

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2012-017609

12/11/2013

JUDGE DOUGLAS L. RAYES

CLERK OF THE COURT
T. Springston
Deputy

PENELOPE JOHNSON

CHRISTOPHER A LAVOY

v.

POINTE SOUTH MOUNTAIN RESIDENTIAL
ASSOCIATION, THE

BRIAN W MORGAN

MINUTE ENTRY

The Court has considered Defendant's Request for Clarification of Court's Ruling, Plaintiff's Response and Defendant's Reply.

The Court finds that paragraph 6.2 when read in conjunction with paragraph 1.15 requires the courthome exterior maintenance obligation to include repair and maintenance of all courthome balconies, trellises, patio covers and boundary walls that enclose courthome patios and/or backyards. The Court further clarifies its ruling in that the Association may only use courthome assessments for the repair and maintenance of the exterior of the courthomes as described by paragraph 6.2 of the Declaration.

IT IS ORDERED that counsel for Plaintiff submit an amended proposed Form of Judgment to reflect the Court's ruling herein by no later than **5:00 p.m. January 3, 2014**.

ALERT: The Arizona Supreme Court Administrative Order 2011-140 directs the Clerk's Office not to accept paper filings from attorneys in civil cases. Civil cases must still be initiated on paper; however, subsequent documents must be eFiled through AZTurboCourt unless an exception defined in the Administrative Order applies.

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