

When recorded mail to:

Name: Maxwell & Morgan, P.C.

Address: 4854 E. Baseline Rd, Suite 104

City/State/Zip: Mesa, AZ 85206



**OFFICIAL RECORDS OF
PINAL COUNTY RECORDER
Dana Lewis**

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DATE/TIME: 12/09/2022 0859

FEE: \$30.00

PAGES: 7

FEE NUMBER: 2022-121286

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CAPTION HEADING:

Judgment on Foreclosure

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Maxwell & Morgan, P.C.

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF PINAL

RED ROCK VILLAGE COMMUNITY ASSOCIATION, an Arizona nonprofit corporation,

Plaintiff,

-vs.

MARIA I. DE LA CRUZ, an unmarried woman; AMPERE SOLAR OWNER IV, LLC; THE UNKNOWN HEIRS AND DEVISEES OF MARIA I. DE LA CRUZ, IF DECEASED,

Defendants.

No. CV2022-00333

JUDGMENT ON FORECLOSURE

(Lien Foreclosure)

This matter having come regularly on Plaintiff's Application for Judgment by Default against Defendants Maria I. De La Cruz, an unmarried woman, and Ampere Solar Owner IV, LLC, and default of said Defendants having been duly entered; the same is hereby confirmed and Plaintiff having proven the material allegations of the Complaint, and finding pursuant to Rule 54(c), ARCP, that no further matter remains,

IT IS ORDERED that Plaintiff have judgment against the Defendants as follows:

1. The Court finds that there is an indebtedness due and owing to Plaintiff under the contract between the parties (CC&R's) and statutes, and that all such amounts are secured by a lien against the Property (identified below) for:

Lot 2, of A REPLAT OF RED ROCK VILLAGE-2, UNIT 2, LOTS 610-619, 670-674, 677-698, 720-727 and 730-757, according to the plat of record in the office of the County Recorder of Pinal County, Arizona, recorded as Fee No. 2009- 4248, and Affidavit of Correction recorded in Fee No 2009-59042 and Re-platted in Fee No. 2014-9551, of Official Records,

aka 33950 South Garrison Lane, Red Rock, Arizona 85145.

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3 a. The principal sum in the amount of \$4,126.60, as of 2022, plus late
4 charges of \$20.40 per quarter, commencing July, 2022, and as more fully set forth in the
5 underlying Complaint, with additional amounts accruing January 1, 2023, pursuant to the
6 contract and A.R.S. § 33-1807(A), in an amount not less than \$816.00, plus quarterly late
7 charges of \$20.40;

8 b. Prejudgment interest from February 18, 2022 at the rate of \$1.34 per
9 diem;

10 c. Plaintiff's costs herein of \$1,041.88, including the costs of foreclosure
11 and title search, plus accruing costs not otherwise addressed herein upon application; and

12 d. Attorney fees in the amount of \$4,152.50 to bring this action and to
13 resolve the dispute, plus accruing fees not otherwise addressed herein upon application; and

14 e. Post Judgment interest on principal sum awarded herein at 12% per
15 annum, pursuant to Section 6.10:1 of the CC&R's; and

16 f. Post Judgment interest on Plaintiff's costs and attorney fees awarded
17 herein at the statutory rate, currently 8% per annum.
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20 2. As to these Defendants, the Court finds that said sums are secured by a lien
21 against the Property and that the lien is a valid first lien on the Property and on the whole
22 thereof, which lien is not subject to any homestead pursuant to A.R.S. § 33-1807(C), except
23 that the lien is not superior to the first deed of trust of Mortgage Electronic-Registration
24 Systems, Inc., solely as nominee for Guild Mortgage Company, recorded July 31, 2019, at
25 Document No. 2019-062135;
26

27 3. As to these Defendants, the Association's lien is adjudged to be a superior lien
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1 upon the Property and is prior and superior to any right, title, interest, lien, equity or estate of
2 the Defendants herein; and to the extent that the Property is foreclosed pursuant to the first
3 Deed of Trust against the Property and there are no excess proceeds, or if the Plaintiff desires
4 to proceed directly to collect upon the unpaid monetary portions of the Judgment, the
5 Association shall be entitled to a personal money judgment against Defendant Maria I. De La
6 Cruz for the amounts set forth above or any lesser amounts to the extent of offsetting excess
7 proceeds or interim payments;
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10 4. The interests of the Defendants herein are hereby foreclosed, and all persons
11 claiming under any of them, and the Defendants herein are forever barred from any or all
12 right, title, claim, interest or lien in and to the Property or with respect thereto, except such
13 rights of redemption as they may have by law;
14

