

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

*** FILED ***
10/02/2001

09/24/2001

CLERK OF THE COURT
FORM V000A

JUDGE PRO TEM TERRY PILLINGER

M. Johnson
Deputy

CV 1994-092233

FILED: _____

MESA EAST PROPERTY OWNERS
ASSOCIATION

GARY C HENDRICKSON

v.

SHIRLEY DONOVAN

SHIRLEY DONOVAN
242 W 72ND PLACE
MESA AZ 85208-0000

MINUTE ENTRY

1:37 p.m. This is the time set for continued hearing regarding an order to show cause. Counsel Gary C. Hendrickson is present on behalf of Plaintiff. Defendant is present on her own behalf.

Court reporter Morgan Von Saxel is present.

Plaintiff's exhibit 2 is marked for identification.

Buddy James is re-sworn and testifies.

Plaintiff's exhibit 2 is received in evidence.

Plaintiffs rest.

Shirley Donovan is sworn and testifies.

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The Court finds by clear and convincing evidence that the Defendant is in contempt of the permanent injunction and orders of this Court and that cars have been continuously worked on in violation of the covenants, conditions and restrictions that garbage, debris and other materials have been allowed to remain unattended on the Defendant's lot.

The Court notes on exhibit 2 bicycle, tires, pieces of siding and the Defendant has acknowledged that this is the way the Defendants lot looks today. On exhibit 2 pg. 2 there's more junk depicted. On pg. 4 there are 50 gallons oil drums full of junk on the Defendants carport.

IT IS ORDERED that the Defendant be fined in the amount \$5000.00. However, the Defendant may purge herself of contempt by removing all of the junk, debris, tires, oil drums, bicycle, and siding within 10 days of today's date.

IT IS FURTHER ORDERED Plaintiff's counsel shall submit a Schweiger v. China Doll application for the Court's consideration within the next 10 days.

The Court advises Plaintiff's counsel that in the event the Defendant does not follow the Court's order. Plaintiff's counsel shall take photographs of such items and contact the Court's judicial assistant and request an emergency hearing. Plaintiff's counsel shall notify the Defendant of any notice of hearing.

2:05 p.m. Matter concludes.

FILED: Exhibit Worksheet.