

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2004-004181

07/01/2004

HONORABLE JANET E. BARTON

CLERK OF THE COURT
D. Caggiano
Deputy

FILED: 07/02/2004

LAWRENCE E WILK

LAURENCE B HIRSCH

v.

DOUG TODD

KEVIN S COSTELLO

JAMES H HAZLEWOOD
CAL FRAME L L C
13028 N 60TH ST
SCOTTSDALE AZ 85254
CALVIN D SCHLECHT
13028 N 60TH ST
SCOTTSDALE AZ 85254
MARICOPA COUNTY TREASURER

ORDER

The Court has received and reviewed: (1) Application for Distribution of Excess Proceeds filed by Applicant WRI Opportunity Loans II LLC, (2) Application for Distribution of Excess Proceeds filed by Applicant Canac Kitchens U.S. Limited, (3) Motion to Release Excess Proceeds filed by Cal Frame LLC, (4) Response to Co-Applicants WRI Opportunity Loan II, LLC and Canac Kitchens U.S. Limited's Applications for Excess Proceeds Pursuant to A.R.S. §33-812(E), (5) Canac Kitchens' Response to Palm Valley Community Association's Application for Distribution of Excess Proceeds, (6) Cal Frame, LLC's Answer to Court's Order re Priority, and (7) Palm Valley Community Association's Response to Cal Frame, LLC's Memorandum Regarding Priority. On the basis of those pleadings, and the Court's entire file in this matter, the Court now rules as follows:

IT IS HEREBY ORDERED that Palm Valley Community Association has priority and is entitled to the excess proceeds deposited with the Maricopa County Treasurer in this matter.

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IT IS FURTHER ORDERED that the Maricopa County Treasurer, upon being provided with the required \$30.00 fee, a certified copy of this Order and an U.S. Treasury Form W-9 is to pay Palm Valley Community Association the \$18,438.51 in excess proceeds it has on deposit in this matter.

IT IS FURTHER ORDERED denying the Application for Distribution of Excess Proceeds filed by Applicant WRI Opportunity Loans II LLC.

IT IS FURTHER ORDERED denying the Application for Distribution of Excess Proceeds filed by Applicant Canac Kitchens U.S. Limited.

IT IS FURTHER ORDERED denying the Motion to Release Excess Proceeds filed by Cal Frame LLC.

/s/ Janet E. Barton

HONORABLE JANET E. BARTON
JUDGE OF THE SUPERIOR COURT