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DEFAULT JUDGMENT ON FORECLOSURE

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Attorneys for *Plaintiff*

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF PINAL**

ALTEERRA
ASSOCIATION, an Arizona nonprofit
corporation,

HOMEOWNERS
Plaintiff,

Case No. CV202201918

**DEFAULT JUDGMENT
ON FORECLOSURE**

vs.

ALVA S. COTTINGHAM and ANNETTE
COTTINGHAM, husband and wife;
GOODLEAP, LLC, a California limited
liability company; UNKNOWN HEIRS
AND DEVISEES OF DEFENDANTS, IF
DECEASED,

HON. ROBERT CARTER OLSON

Defendants.

This matter having come regularly on Plaintiff Alterra Homeowners Association
("Plaintiff" or "Association") Application for Judgment by default against Defendant
Alva S. Cottingham, Annette Cottingham and Goodleap, LLC (referred to herein after as
"Defendants"); Defendants having been duly served and failed to plead or otherwise
defend this matter; default of Defendants having been duly entered; Plaintiff now seeking
entry of a final judgment as to all claims and parties herein; the foregoing is hereby

1 confirmed; Plaintiff having proven the material allegations of the Complaint; and, good
2 cause appearing therefor,
3

4 IT IS HEREBY ORDERED, DECREED AND ADJUDGED that Plaintiff have
5 judgment against the aforesaid Defendants as follows:

6 1. There is an indebtedness due and owing to Plaintiff under Plaintiff's
7 recorded declaration and that the entire amounts awarded herein are secured by a
8 Plaintiff's lien against the subject real property, including all fixtures thereon (the
9 "Property"), described and known as:
10

11 Lot 98, ALTERRA SOUTH, according to the plat of record in the
12 office of the County Recorder of Pinal County, Arizona, recorded
13 in Cabinet E of Maps, Page 89 and Affidavits of Correction
14 recorded in Document No. 2004-100818, Document No. 2005-
15 005810 and Document No. 2007-103713, of Official Records.

16 a. The principal sum in the current amount of \$1,708.86 (which
17 includes the principal balance of \$1,526.86 as set forth in Plaintiff's Complaint, plus
18 accruing assessments of \$68.50 per month and monthly late charges of \$15.00 accruing
19 from November 16, 2022 and through January 19, 2023 totaling \$182.00, and also hereby
20 awarding accruing monthly assessments and late charges commencing February 1, 2023
21 until execution upon this judgment;

22 b. Plaintiff's costs of collection in an amount of \$1,009.52 plus
23 Plaintiff's accruing costs and expenses incurred hereafter;

24 c. Plaintiff's attorneys' fees herein in an amount of \$3,470.00 plus
25 accruing attorney fees incurred hereafter; and

26 d. Post-judgment interest on all amounts awarded herein at the rate of
27 8.5% per annum, pursuant to A.R.S. §44-1201(B), and until all amounts awarded herein
28 are paid in full.

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2 2. That all such sums are secured by a lien against the Property and the
3 lien is a valid lien on the Property and the whole thereof, and prior to any right, title,
4 interest, lien, equity, claim, encumbrance and/or estate of the named defendants herein;

5 3. Plaintiff's lien is not subject to any homestead exemption pursuant to
6 A.R.S. §33-1807(C);

7 4. Plaintiff's lien is hereby foreclosed on the Property and a special execution
8 is hereby issued to the Sheriff of Pinal County, Arizona, directing him to seize and sell
9 the Property, including any fixtures, under said execution in satisfaction of all amounts
10 due to Plaintiff pursuant to the terms of this judgment and A.R.S. § 12-1566;

11 6. The Court further finds that the Property is not used primarily for
12 agriculture or grazing purposes and therefore, pursuant A.R.S. § 12-1282, defendants'
13 statutory redemption period is six (6) months after the date of sale, or any applicable
14 successive periods for all creditors as provided by law; if the Court finds the property has
15 been abandoned, the redemption period shall be 30 days;

16 7. Upon the sale of the Property, the Sheriff is ordered to issue a certificate of
17 sale to the purchaser, and after the expiration of the statutory redemption period
18 referenced herein, if redemption is not made, the Sheriff shall execute a deed to the
19 purchaser or his assigns;

20 8. Possession of the Property shall be vested in the purchaser immediately
21 following the Sheriff's Sale as the holder of equitable title and thus entitling the purchaser
22 to pursue occupancy by all legal means, subject only to the defendants' statutory right of
23 redemption;

24 9. This judgment resolves all claims as to all parties, no further matters remain
25 pending and, therefore, this is a final judgment entered pursuant to Rule 54(c), Ariz. R.
26 Civ. P.

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

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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 CV 2022-01910

Default 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 7 day of July, 2023

REBECCA PADILLA, Clerk

By [Signature] Deputy Clerk

