

Person Filing: Julianne C Wheeler  
Address (if not protected): 1490 S. Price Road, Suite 203  
City, State, Zip Code: Chandler, AZ 85286  
Telephone: (602)228-4809  
Email Address: jcw@wheelerlawgroup.law  
Representing ☐ Self or ☒ Attorney for:  
Lawyer's Bar Number: 011795, Issuing State: AZ

5/17/24 @  
2:00pm

**SUPERIOR COURT OF ARIZONA  
IN LA PAZ COUNTY**

Case Number: S1500CV202400045

Rodney Ellwood Schlesener

Name of Plaintiff

**SUMMONS**

AND

LandArizona/Jak LLC

Name of Defendant

**WARNING:** This is an official document from the court that affects your rights. Read this carefully.  
If you do not understand it, contact a lawyer for help.

**FROM THE STATE OF ARIZONA TO: LandArizona/Jak LLC**

Name of Defendant

1. **A lawsuit has been filed against you.** A copy of the lawsuit and other court papers are served on you with this "Summons".
2. If you do not want a judgment or order taken against you without your input, you must file an "Answer" or a "Response" in writing with the court and pay the filing fee. If you do not file an "Answer" or "Response" the other party may be given the relief requested in his/her Petition or Complaint. To file your "Answer" or "Response" take, or send, the "Answer" or "Response" to Clerk of the Superior Court, or electronically file your Answer through one of Arizona's approved electronic filing systems at <http://www.azcourts.gov/efilinginformation>. Mail a copy of your "Response" or "Answer" to the other party at the address listed on the top of this Summons. Note: If you do not file electronically you will not have electronic access to the document in this case.

3. If this “Summons” and the other court papers were served on you by a registered process server or the Sheriff, within the State of Arizona, your “Response” or “Answer” must be filed within TWENTY (20) CALENDAR DAYS from the date you were served, not counting the day you were served. If this “Summons” and the other papers were served on you by a registered process server or the Sheriff outside the State of Arizona, your Response must be filed within THIRTY (30) CALENDAR DAYS from the date you were served, not counting the day you were served. Service by a registered process server or the Sheriff is complete when made. Service by Publication is complete thirty (30) days after the date of the first publication.
4. You can get a copy of the court papers filed in this case from the Petitioner at the address at the top of this paper, or from the Clerk of the Superior Court.
5. Requests for reasonable accommodation for persons with disabilities must be made to the office of the judge or commissioner assigned to the case, at least ten (10) judicial days before your scheduled court date.
6. Requests for an interpreter for persons with limited English proficiency must be made to the office of the judge or commissioner assigned to the case at least ten (10) judicial days in advance of your scheduled court date.

SIGNED AND SEALED this date: *May 16, 2024*

*Hollie Lucas*  
Clerk of Superior Court

By: *ARUIZ*  
Deputy Clerk



Person/Attorney Filing: Julianne C Wheeler  
Mailing Address: 1490 S. Price Road, Suite 203  
City, State, Zip Code: Chandler, AZ 85286  
Phone Number: (602)228-4809  
E-Mail Address: jcw@wheelerlawgroup.law  
[ ☐ ] Representing Self, Without an Attorney  
(If Attorney) State Bar Number: 011795, Issuing State: AZ

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF LA PAZ

Rodney Ellwood Schlesener  
Plaintiff(s),  
v.  
LandArizona/Jak LLC  
Defendant(s).

Case No.

**CERTIFICATE OF  
COMPULSORY ARBITRATION**

I certify that I am aware of the dollar limits and any other limitations set forth by the Local Rules of Practice for the La Paz County Superior Court, and I further certify that this case IS subject to compulsory arbitration, as provided by Rules 72 through 77 of the Arizona Rules of Civil Procedure.

RESPECTFULLY SUBMITTED this

By: Julianne C Wheeler /s/  
Plaintiff/Attorney for Plaintiff

Julianne C. Wheeler (No. 011795)  
E-mail: [jcw@jhc-law.com](mailto:jcw@jhc-law.com)  
WHEELER LAW GROUP, PLLC  
1490 S. Price Road, Suite 203  
Chandler, AZ 85286-8600  
Telephone: 602-885-7485

AZTurboCourt E-service and  
Court Documents: [docket@wheelerlawgroup.law](mailto:docket@wheelerlawgroup.law)

*Attorneys for Plaintiffs*

**SUPERIOR COURT OF ARIZONA**

**LA PAZ COUNTY**

RODNEY ELLWOOD SCHLESENER,  
an unmarried man and Arizona resident  
doing business as "HT4,"

Plaintiff,

vs.

LANDARIZONA/JAK LLC, an Arizona  
limited liability company,

Defendant.

Case No.: \_\_\_\_\_

**COMPLAINT**

Breach of Contract/Prompt Payment  
Violation/Unjust  
Enrichment/Mechanics Lien  
Foreclosure and Judgment For  
Deficiency

Plaintiff, Rodney Ellwood Schlesener, doing business as HT4 ("HT4"), by and through undersigned counsel, for his claim for relief against Defendant, LandArizona/JAK LLC (hereinafter "Defendant" or "LandArizona"), alleges and states as follows:

**THE PARTIES**

1. Plaintiff Rodney Ellwood Schlesener is an unmarried man and Arizona resident doing business under the trade name "HT4" with his principal place of business in Safford, Arizona.

2. Defendant LandArizona is an Arizona limited liability company with its principal place of business in Yuma, Arizona.

**JURISDICTION AND VENUE**

3. This Court has jurisdiction over this matter pursuant to A.R.S. § 12-123, *et seq.*

1           4. All of the events alleged herein took place in La Paz, Arizona such that  
2 venue is proper in La Paz County pursuant to A.R.S. § 12-401.

3           5. Pursuant to the Arizona Rules of Civil Procedure, this case qualifies as a  
4 Tier 1 case.

5                                   **GENERAL ALLEGATIONS**

6           6. At all times material hereto, Defendant LandArizona was the owner of  
7 certain real property located in La Paz County, Arizona, the legal description of which  
8 is attached as Exhibit A (the "Property").