15 5. Plaintiff's lien is hereby declared foreclosed and a special execution is hereby
16 issued to the Sheriff of Pinal County, Arizona, directing him to seize and sell the Property as
17 under execution in satisfaction of all amounts due Plaintiff as aforesaid;
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19 6. It is hereby directed that if there is any personal property present at or in the
20 Property at the time of the sale, the same will be deemed abandoned and sold as part of the
21 Property if not removed prior to the time the purchaser of the Property elects to take
22 possession of the Property as more fully set forth below, but no later than expiration of the
23 redemption period, to the extent permitted by law, and that the Property to be sold at public
24 auction, and that Plaintiff may be the purchaser at such sale;
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26 7. It is declared that the redemption period shall be six (6) months, unless the
27 property has been abandoned, in which event the redemption period shall be 30 days;
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8. Upon the sale of the Property, and in addition to the rights in paragraph 9 below, the Sheriff is ordered to issue a certificate of sale to the purchaser, and after the expiration of the statutory redemption period pertaining to real property, if redemption is not made, the Sheriff shall execute a Deed to the holder of said certificate and the grantee therein shall be let into the premises upon presentation of said Deed; and that if the grantee or its assignees are not let into possession upon presentation of said deed therefor, a writ of possession will issue without further Order of the Court; and

9. Possession of the Property shall be vested in the purchaser immediately following the Sheriff's Sale as the holder of equitable title and thus entitling the purchaser to pursue occupancy by all legal means, subject only to Defendants' right of redemption pursuant to Arizona law.

10. Dismissing this action as to the unknown heirs and devisees of Maria I. De La Cruz, if deceased, due to service upon Defendant.

IT IS FURTHER ORDERED directing the Court to enter this Judgment. As no further matters remain pending, the Judgment is entered pursuant to Rule 54(c), ARCP.

IT IS FURTHER ORDERED vacating all future hearing dates and this matter is administratively closed.

Lacey Stover Gard

*Signed by HONORABLE LACEY A. STOVER GARD, 11/28/2022 15:00:03 37777Dp3

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STATE OF ARIZONA } SS
COUNTY OF PINAL

I, REBECCA PADILLA, Clerk of the Superior Court, State of
Arizona, in and for the County of Pinal, do hereby certify that I have
compared the foregoing copy of a CV202200333

Judgment

and of the endorsement thereupon, with the original records of the same
remaining in this office, and that the same correct transcripts
therefrom, and the whole of said original records.

Witness my hand and seal of said Court affixed:

this 6th day of December, 2022

REBECCA PADILLA, Clerk

By N. Villalpando Deputy Clerk

INFORMATION STATEMENT

PURSUANT TO A.R.S. § 33-967

Pursuant to A.R.S. § 33-967, the Judgment Creditor (aka the Plaintiff on the Judgment to which this information statement is attached) hereby provides the following information:

I. The name and last known address of each Judgment Debtor:

Maria I. De La Cruz 33950 South Garrison Lane, Red Rock, Arizona 85145; Ampere Solar Owner IV, LLC, c/o Corporation Service Co, 8825 N 23rd Ave., #100, Phoenix, AZ 85021

II. The address at which each Judgment Debtor received the Summons by personal service or by mail:

Maria I. De La Cruz 33950 South Garrison Lane, Red Rock, Arizona 85145; Ampere Solar Owner IV, LLC, c/o Corporation Service Co, 8825 N 23rd Ave., #100, Phoenix, AZ 85021

III. The name and address of the Judgment Creditor:

Red Rock Village Community Association c/o Maxwell & Morgan, P.C., Pierpont Commerce Center, 4854 East Baseline Road, Suite 104, Mesa, Arizona 85206

IV. The amount of the Judgment as entered by the Court: \$ 9,320.98 *
*(The Judgment also provides for accruing amounts. See the Judgment.)

V. The Social Security number for each Judgment Debtor:

Unknown at this time. Date of birth is: 09111986

VI. Date of birth for each Judgment Debtor:

09111986

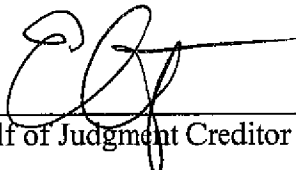
VII. The driver's license number for each Judgment Debtor:

Unknown at this time.

VIII. Has a court precluded enforcement of the Judgment? Yes No . If yes, has the court identified a date when the stay expires. Yes No . If yes, the stay expires on _____, 20__.

NOTE: Pursuant to A.R.S. § 33-967(B), the foregoing information is only provided "if the information is known to the judgment creditor or available to the judgment creditor from its records, its attorney's records or the court records in the action in which the judgment was entered." Said Subsection further provides that, "[i]f any of the required information is not known, the judgment creditor shall so state." Said Subsection further prohibits the judgment creditor from providing Social Security numbers unless the same have "been provided voluntarily to the judgment creditor by the judgment debtor".

Dated this 30 day of November, 2022.



On Behalf of Judgment Creditor