

SUPERIOR COURT
YAVAPAI COUNTY, ARIZONA
2013 OCT 29 PM 4: 07
SANDRA K MARKHAM, CLERK
BY: V BEISINGER

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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.,)

**AFFIDAVIT IN SUPPORT OF
APPLICATION FOR ORDER
TO SHOW CAUSE**

Defendants,)

_____))
THE VERDE DITCH COMPANY,)

(OSC Hearing Requested)

Petitioner,)

v.)

BERNADINE A. LIPPINCOTT, as Trustee)

of the BERNADINE A. LIPPINCOTT)

LIVING TRUST, dated, November 16,1984,)

Respondent.)
_____)

Law Offices of
L. Richard Mabery, P.C.
234 North Montezuma Street
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Al Dupuy, duly appointed, Commissioner of the Verde Ditch Company, being first duly sworn, states as follows:

1. I am a duly appointed Commissioner of the Verde Ditch Company and have made the statements contained herein of my own volition being fully aware of all matters set forth herein.

2. The Bernadine A. Lippincott Living Trust is the record owner of the real property described in Exhibit "A" attached hereto and which receives irrigation water from the Verde Ditch.

3. There are currently the following amounts due regarding Yavapai County Parcel No. 403-22-025A, for Verde Ditch assessments:

		<u>Amount</u>	<u>Interest</u>	<u>Penalty</u>
A.	2009 Special Assessments	\$101.25	\$1.68	
B.	2010 Assessments	344.25	34.42	
C.	2010 Special Assessments	101.25	10.12	\$54.67
D.	2011 Assessments	344.25	34.42	
E.	2011 Special Assessments	101.25	10.12	99.22
F.	2012 Assessments	344.25	34.42	
G.	2012 Special Assessments	101.25	10.12	143.77
H.	2013 Assessments	425.25	<u>35.40</u>	<u>186.30</u>
I.	2013 Special Assessments	<u>101.25</u>		
		\$1964.25	\$170.70	\$483.96

3. All billing notices have been sent to the last home address of the Bernadine A. Lippincott Living Trust which is the same address as shown on the Yavapai County Assessor and Treasurers offices.

4. None of the notices of assessment have been returned.

5. All certified mail sent to Bernadine A. Lippincott, as Trustee of the Bernadine A. Lippincott Living Trust, 221 21st Street, South, Battle Creek, MI 49015-3005 is returned marked "unclaimed".

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Exhibit "A"

A portion of the NE¼ of Section 25, Township 14 North,
Range 4 East of the Gila and Salt River Base and Meridian,
Yavapai County, Arizona, more particularly described by
notes and bounds as follows:

Beginning at a point that lies S 89° 28' E, a distance of
1,554.20 feet from the center of said Section 25, thence N 26°
57' W, a distance of 477.03 feet to the TRUE POINT OF BEGINN-
ING, thence N 26° 57' W, a distance of 159.76 feet to a point;
thence N 49° 16' 18" W, a distance of 44.00 feet to a point;
thence N 86° 02' 34" W, a distance of 223.90 feet to a point;
thence N 80° 44' 09" W, a distance of 210.3 feet to a point;
thence N 26° 57' W, a distance of 64.30 feet to a point;
thence S 85° 38' 53" E, a distance of 432.00 feet to a point;
thence N 37° 28' 32" E, a distance of 289.70 feet to a point;
thence S 56° 14' 17" E, a distance of 150.00 feet to a point;
thence N 61° 45' 09" E, a distance of 95.00 feet to a point;
thence S 55° 36' 13" E, a distance of 139.95 feet to a point;
thence S 51° 47' 36" E, a distance of 177.92 feet to a point;
thence S 63° 53' 50" W, a distance of 562.22 feet to the
TRUE POINT OF BEGINNING, containing in all 4.37 acres of
land, more or less.

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