9           7. On or about July 25, 2023, Defendant LandArizona, as Owner, and HT4,  
10 as prime contractor, entered into contracts for the performance of waterline and  
11 earthwork on the Property (the "Contracts"). Copies of the Contracts are attached as  
12 Exhibit B.

13           8. On or about July 5, 2023, HT4 began performance of the work described  
14 in the Contracts (the "Work").

15           9. On or about July 25, 2023, HT4 caused a 20-Day Preliminary Notice to be  
16 served upon Defendant within 20 days of the date that HT4 began performing work  
17 for which HT4 claims a Mechanic's and Materialman's Lien under A.R.S. § 33-981, a  
18 copy of which is attached as Exhibit C.

19           10. During the course of the Work, Defendant requested that HT4 perform  
20 work in addition to the work described in the Contracts (the "Extra Work").

21           11. HT4 completed performance of all of its obligations under its Contracts  
22 as well as the Extra Work requested by Defendant.

23           12. On or about October 14, 2023, HT4 provided Defendant with an invoice  
24 that described the cost of the Extra Work requested by Defendants (the "Extra Work  
25 Invoice") (Exhibit D).

26           13. The reasonable value of the Extra Work is \$20,245.70.

27           14. This is a matter arising out of contract within the meaning of  
28 A.R.S. § 12-341.01.

1 COUNT ONE

2 **Breach of Contract**

3 15. HT4 incorporates by reference the allegations within the preceding  
4 paragraphs, as if fully set forth herein.

5 16. Although HT4 completed all of the Work and Extra Work, Defendant  
6 failed and refused to pay the \$20,245.70 balance due.

7 17. On or about October 30, 2023, HT4 served Defendant with a Notice of  
8 Intent to File a Bond Claim, Mechanic's Lien or Stop Notice, a copy of which is  
9 attached as Exhibit E.

10 18. Thereafter, HT4 made several demands upon Defendant for payment of  
11 the amount due.

12 19. Defendant breached the Contracts by failing to pay the amount due for  
13 the Extra Work performed.

14 20. As a result of Defendant's breach of the Contracts, HT4 is entitled to  
15 damages of not less than \$20,245.70.

16 21. HT4 is entitled to an award of its reasonable attorneys' fees pursuant to  
17 A.R.S. § 12-341.01.

18 COUNT TWO

19 **Prompt Payment Violation**

20 22. HT4 incorporates by reference the allegations within the preceding  
21 paragraphs, as if fully set forth herein.

22 23. Defendant did not, within 14 days after receipt of the Extra Work Invoice,  
23 issue a written statement stating in reasonable detail the reasons that the Extra Work  
24 Invoice was not certified or approved.

25 24. Defendant is presently withholding payment of the full amount  
26 requested by HT4 in the Extra Work Invoice.

27 25. The Extra Work Invoice was deemed certified and approved as of  
28 October 28, 2023.

26. Defendant is in violation of the prompt pay provisions of A.R.S. § 32-1129.01(K) because it did not make final payment to HT4 within seven (7) days after the date that the Extra Work Invoice was deemed certified and approved.

27. HT4 is entitled to interest at the rate of one and one-half percent (1½%) per month on the balance due HT4.

**COUNT THREE**

## Unjust Enrichment

28. HT4 incorporates by reference the allegations within the preceding paragraphs, as if fully set forth herein.

29. As requested by Defendant, HT4 provided labor, equipment, materials and supplies to the Project, the reasonable value of which was not less than \$20,245.70.

30. Defendant failed and refused to pay HT4 the full value of the labor, equipment, materials, and supplies, all of which resulted in a benefit to Defendant because said labor, equipment, materials and supplies enhanced the value of Defendant's property.

31. As a result of Defendant's refusal to compensate HT4 for the full value of the labor, equipment, materials and supplies provided to the Project, Defendant has been unjustly enriched at HT4's expense.

32. HT4 is entitled to restitution in an amount not less than \$20,245.70.

**COUNT FOUR**

## Mechanic's Lien Foreclosure and Judgment for Deficiency

33. HT4 incorporates by reference the allegations within the preceding paragraphs, as if fully set forth herein.

34. Within the statutory time to record and perfect a mechanic's lien, HT4 executed and recorded, in the office of the County Recorder of LaPaz County, Arizona, a "Notice and Claim of Mechanic's and Materialman's Lien" ("HT4 Notice and Claim of Lien") in the amount of \$20,245.70, plus interest at the maximum rate permitted by law and all reasonable expenses, costs and attorney's fees. Document

1 No. 2023-04093, a true and correct copy of which is attached as Exhibit F.

2 35. This action is filed within six months of the date of the recorded HT4  
3 Notice and Claim of Lien and, therefore, complies with the limitations of actions  
4 provisions of A.R.S. § 33-998(A).

5 36. HT4 has complied with all conditions precedent to the recordation and  
6 foreclosure of a valid mechanic's lien.

7 WHEREFORE, Plaintiff prays for Judgment against Defendant, as follows:

8 A. For breach of contract damages in favor of Plaintiff HT4 in an amount not  
9 less than \$20,245.70.;

10 B. For prejudgment and post-judgment interest at the rate of one and one-  
11 half percent (1 ½%) per month under A.R.S. § 32-1129.01(Q);

12 C. For restitution in an amount equal to the reasonable value of labor and  
13 materials furnished by HT4 to the Property, in an amount not less than \$20,245.70.

