observed numerous apparent violations of  
7 paragraphs 6, 7(a), 7(b), 7(c) 7(e), 8, 9, 12, 13 and 16 of the Declaration. Below is a listing of specific  
8 examples of violations of the Declaration noted and observed that were obvious based upon our visual  
9 inspections:  
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11           Parcel 401-01-042B -     The parcel had more than one residence and numerous junk  
12 cars on the property in apparent violation of paragraphs 7(e)  
13 and 9 of the Declaration.

14           Parcel 401-01-036 -     This property has a garage but does not have a residential  
15 dwelling on it, which is in violation of paragraph 5 of the  
16 Declaration.

17           Parcel 401-01-012G -     The parcel has more than one residence on the property in  
18 violation of paragraph 7(e) of the Declaration.

19           Parcel 103-01-060F -     There are also two large metal trash containers visible at the  
20 property, one outside the gate on the road and one inside by the  
21 new building they are constructing, in violation of paragraph 16  
22 of the Declaration.

23           Parcel 103-01-089A -     On this parcel, there is one residence that has been burnt down  
24 which is still there, on the south side of the property, while  
25 another residence (possibly an apartment house - has numerous  
26 doors) is to the northeast of the burnt structure, in violation of  
27 paragraph 7(e) of the Declaration.  
28

1 Parcel 103-01-107B - This property has two residences and exposed propane tanks  
2 next to each one in violation of paragraph 7(e) and 16 of the  
3 Declaration.

4 10. I also noted numerous properties where business and commercial activities are being  
5 conducted in apparent violation of paragraph 2 of the Declaration. In determining the status of any  
6 businesses or commercial activities that are being operated on Coyote Springs properties, we searched  
7 the records of the Arizona Secretary of State, the Arizona Corporation Commission, the Arizona  
8 Registrar of Contractor, and the Yavapai County Recorder's Office. Our search covered the period  
9 from January 1, 1970 to July 20, 2004.  
10

11 11. Specific examples of business and commercial activities identified included the  
12 following:  
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14 Parcel 401-01-042B - There are several horse trailers on this property, showing  
15 "Alvey Racing Diane Darrel Darcey" and "Saunders Racing  
16 Stables", along with the extra residences and all of the horses.

17 Parcel 103-01-084D - According to the Arizona Secretary of State, Bruce Friss-Pettitt,  
18 the owner of the parcel, has an active trademark under the name  
19 of "Round Logo, Red, Navy and Cream Colored with All New  
20 Again Paintless Dent Removal, Windshield Repair, Interior  
21 Repair, Paint Touchup". His address is listed in the corporate  
22 records as 8750 E. Faraway Place, in Prescott Valley, which is  
23 in Coyote Springs.

24 Parcel 103-01-078B - Daniel G. Belangeri, the owner, is involved in a lawsuit with  
25 Gloria A. Miller as Plaintiff, in the Yavapai County Superior  
26 Court case number CV 2003-0851. In this, Gloria Miller states  
27 in her complaint that Mr. Belangeri has a mobile home  
28 transportation company being operated at the property.

Parcel 401-01-126A&B - Owned by the owners of Wargo Construction, Inc. and Wargo  
Masonry, Inc. On the records of the Arizona Registrar of  
Contractors, they are showing a P.O. Box 725, Prescott,

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Arizona, but use a Prescott Valley phone number, 928-772-3210. However, the property has a block fence around it and the observation of the property demonstrated that it was being used as a storage facility for construction materials, supplies and vehicles.

Parcel 103-01-067F - The owners, Grant and Pamela Griffiths, have a company licensed with the Arizona Registrar of Contractors, and registered with the Arizona Corporation Commission, under the name of New Life Landscapes Inc. The address is listed as 8815 Spurr Lane, Prescott Valley, Arizona, which is the address in Coyote Springs.

Parcel 401-01-037B - The owners, Shawn Timothy Kilduff and Virginia Marie Kilduff, have two licenses with the Registrar of Contractors, and a corporate filing with the Arizona Corporation Commission, under the name of Custom Crete Inc., with their address showing as 9315 E. Spurr Lane, Prescott Valley, Arizona, which is in Coyote Springs.

