

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2016-017637

10/02/2017

HONORABLE CHRISTOPHER WHITTEN

CLERK OF THE COURT
C. Ramirez/T. Cooley
Deputy

RIGGS RANCH MEADOWS HOMEOWNERS
ASSOCIATION

PHILIP N BROWN

v.

HENRY E JENKINS, et al.

HENRY E JENKINS
2994 E MAHOGANY PL
CHANDLER AZ 85249

MINUTE ENTRY

Courtroom 201-OCH

10:11 a.m. This is the time set for Oral Argument re: Plaintiff's Motion for Summary Judgment Re: lien Foreclosure. Plaintiff is represented by counsel, Philip N Brown. Defendant was not present nor was represented by counsel.

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

The Court has considered Plaintiff's Motion for Summary Judgment Re Lien Foreclosure filed June 30, 2017, Defendant's Response filed August 4, 2017, and Plaintiff's Reply filed August 24, 2017. Although the Defendant did not appear for it, an oral argument was scheduled for October 2, 2017.

Defendant provides no evidence, in response to the motion, that any payment was ever mailed – no cancelled check, no bank statement, no return receipt. Absent any such evidence, the

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Court cannot require the forbearance on the HOA's part that Mr. Jenkins apparently expected. It is entitled to the full relief provided for in the CC&Rs. Accordingly,

IT IS ORDERED Plaintiff's Motion for Summary Judgment Re Lien Foreclosure is granted

10:12 a.m. Matter concludes.