14 D. That the Court determine that Plaintiff's liens are superior to any interest  
15 of any defendant, that the liens be foreclosed and that said real property be sold under  
16 execution by the Sheriff of LaPaz County, Arizona, in accordance with the laws of the  
17 State of Arizona;

18 E. That said sale having been held, the proceeds of such sale, after deducting  
19 the costs and expenses thereof, be paid to HT4, plus costs incurred and to be incurred  
20 in perfecting and enforcing said liens, plus interest on all of the sums above at the  
21 highest legal rate allowed by law, until paid, plus attorneys' fees in accordance with  
22 A.R.S. § 33-998(B);

23 F. That, if the proceeds are insufficient to satisfy the entire indebtedness due  
24 Plaintiffs, the Court issue a money judgment in the amount of the deficiency, plus  
25 interest and costs of collection;

26 G. For an award of Plaintiff's costs pursuant to A.R.S. §§ 12-341, and 32-  
27 1129.01(S);

1 H. For an award of Plaintiffs' reasonable attorneys' fees pursuant to  
2 A.R.S. §§ 12-341.01, 32-1129.01(S), and 33-998(B); and

3 I. For such other and further relief as this Court may find just and proper.

4 RESPECTFULLY SUBMITTED this 16<sup>th</sup> day of May, 2024.

5 **WHEELER LAW GROUP, PLLC.**

6  
7 /s/ Julianne C. Wheeler  
Julianne C. Wheeler  
8 Attorney for Plaintiffs  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

# **EXHIBIT A**

**Exhibit A - Property Description**

**Owner: LandArizona/JAK LLC, 2015 Freda Lane, Cardiff By The Sea, CA 92007**  
**Project: Quartzsite Land, 29884 N 53rd St, Quartzsite, AZ 85346**

The following is a complete legal description, to the best of our knowledge, of the property to be liened.  
Information for this exhibit was obtained through the Recorder's Office where the property is located, or from other sources.

**THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 3 NORTH, RANGE 19  
WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, LAPAZ COUNTY, ARIZONA (Section: 29 Township:  
3N Range: 19W NE4 NE4 SEC 29 T-3N R-19W EX N 33' RD R/W)**

# **EXHIBIT B**

# PROPOSAL

HT4

Boomer Schlesener  
PO Box 552  
Safford, AZ 85548

Mobile: (928)322-4447  
Email: boomerht4const@gmail.com

PROPOSAL SUBMITTED TO	PHONE	DATE
Land Arizona/ JAK LLC	(760)505-8999	07/05/2023
ADDRESS	EMAIL	
2015 Freda Ln	jim@landarizona.net	Quartzsite Job # 3-2023
CITY, STATE AND ZIP		
Cardiff, CA 92007		

We hereby submit specifications and estimates for:  
This includes 1500 LF of STD 21 pipe,  
Two Water Services with Just Angle Meter Stops,  
Run to property line,  
Also one Blow-off and one Air Release Valve

**Waterline**

We propose hereby to furnish material and labor - complete in accordance with the above specifications for the sum of:  
Twenty Nine Thousand, Eight hundred Twelve dollars \$29,812.00

Payment to be made as follows:

Payment in full due upon completion of said work.

Any alteration or deviation from above specifications involving extra costs will be executed only upon written order and will become an extra charge over and above the estimate.

Signature

*Note - this proposal may be withdrawn by us if not accepted within 3 days.*

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.  
Payment will be made as outlined above.

Customer Signature

Date of Acceptance 07-06-2023

# PROPOSAL

HT4

Boomer Schlesener  
PO Box 552  
Safford, AZ 85548

Mobile: (928)322-4447  
Email: boomerht4const@gmail.com

PROPOSAL SUBMITTED TO	PHONE	DATE
Land Arizona/ JAK LLC	(760)505-8999	07/05/2023
ADDRESS	EMAIL	
2015 Freda Ln	jim@landarizona.net	Quartzsite Job # 3-2023
CITY, STATE AND ZIP		
Cardiff, CA 92007		

We hereby submit specifications and estimates for:  
Build a road 24' wide by 12" high for 350 Feet  
Borrow source will be 400' to 500' away er Stops,  
Owner to supply 6" of AB for road base,  
This includes some time to help channel water flow S.E. Of new road

**Earthwork**

We propose hereby to furnish material and labor - complete in accordance with the above specifications for the sum of:  
**Eighteen Thousand, Five Hundred Twenty Three Dollars** **\$18,523.00**

Payment to be made as follows:

**TOTAL FOR BOTH JOBS: \$48,335.00**

Gross Receipts Tax

**\$2,387.75**

**TOTAL DUE**

**\$50,722.75**

Payment in full due upon completion of said work.

Any alteration or deviation from above specifications involving extra costs will be executed only upon written order and will become an extra charge over and above the estimate.

Signature

*Note - this proposal may be withdrawn by us if not accepted within 3 days.*

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.  
Payment will be made as outlined above.

Customer Signature

Date of Acceptance **07-06-2023**

# PROPOSAL

HT4

Boomer Schlesener  
PO Box 552  
Safford, AZ 85548

Mobile: (928)322-4447  
Email: boomerht4const@gmail.com

PROPOSAL SUBMITTED TO	PHONE	DATE
Land Arizona/ JAK LLC	(760)505-8999	07/05/2023
ADDRESS	EMAIL	
2015 Freda Ln	jim@landarizona.net	Quartzsite Job # 3-2023
CITY, STATE AND ZIP		
Cardiff, CA 92007		

We hereby submit specifications and estimates for:  
I will place 6" of borrow,  
And 6" of AB supplied by owner

Earthwork for Site Pads

We propose hereby to furnish material and labor - complete in accordance with the above specifications for the sum of:  
Twenty Three Thousand, Two Hundred Sixty Seven Dollars and thirty Cents \$23,267.30

Payment to be made as follows:	\$22,172.00
Gross Receipts Tax	\$1,095.30
<b>TOTAL DUE</b>	<b>\$23,267.30</b>

Payment in full due upon completion of said work.

Any alteration or deviation from above specifications involving extra costs will be executed only upon written order and will become an extra charge over and above the estimate.

Signature

Note - this proposal may be withdrawn by us if not accepted within 3 days.

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.  
Payment will be made as outlined above.