Parcel 401-01-015C - Owned by Robert Taylor, he is licensed with the Registrar of Contractors, and listed with the Arizona Corporation Commission under the name of R T Contracting Specialists LLC, which appears is being operated at the property. He also owns Parcel 103-01-130E.

Parcel 401-01-015D - One of the owners of the property, Robert K. Gardiner, has a listing with the Arizona Corporation Commission under the name of Valley to Valley Transport, Inc. With the Secretary of State, he has registered the tradename Valley to Valley Transport/Feed, and shows himself as owner at the address of 9690 E. Plum Creek Way, Prescott Valley, which is in Coyote Springs.

Parcel 103-01-065H - William H. Jensen is running a ranching/livestock corporation from this property under the corporate name of Coyote Springs Llama Ranch, Inc.

Parcel 401-01-020E - The owners, Ross Rozendaal and Kara Rozendaal, are members of Dependable Dutchman Excavating, LLC, with the address of 9335 E. Turtle Rock Road, Prescott Valley, which is in Coyote

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Springs. They are listed with the Registrar of Contractors and the Arizona Corporation Commission.

Parcel 401-01-020D - The owners, Leo M. and Marilyn K. Murphy, are also members of Dependable Dutchman Excavating, LLC. There is also a sign at the driveway which shows "Registered Quarter Horses Prescott Valley, AZ".

Parcel 401-01-005Z - Wiley L. Williams, the owner, currently has a corporation listed with the Arizona Corporation Commission, being Northern Arizona Hay, Inc. The domestic address of the corporation is listed as 9575 E. Turtle Rock, Prescott Valley, in Coyote Springs.

Parcel 103-01-133E - Arthur Gustafson, an owner of this property with his wife Debra Gustafson, have a listing with the Registrar of Contractors, Blackhawk Builders Inc., dba Blackhawk Construction. The property has on it plants, pallets, and buckets everywhere. It definitely looks like a nursery.

Parcel 103-01-056F - Leon H. and Noreen N. Vaughan operate "Arizona Alpacas" out of this property and have three active listings with the Secretary of State's Office for a trademark and tradenames.

Parcel 103-01-056B - Michael Glennon and Diane Glennon, have a corporation listed to this address with the Arizona Corporation Commission under the name of Sparrow Lab, Inc.

Parcel 103-01-057F - Jimmy Ray Hoffman and Nancy Ethel Hoffman have a current license with the Registrar of Contractors, under the name of Hoffman Barns, being a dba of Hoffman Building and Barns, Inc. The Arizona Corporation Commission lists the type of business as Contractor, and the corporation is in good standing. There is also a Financing Statement recorded on June 28, 1996, against the Hoffmans, listing the Coyote Springs Road address, covering all equipment, etc., for their business.

Parcel 103-01-123D - The corporate records revealed that Michael T. Alexander and his wife, Kelly J. Alexander, use the address of 7515 Coyote Springs Road, Prescott Valley, for a corporation named Cobra Enterprises, Inc.

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Parcel 103-01-073F - This is a church owned by Living Faith Inc. It is obviously a business being conducted.

Parcel 103-01-073D - Michael A. Kelly is currently listed with the Arizona Corporation Commission as the Statutory Agent, and Manager, of Northland Equipment Rental & Service, LLC. The address listed is 8920 Dreamy Draw Way, Prescott Valley, which is in Coyote Springs.

12. Our investigation is on-going and we will update the foregoing findings as we move forward.

AFFLIANT FURTHER SAITH NOT.

DATED this 29<sup>th</sup> day of September, 2004.

*Sheila M Cahill*

SHEILA M. CAHILL, AFFLIANT

SUBSCRIBED AND SWORN TO BEFORE me this 29<sup>th</sup> day of September, 2004, by SHEILA M. CAHILL.

*Lois J Tornquist*

Notary Public

*9/19/05*

