

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2022-005372

05/27/2022

HONORABLE KATHERINE COOPER

CLERK OF THE COURT
C. Ladden
Deputy

CITY OF MESA

JAMES T BRASELTON

v.

DAVID CHACON, et al.

JUDGE COOPER

ORDER TO SHOW CAUSE HEARING HELD/ORDER FOR IMMEDIATE POSSESSION
SIGNED

East Court Building – Courtroom 711

9:01 a.m. This is the time set for an Order to Show Cause Hearing on Plaintiff's Application for an Order of Immediate Possession filed May 3, 2022. Plaintiff is represented by counsel, James T. Braselton. Also present on behalf of Plaintiff is Real Estate Appraiser, Michael Turner. Defendant David Chacon is neither present nor represented. Defendant Laura Q. Chacon is neither present nor represented. Defendant Mario Chacon is neither present nor represented. Defendant Rodolfo Chacon is neither present nor represented. Defendant Mountain States Telephone and Telegraph Company is not represented. Defendant Qwest Corporation is not represented. Defendant Estrella Village Manor Homeowners Association INC is not represented. Defendant Discover Bank is not represented. Defendant IRS Advisory Group is not represented. All parties appear via Court Connect.

A record of the proceedings is made digitally in lieu of a court reporter.

Discussion is held regarding if Defendants have been served. Plaintiff's counsel states that the Chacon Defendants were served by the May 20, 2022 deadline in the Order to Show

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Cause minute entry. Counsel further states that the other parties who do not have interest were served on or before May 20, 2022. Counsel spoke with another attorney, Doug Martin, who has represented the Chacon Defendants in other matters, but has not filed a notice of appearance in this matter. Mr. Martin has communicated with the Chacon Defendants and proposed a settlement on their behalf and has no objection to immediate possession.

Discussion is held regarding immediate possession. Counsel has lodged a proposed order for immediate possession.

Plaintiff's counsel avows to the Court the compensation amount to take immediate possession of the property at issue. The amount of the bond that was established based on Mr. Turner's appraisal is \$14,527.00 for the 4-property interests involved in this matter.

Based on the foregoing,

The Court finds that the City of Mesa's taking of the property is for public use, that immediate possession is necessary, and that they requirements have been met for immediate possession. Therefore,

IT IS ORDERED granting the Application for Immediate Possession all in accordance with the formal written Order of Immediate Possession signed by the Court on May 27, 2022 and filed (entered) by the Clerk on May 27, 2022.

Please note: The court has signed a paper copy of the order which was originally provided electronically. After the order has been scanned and docketed by the Clerk of Court, copies of this order will be available through the ECR online at www.clerkofcourt.maricopa.gov or through the Public Access Terminals at the Clerk of Court's offices located throughout Maricopa County.

Mr. Turner avows to the Court and confirms that the bond amount is correct and accurate.

9:10 a.m. Matter concludes.