  
Customer Signature

Date of Acceptance 07-06-2023

# EXHIBIT C

File No: 5366 | AZ |  
Notice Requested by and Return To:  
National Lien & Bond Services LLC  
428 E Thunderbird Rd, #131  
Phoenix, AZ 85022 | Job No: 0723

Customer: LandArizona/JAK LLC  
Project: Quartzsite Land  
Rec. ID: 778721  
FIRST CLASS MAIL  
Return Receipt Requested

**TWENTY DAY PRELIMINARY NOTICE**

In Accordance With Arizona Revised Statutes Section 33-992.01

**THIS IS NOT A LIEN. THIS IS NOT A REFLECTION ON THE INTEGRITY OF ANY CONTRACTOR OR SUBCONTRACTOR**

**TO: OWNER OR REPUTED OWNER**

LandArizona/JAK LLC  
2015 Freda Lane  
Cardiff By The Sea, CA 92007

**TO: ORIGINAL CONTRACTOR  
OR REPUTED CONTRACTOR**

HT4  
PO Box 552  
Safford, AZ 85548

1. The following is a general description of the labor, service, equipment or materials furnished or to be furnished by the undersigned.

General Contracting, Construction, & Repair

2. Estimated Price: \$75,000.00

3. The name of the person who furnished that labor, service, equipment or materials is:

HT4  
PO Box 552  
Safford, AZ 85548

4. The name of the person who contracted for purchase of that labor, service, equipment or material is:

LandArizona/JAK LLC  
2015 Freda Lane  
Cardiff By The Sea, CA 92007

5. The description of the jobsite is:

Quartzsite Land  
29884 N 53rd St  
Quartzsite, AZ 85346  
County of La Paz, APN: 302-56-003

6. Date Claimant first provided said labor, services, equipment or materials:  
07/13/2023

**TO: TENANT OR REPUTED TENANT**

**NOTICE TO PROPERTY OWNER**

If bills are not paid in full for the labor, professional services, materials, machinery, fixtures or tools furnished, or to be furnished, a Mechanic's Lien leading to the loss, through court foreclosure proceedings, of all or part of your property being improved may be placed against the property. You may wish to protect yourself against this consequence by either:

1. Requiring your contractor to furnish a conditional waiver and release pursuant to Arizona Revised Statutes Section 33-1008, Subsection D, Paragraphs 1 and 3 signed by the person or firm giving you this notice before you make payment to your contractor.
2. Requiring your contractor to furnish a unconditional waiver and release pursuant to Arizona Revised Statutes Section 33-1008, Subsection D, Paragraphs 2 and 4 signed by the person or firm giving you this notice before you make payment to your contractor.
3. Using any other method or device that is appropriate under the circumstances.

Within ten days of the receipt of this preliminary twenty day notice the owner or other interested party is required to furnish all information necessary to correct any inaccuracies in the notice pursuant to Arizona Revised Statutes Section 33-992.01, Subsection 1 or lose as a defense or lose as a defense any inaccuracy of that information.

Within ten days of the receipt of this preliminary twenty day notice if any Payment Bond has been recorded in compliance with Arizona Revised Statutes Section 33-1003. The owner must provide a copy of the Payment Bond including the name and address of the surety company and bonding agent providing the Payment Bond to the person who has given the preliminary twenty day notice. In the event that the owner or other interested party fails to provide the bond information within that ten day period, the claimant shall retain lien rights to the extent precluded or prejudiced from asserting a claim against the bond as a result of not timely receiving the bond information.

  
Jeff Veerhusen, As Ltd. Agent For, HT4. July 25, 2023

**DETACH HERE AND SEND LOWER PORTION TO CLAIMANT**  
**ACKNOWLEDGMENT OF RECEIPT OF TWENTY DAY PRELIMINARY NOTICE**

This acknowledges receipt on (today's date) \_\_\_\_\_ of a copy of the Twenty

Day Preliminary Notice at (address where notice received) \_\_\_\_\_

Date (date this acknowledgment is executed) \_\_\_\_\_

Signature of person acknowledging receipt, with title if acknowledgment is made for another person \_\_\_\_\_

Reference #: 778721 | File #: 5366

**National Lien & Bond Services LLC**

428 E Thunderbird Rd, #131  
Phoenix, AZ 85022  
First Class Certificate of Mailing  
07/25/2023 through 07/25/2023

Item	Certified Number	Addressee	Prelim #	Job #	Postage
1	1st Class Mail	LandArizona/JAK LLC 2015 Freda Lane Cardiff By The Sea, CA 92007	778721	0723	0.54
2	1st Class Mail	HT4 PO Box 552 Safford, AZ 85548	778721	0723	0.54

**VERIFICATION**

MAILING PARTY  
National Lien & Bond Services  
LLC  
428 E Thunderbird Rd, #131  
Phoenix, AZ 85022

POSTMASTER

Total Pieces Received: 2

NUMBER OF PIECES: 2

RECEIVED BY: \_\_\_\_\_

DATE PREPARED: \_\_\_\_\_

DATE CERTIFIED: \_\_\_\_\_



**NOTICE OF INTENT TO FILE A BOND CLAIM, MECHANIC'S LIEN OR STOP NOTICE**

**TO: OWNER OR REPUTED OWNER**

LandArizona/JAK LLC  
2015 Freda Lane  
Cardiff By The Sea, CA 92007

**FROM: CLAIMANT**

HT4  
PO Box 552  
Safford, AZ 85548

**TO: GENERAL CONTRACTOR OR PRIME CONTRACTOR**

HT4  
PO Box 552  
Safford, AZ 85548

The undersigned claimant, HT4 intends to file a Bond Claim, Mechanic's Lien or Stop Notice against the building, erection or improvement described as Quartzsite Land, 29884 N 53rd St, Quartzsite, AZ 85346 in the County of La Paz, APN: 302-56-003 . The claimant furnished the following kinds of labor, services, equipment or materials: General Contracting, Construction, & Repair, at the request of LandArizona/JAK LLC, 2015 Freda Lane, Cardiff By The Sea, CA 92007.

The amount due is \$20,245.70, plus service charges or interest at the rate of 0.00% per annum. This notice is being sent as a matter of courtesy and reflects information true as of this date. If this claim has already been paid, please disregard this notice.

