

LAW OFFICE OF
TONY S. CULLUM, PLLC
ATTORNEY AT LAW
14 EAST DALE AVENUE
FLAGSTAFF, ARIZONA 86001

TONY S. CULLUM*

*CERTIFIED BY ARIZONA STATE BAR AS
SPECIALIST IN REAL ESTATE LAW

*ADMITTED TO PRACTICE
IN STATE OF COLORADO

TELEPHONE
(928) 774-2565
FAX
(928) 774-2009

November 7, 2019

VIA EMAIL and U.S. Mail

Mr. Jeffrey B. Moliner, Esq.
Ms. Meghan Grabel, Esq.
OSBORN MALEDON, PA
2929 North Central Avenue
21st Floor
Phoenix, Arizona 85012
Email: jmolinar@omlaw.com
mgrabel@omlaw.com

~~RULE 408~~ COMMUNICATION by TSC

RE: Beaver Valley Imp. Assoc. v. Beaver Land, LLC et al – Water Reinstatement

Jeffrey and Meghan:

Thank you for your time on October 24, 2019. Our clients had a Board of Directors meeting on November 2, 2019 and have authorized my firm to propose the following for the reconnection of water service to the parcel and to resolve ownership and access issues:

- Beaver Valley Improvement Association (BVIA) will file a new service application; and submit the \$30.00 Service Establishment (Non-Refundable) Fee; \$53.00 Refundable Deposit; and 1” Line and Installation Charge of \$495.00 for a total sum of \$578.00.
- BVIA will pay the amount of \$2,516.00 for the Water Company concrete cutting and excavation costs in the Community Building’s Bay 3.
- BVIA will not authorize or provide free and open access to the Community Center to the Water Company or its personnel.
- The Water Company will abandon and bypass the 6 inch plastic water main that is currently under the building. The Water Company will submit a governmental approved plan for relocation of this line, not to be located upon BVIA property, to BVIA Board of Directors to include a bid for such action within 60 days of execution of this agreement. Upon consideration, BVIA will have the option to either accept the Water Company’s bid and remit the cost or hire a commercial plumbing contractor of its choosing to execute the approved plan.
- BVIA will not provide any easements across its property for the bypass of the 6 inch water main.
- Beaver Land, LLC will remove and clean-up the accumulated pond sludge landslide from BVIA property within 60 days of execution of this agreement, or reimburse BVIA for its reasonable, documented expenses incurred in returning the property to pre-landslide condition.

Jeffrey Moliner/Meghan Grabel
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- All right, title, and interest to the real property, Gila County APN 302-17-048A, is quieted in BVIA, to include the 246.96 square feet lot line adjustment recorded upon the Official Records of Gila County at Document # 2005-00376.
- The Water Company and its successors, forever be barred, enjoined and restrained from making, setting up to assert any right, title or interest, at law or equity, in or to the subject property or portion thereof.

As time is of essence, my client would appreciate a response no later than ten (10) days from the receipt of this letter. While my client is resolute in obtaining relief, they look forward to resolving these issues in the most economical matter.

Sincerely,



Tony S. Cullum

TC:rs:tw

cc: Beaver Valley Improvement Association – Board of Directors