

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2015-006710

10/21/2016

HON. DANIEL G. MARTIN

CLERK OF THE COURT  
J. Eaton  
Deputy

ROVEY FARM ESTATES HOMEOWNERS  
ASSOCIATION

CHANDLER W TRAVIS

v.

ORLANDO A GUTIERREZ

MARK BAINBRIDGE

MINUTE ENTRY

Pending before the Court are the parties' respective applications for attorney's fees and costs. The parties were able to resolve the underlying lawsuit, but were not able to agree as to which party (if any) is entitled to an award of fees and costs. Accordingly, the parties entered a stipulation for the submission of that issue to the Court. Having now considered all of the matters presented,

The Court finds that Plaintiff is the prevailing party. At its core, this matter arose from Defendant's decision to construct a batting cage on his property without having first obtained permission from Plaintiff as he was required to do under the applicable Declaration of Covenants, Conditions and Restrictions. Defendant's actions were the primary contributor to the filing of the lawsuit, and through that litigation Plaintiff successfully enforced the Declaration. Accordingly, Plaintiff is entitled to an award of fees and costs.

As to the amount of fees and costs,

IT IS ORDERED awarding Plaintiff fees in the amount of \$7,425.00 and costs in the amount of \$429.00.

IT IS FURTHER ORDERED that Plaintiff shall submit a proposed Judgment not later than thirty (30) days from the filing date of this Order.