Unless we receive payment by November 10, 2023 a claim may be filed.

Dated October 30, 2023 for HT4, PO Box 552, Safford, AZ 85548.

By: Jeff Veerhusen Jeff Veerhusen, As Ltd. Agent For, HT4

I declare that I am authorized to file the NOTICE OF INTENT on behalf of the claimant. I have read the foregoing document and know the contents and know the contents thereof; the same is true of my own knowledge. I declare under penalty of perjury under the laws of the State of Arizona that the foregoing is true and correct. Executed at Phoenix, AZ on October 30, 2023 for HT4, PO Box 552, Safford, AZ 85548.

By: Jeff Veerhusen Jeff Veerhusen, As Ltd. Agent For, HT4

**PROOF OF SERVICE BY MAIL AFFIDAVIT**

I declare that I served copies of the above NOTICE OF INTENT by First Class Certified and/or Return Receipt Requested or Registered Mail service, postage prepaid, (as required by law) addressed to each of the parties at the addresses shown above on October 30, 2023. I declare under penalty of perjury under the laws of the State of Arizona that the foregoing is true and correct. Executed at Phoenix, AZ on October 30, 2023 for HT4, PO Box 552, Safford, AZ 85548.

By: Jeff Veerhusen Jeff Veerhusen, As Ltd Agent for,, HT4

**VERIFICATION**

State of Arizona )

) §

County Of Maricopa )

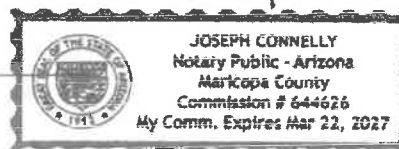
SUBSCRIBED and SWORN TO on the 30th day of October 2023 before me,  
PUBLIC:

Joseph Connelly NOTARY

Signature

Notary Public in and for the State of Arizona

My Commission Expires: 1/1/2019 3-22-2027



# **EXHIBIT D**

## HT4

License # 319426

PO Box552

10/14/2023

Phone (928)322-4447

Safford, AZ 85548

Jim,

### Roadwork

You okayed the earthwork on the road, and then you ordered the AB. I told you several times that you did not know how to calculate quantities for AB, so your numbers were incorrect. Never did we use AB as a source of borrow. We need credit back from the water line bill of \$2,457.50.

### Earthwork and AB on Site Pads

All earthwork on pads was okayed by you before AB was placed. No AB was used as a borrow source. And again, your calculations were wrong. You are using loose AB versus compacted AB. Earthwork and AB was paid in full. If you had any complaints, they should have been addressed then and deducted from payment instead of making full payment. For this, we need credit back from the water line invoice of \$1,497.20.

As the agreement states, the owner is to pay in full for each segment as completed, which you did. If any back charges were to be made, they should have been made at that time, not after the fact.

### Correct hours for Tom Smith

Sept. 7	6-10am	4 hrs left early	hailed water to pad
Sept. 8	6-2pm	8 hrs	
Sept. 9	6-1pm	7 hrs	
Sept. 11	6-2pm	8 hrs	
Sept. 12	6-8am	2 hrs	
Sept 13	6-2pm	8 hrs	
Sept 14	6-11am	5 hrs	went home sick
Sept 15	6-11am	5 hrs	
Sept 18	8-1pm	5 hrs	
Sept 19	6-1:30pm	7.5 hrs	
Sept 20	6-12:30pm	6.5 hrs	

Total of 66 hours X \$25.00/hr. = \$1,650.00. Your bill is \$2,025.00. You owe HT4 \$375.00 for the difference.

A record of his hours was logged by me on a daily basis. Any hours he worked outside of those hours are not mine to pay, they are yours.

This \$375.00 needs to be added back to the waterline invoice.

### Back charges to Jim

1 ½" hose at well site - \$175.00

Level around pump house – 1 hr. @\$100.00/hr = \$100.00

On Monday, July 17 we worked on haul road to pump for Jim. 8 hrs. @ \$100.00/hr. = \$800.00

This includes hauling material from your friend's house.

The agreement was made that construction water would be available on site at the start of construction.

This did not happen, so water had to be hauled from Quartzsite. At the meeting of Sept. 12<sup>th</sup>, both you and your wife said to bill you for the extra cost. This took 11 days for you to get your pump ready. This meant a loss of work time plus the extra cost of equipment and labor.

### Hauling water from Quartzsite water source

7/17/23 - Start 500      Stopped 300

"	480	"	260								
"	480	"	180								
"	300	"	232	Start	150	Stopped	91	Start	100	Stopped	35
"	300	"	280	"	30	"	30				
"	300	"	274	"	30	"	30				
"	350	"	280								

**Total of 7 loads**, with all loads having a full 500 gallons.

7/18/23 - Start 350      Stopped 295

"	350	"	210	Start	100	Stopped	63	Start	150	Stopped	60
"	350	"	289								
"	350	"	35	"	350	"	256				
"	350	"	251	"	100	"	65				
"	350	"	290								
"	350	"	291								
"	350	"	250	"	50	"	31				

**Total of 8 loads**. Each time it stopped; it took 5 – 10 to restart the pump.

7/19/23 - Start 350      Stopped 282

"	350	"	275
"	350	"	271
"	350	"	281

Total of 4 loads.

7/20/23 - Start	350	Stopped	178	Start	350	Stopped	120
"	350	"	186	"	350	"	100
"	350	"	273				
"	350	"	265	"	50	"	32
"	350	"	274				
"	350	"	278	"	100	"	30

Total of 6 loads.

7/24/23 - Start	400	Stopped	210	Start	200	Stopped	74
"	400	"	281				
"	400	"	282				
"	400	"	276				
"	400	"	245				
"	400	"	304				

Total of 6 loads.

7/25/23 - Start	400	Stopped	297				
"	400	"	236	Start	100	Stopped	53
"	400	"	283				

Total of 3 loads.

7/26/23 - Start	400	Stopped	295				
"	400	"	276	Start	100	Stopped	24

Total of 2 loads.

