

w/c

FILED

15C O'Clock, pm

FEB 23 2011

JEANNE HICKS, Clerk
BY RHONDI HAGEN
Deputy

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State Bar I.D. No. 005188

Attorney for The Verde Ditch Company

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF YAVAPAI

GEORGE W. HANCE, et al.,)

No. P1300CV 4772

Plaintiffs,)

Division 1

vs.)

WALES ARNOLD, et us., et al.,)

Defendants,)

JUDGMENT

THE VERDE DITCH COMPANY,)

Petitioner,)

v.)

**DONALD KULOW and CATHERINE A.
KULOW, husband and wife,**)

Respondents.)

This matter came on regularly to be heard by the Court on the 23rd day of February 2011.

Petitioner the Verde Ditch Company appeared with counsel, L. Richard Mabery. Respondents did

() Plts/Atty _____ () Arb w/file
() Deft/Atty _____ TOTAL 204 Page 1 of 3
() _____ () Arbiter _____
(X) Dispo Clk w/file (X) Other Mabery (Pet Att'y)(e)

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not appear. The Court being fully advised of the facts of the matter, finds that Respondents Donald Kulow and Catherine A. Kulow were served by service upon Kathleen Kruesel, the Personal Representative of their estates, with the Motion for Order to Show Cause and Order to Show Cause, and further finds that Respondents are delinquent in the payment of ditch assessments in the following amounts:

	<u>Amount</u>	<u>Interest</u>	<u>Penalty</u>
A. 2005 Special Assessment	\$50.00	\$26.99	
B. 2006 Assessments	65.00	33.44	\$6.50
C. 2006 Special Assessment	50.00	21.99	
D. 2007 Assessments	65.00	26.94	13.00
E. 2008 Assessments	85.00	26.73	21.50
F. 2009 Assessments	85.00	18.21	30.00
G. 2009 Special Assessment	25.00	3.49	
H. 2010 Assessments	85.00	9.71	<u>38.50</u>
I. 2010 Special Assessment	<u>25.00</u>	<u>2.03</u>	
	\$535.00	\$169.53	\$109.50

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the Verde Ditch Company shall have judgment against Respondents Donald Kulow and Catherine A. Kulow, and their respective estates, and against Kathleen Kruesel, as Personal Representative of the Estates of Donald Kulow and Catherine A. Kulow, as follows:

1. For the sum of \$814.03 for past due assessments, including penalties and interest calculated to the date hereon;
2. For the sum of \$ 500.00 for attorney's fees;
3. For the sum of \$74.00 for taxable costs, pursuant to the Statement of Costs filed herein.
4. Interest shall accrue on such sums at the rate of ten percent (10%) per annum from the date herein until paid in full. In the event additional attorneys fees and costs are incurred in

the enforcement of the Judgment entered herein, Plaintiff shall be entitled to seek award of additional attorneys fees and costs incurred in collection of the Judgment by submission of subsequent application and approval of the Court.

5. There being no just cause for delay, it is ordered entering this Judgment pursuant to Rule 54(b), Arizona Rules of Civil Procedure.

DATED this 23rd day of February, 2011.



Honorable David L. Mackey
Judge of the Superior Court

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/ckw