7/27/23 - Start	400	Stopped	287				
"	400	"	208				
"	400	"	290				
"	400	"	280				
"	400	"	264				
"	400	"	267	Start	100	Stopped	30
"	400	"	300				
"	400	"	276				

Total of 8 loads.

7/31/23 - Start	400	Stopped	210	Start	200	Stopped	78
"	400	"	211	"	200	"	82
"	500	"	325				
"	500	"	293				
"	500	"	297				
"	500	"	306				

**Total of 6 loads.**

8/01/23 - Start	500	Stopped	290	<b>1 load</b>
8/02/23 - Start	500	Stopped	257	<b>1 load</b>
8/03/23 - Start	500	Stopped	282	
"	500	"	257	<b>2 loads</b>

**12 days back and forth from town to haul water.**

54 loads @ 20 miles per load

Truck time – 54 loads @ 1 hr. truck time per load.

54 hrs x \$16.00/ hr = \$884.00

Extra rental time on equipment for 2 weeks

Mini Excavator – 2 weeks rent – 14 days same charge as a full month - \$3,167.00

Gannon – 2 weeks rent – 14 days same charge as a full month - \$3,900.00

Charging for just one week of extra labor, not two.

Alonzo 40 hrs. X \$40.00 = \$1,600.00

Boomer 40 hrs. X \$60.00 = \$2,400.00

**RE-CAP**

Money back on water line bill -

\$1,497.20 for pads

\$2,457.50 for road

\$375.00 for Tom Smith's hrs.

**Total    \$4,329.70**

**Extra cost for hauling water**

Truck time                \$864.00

Extra rental time    \$7,067.00

Labor costs             \$4,000.00

**Total                    \$11,931.00**

Hose at well site            \$175.00

Level around pump house \$100.00

Haul Road                    \$800.00

**Total    \$1,075.00**

Electric Trench            \$100 X 6 hrs = \$600.00

Extra cost for motels            \$1,356.00

**Total due                    \$19,291.70**

**GROSS RECEIPTS TAX            \$954.00**

**GRAND TOTAL NOW DUE        \$20,245.70**

**WHEN THE TOTAL BALNCE IS PAID IN FULL, WE WILL ISSUE AN UNCONDITIONAL LIEN RELEASE.  
OTHERWISE, OUR LIEN WILL STAY IN PLACE.**

# **EXHIBIT E**

**NOTICE OF INTENT TO FILE A BOND CLAIM, MECHANIC'S LIEN OR STOP NOTICE**

**TO: OWNER OR REPUTED OWNER**

LandArizona/JAK LLC  
2015 Freda Lane  
Cardiff By The Sea, CA 92007

**FROM: CLAIMANT**

HT4  
PO Box 552  
Safford, AZ 85548

**TO: GENERAL CONTRACTOR OR PRIME CONTRACTOR**

HT4  
PO Box 552  
Safford, AZ 85548

The undersigned claimant, HT4 intends to file a Bond Claim, Mechanic's Lien or Stop Notice against the building, erection or improvement described as Quartzsite Land, 29884 N 53rd St, Quartzsite, AZ 85346 in the County of La Paz, APN: 302-56-003. The claimant furnished the following kinds of labor, services, equipment or materials: General Contracting, Construction, & Repair; at the request of LandArizona/JAK LLC, 2015 Freda Lane, Cardiff By The Sea, CA 92007.

The amount due is \$20,245.70, plus service charges or interest at the rate of 0.00% per annum. This notice is being sent as a matter of courtesy and reflects information true as of this date. If this claim has already been paid, please disregard this notice.

Unless we receive payment by November 10, 2023 a claim may be filed.

Dated October 30, 2023 for HT4, PO Box 552, Safford, AZ 85548.

By: Jeff Veerhusen Jeff Veerhusen, As Ltd. Agent For, HT4

I declare that I am authorized to file the NOTICE OF INTENT on behalf of the claimant. I have read the foregoing document and know the contents and know the contents thereof; the same is true of my own knowledge. I declare under penalty of perjury under the laws of the State of Arizona that the foregoing is true and correct. Executed at Phoenix, AZ on October 30, 2023 for HT4, PO Box 552, Safford, AZ 85548.

By: Jeff Veerhusen Jeff Veerhusen, As Ltd. Agent For, HT4

**PROOF OF SERVICE BY MAIL AFFIDAVIT**

I declare that I served copies of the above NOTICE OF INTENT by First Class Certified and/or Return Receipt Requested or Registered Mail service, postage prepaid, (as required by law) addressed to each of the parties at the addresses shown above on October 30, 2023. I declare under penalty of perjury under the laws of the State of Arizona that the foregoing is true and correct. Executed at Phoenix, AZ on October 30, 2023 for HT4, PO Box 552, Safford, AZ 85548.

By: Jeff Veerhusen Jeff Veerhusen, As Ltd Agent for,, HT4

**VERIFICATION**

State of Arizona )

County Of Maricopa )

SUBSCRIBED and SWORN TO on the 30th day of October 2023 before me,

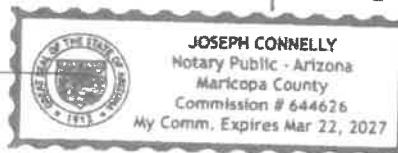
PUBLIC:

Joseph Connelly NOTARY

Signature

Notary Public in and for the State of Arizona

My Commission Expires: ~~1/1/2019~~ 3-22-2027



# **EXHIBIT F**

**PREPARED BY, RECORDING  
REQUESTED BY AND RETURN TO:**

Jeff Veerhusen, As Ltd. Agent For  
National Lien & Bond Services LLC  
428 E Thunderbird Rd, #131  
Phoenix, AZ 85022

**NOTICE AND CLAIM OF MECHANIC'S AND MATERIALMAN'S LIEN****CLAIMANT**

HT4  
PO Box 552  
Safford, AZ 85548

**OWNER OR REPUTED OWNER**

LandArizona/JAK LLC  
2015 Freda Lane  
Cardiff By The Sea, CA 92007

**Nature of improvements to be charged with a Lien:**

General Contracting, Construction, & Repair

**Amount of claim after deducting just credits and offsets:**

\$20,245.70

**REAL PROPERTY ADDRESS/LOCATION**

Quartzsite Land, 29884 N 53rd St, Quartzsite, AZ 85346 in the County of La Paz, APN: 302-56-003

A legal description of the property follows: THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 3 NORTH, RANGE 19 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, LAPAZ COUNTY, ARIZONA (Section: 29 Township: 3N Range: 19W NE4 NE4 SEC 29 T-3N R-19W EX N 33' RD R/W).

1. I am the Claimant or have knowledge of the facts of this claim and make this affidavit in compliance with ARS 33-993.
2. Claimant has furnished labor, materials, machinery, fixtures or tools in the construction, alteration or repair of the buildings, other structures or above described improvements on Subject Real Property. This was done at the Request of Owner or Reputed Owner, or at the request of a person whom Claimant reasonably believed to be the lawful agent of Owner or Reputed Owner.
3. The Owner or Reputed Owner by whom Claimant was employed or to whom Claimant furnished materials was LandArizona/JAK LLC, 2015 Freda Lane, Cardiff By The Sea, CA 92007.
4. The labor, materials, machinery, fixtures or tools were furnished pursuant to a written contract, a copy of which is attached.
4. The building, structure or improvement or the alteration or repair of such building, structure or improvement was completed on October 3, 2023.
5. The Preliminary Twenty Day Notice required by ARS 33-992.01 was served on July 25, 2023.
6. If the lien against the dwelling of a person who became an owner-occupant prior to the construction, alteration, repair or improvement, the claimant has executed written contract directly with the owner-occupant. ARS 33-1002.

WHEREFORE Claimant demands a lien on the Subject Real Property and all improvements thereon in the amount set forth above, and in order to fix this lien has made this Notice and Claim in two or more original copies, causing one to be filed in the Office of the County Recorder of this County.

Dated November 21, 2023 for HT4, PO Box 552, Safford, AZ 85548

By:



Jeff Veerhusen, As Ltd. Agent For, HT4

ACKNOWLEDGEMENT BY NOTARY PUBLIC

State of Arizona

)

) §

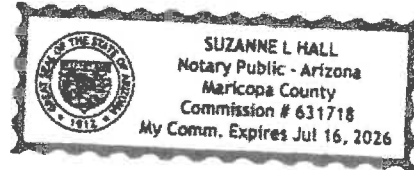
County Of Maricopa

)

SUBSCRIBED and SWORN TO on the 21st day of November 2023 before me, Suzanne L. Hall,  
NOTARY PUBLIC:

Signature

Suzanne L. Hall  
Notary Public in and for the State of Arizona  
My Commission Expires: ~~01/01/2024~~ 07/16/2026



**Exhibit A - Property Description**

**Owner: LandArizona/JAK LLC, 2015 Freda Lane, Cardiff By The Sea, CA 92007**  
**Project: Quartzsite Land, 29884 N 53rd St, Quartzsite, AZ 85346**

**The following is a complete legal description, to the best of our knowledge, of the property to be liened.  
Information for this exhibit was obtained through the Recorder's Office where the property is located, or from  
other sources.**

**THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 3 NORTH, RANGE 19  
WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, LAPAZ COUNTY, ARIZONA (Section: 29 Township:  
3N Range: 19W NE4 NE4 SEC 29 T-3N R-19W EX N 33' RD R/W)**

# AFFIDAVIT OF SERVICE BY MAIL

STATE OF ARIZONA

COUNTY OF MARICOPA

I, Jeff Veerhusen, being first duly sworn, depose and say:

1. That I am of full age and not a party to the above entitled action, and I have no interest therein.
2. That my company mailed on July 25, 2023, attached exhibit, postage prepaid, by depositing in the U.S. Mail, a copy of Preliminary Notice #778721/File #5366, to all parties shown.

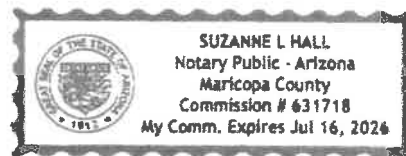
FURTHER AFFIANT SAYETH NAUGHT.

Date: 11/21/2023

Jeff Veerhusen  
Jeff Veerhusen, Affiant

The foregoing instrument was acknowledged before me this  
21 Day of November, 2023

Suzanne L Hall  
Notary Public



My commission Expires:

07/16/2026

File No: 5366 | AZ |  
Notice Requested by and Return To:  
National Lien & Bond Services LLC  
428 E Thunderbird Rd, #131  
Phoenix, AZ 85022 | Job No: 0723

Customer: LandArizona/JAK LLC  
Project: Quartzsite Land  
Rec. ID: 778721  
FIRST CLASS MAIL  
Return Receipt Requested

**TWENTY DAY PRELIMINARY NOTICE**

In Accordance With Arizona Revised Statutes Section 33-992.01

**THIS IS NOT A LIEN. THIS IS NOT A REFLECTION ON THE INTEGRITY OF ANY CONTRACTOR OR SUBCONTRACTOR**

**TO: OWNER OR REPUTED OWNER**

LandArizona/JAK LLC  
2015 Freda Lane  
Cardiff By The Sea, CA 92007

**TO: ORIGINAL CONTRACTOR  
OR REPUTED CONTRACTOR**

HT4  
PO Box 552  
Safford, AZ 85548

1. The following is a general description of the labor, service, equipment or materials furnished or to be furnished by the undersigned.

General Contracting, Construction, & Repair

2. Estimated Price: \$75,000.00

3. The name of the person who furnished that labor, service, equipment or materials is:

HT4  
PO Box 552  
Safford, AZ 85548

4. The name of the person who contracted for purchase of that labor, service, equipment or material is:

LandArizona/JAK LLC  
2015 Freda Lane  
Cardiff By The Sea, CA 92007

5. The description of the jobsite is:

Quartzsite Land  
29884 N 53rd St  
Quartzsite, AZ 85346  
County of La Paz, APN: 302-56-003

6. Date Claimant first provided said labor, services, equipment or materials:  
07/13/2023

**TO: TENANT OR REPUTED TENANT**

**NOTICE TO PROPERTY OWNER**

If bills are not paid in full for the labor, professional services, materials, machinery, fixtures or tools furnished, or to be furnished, a Mechanic's Lien leading to the loss, through court foreclosure proceedings, of all or part of your property being improved may be placed against the property. You may wish to protect yourself against this consequence by either:

1. Requiring your contractor to furnish a conditional waiver and release pursuant to Arizona Revised Statutes Section 33-1008, Subsection D, Paragraphs 1 and 3 signed by the person or firm giving you this notice before you make payment to your contractor.
2. Requiring your contractor to furnish a unconditional waiver and release pursuant to Arizona Revised Statutes Section 33-1008, Subsection D, Paragraphs 2 and 4 signed by the person or firm giving you this notice before you make payment to your contractor.
3. Using any other method or device that is appropriate under the circumstances.

Within ten days of the receipt of this preliminary twenty day notice the owner or other interested party is required to furnish all information necessary to correct any inaccuracies in the notice pursuant to Arizona Revised Statutes Section 33-992.01, Subsection 1 or lose as a defense or lose as a defense any inaccuracy of that information.

Within ten days of the receipt of this preliminary twenty day notice if any Payment Bond has been recorded in compliance with Arizona Revised Statutes Section 33-1003. The owner must provide a copy of the Payment Bond including the name and address of the surety company and bonding agent providing the Payment Bond to the person who has given the preliminary twenty day notice. In the event that the owner or other interested party fails to provide the bond information within that ten day period, the claimant shall retain lien rights to the extent precluded or prejudiced from asserting a claim against the bond as a result of not timely receiving the bond information.

  
By: Jeff Veerhusen, As Ltd. Agent For, HT4, July 25, 2023

**DETACH HERE AND SEND LOWER PORTION TO CLAIMANT**  
**ACKNOWLEDGMENT OF RECEIPT OF TWENTY DAY PRELIMINARY NOTICE**

This acknowledges receipt on (today's date) \_\_\_\_\_ of a copy of the Twenty

Day Preliminary Notice at (address where notice received) \_\_\_\_\_

Date (date this acknowledgment is executed) \_\_\_\_\_

Signature of person acknowledging receipt, with title if acknowledgment is made for another person \_\_\_\_\_

Reference #: 778721 | File #: 5366

**National Lien & Bond Services LLC**

428 E Thunderbird Rd, #131  
Phoenix, AZ 85022  
First Class Certificate of Mailing  
07/25/2023 through 07/25/2023

Item	Certified Number	Addressee	Prelim #	Job #	Postage
1	1st Class Mail	LandArizona/JAK LLC 2015 Freda Lane Cardiff By The Sea, CA 92007	778721	0723	0.54
2	1st Class Mail	HT4 PO Box 552 Safford, AZ 85548	778721	0723	0.54

**VERIFICATION**

MAILING PARTY  
National Lien & Bond Services  
LLC  
428 E Thunderbird Rd, #131  
Phoenix, AZ 85022

POSTMASTER

Total Pieces Received: 2

NUMBER OF PIECES: 2

RECEIVED BY: \_\_\_\_\_

DATE PREPARED: \_\_\_\_\_

DATE CERTIFIED: \_\_\_\_\_



**NOTICE OF INTENT TO FILE A BOND CLAIM, MECHANIC'S LIEN OR STOP NOTICE**

**TO: OWNER OR REPUTED OWNER**

LandArizona/JAK LLC  
2015 Freda Lane  
Cardiff By The Sea, CA 92007

**FROM: CLAIMANT**

HT4  
PO Box 552  
Safford, AZ 85548

**TO: GENERAL CONTRACTOR OR PRIME CONTRACTOR**

HT4  
PO Box 552  
Safford, AZ 85548

The undersigned claimant, HT4 intends to file a Bond Claim, Mechanic's Lien or Stop Notice against the building, erection or improvement described as Quartzsite Land, 29884 N 53rd St, Quartzsite, AZ 85346 in the County of La Paz, APN: 302-56-003. The claimant furnished the following kinds of labor, services, equipment or materials: General Contracting, Construction, & Repair; at the request of LandArizona/JAK LLC, 2015 Freda Lane, Cardiff By The Sea, CA 92007.

The amount due is \$20,245.70, plus service charges or interest at the rate of 0.00% per annum. This notice is being sent as a matter of courtesy and reflects information true as of this date. If this claim has already been paid, please disregard this notice.

Unless we receive payment by November 10, 2023 a claim may be filed.

Dated October 30, 2023 for HT4, PO Box 552, Safford, AZ 85548.

By: Jeff Veerhusen Jeff Veerhusen, As Ltd. Agent For, HT4

I declare that I am authorized to file the NOTICE OF INTENT on behalf of the claimant. I have read the foregoing document and know the contents and know the contents thereof; the same is true of my own knowledge. I declare under penalty of perjury under the laws of the State of Arizona that the foregoing is true and correct. Executed at Phoenix, AZ on October 30, 2023 for HT4, PO Box 552, Safford, AZ 85548.

By: Jeff Veerhusen Jeff Veerhusen, As Ltd. Agent For, HT4

**PROOF OF SERVICE BY MAIL AFFIDAVIT**

I declare that I served copies of the above NOTICE OF INTENT by First Class Certified and/or Return Receipt Requested or Registered Mail service, postage prepaid, (as required by law) addressed to each of the parties at the addresses shown above on October 30, 2023. I declare under penalty of perjury under the laws of the State of Arizona that the foregoing is true and correct. Executed at Phoenix, AZ on October 30, 2023 for HT4, PO Box 552, Safford, AZ 85548.

By: Jeff Veerhusen Jeff Veerhusen, As Ltd Agent for,, HT4

**VERIFICATION**

State of Arizona )

County Of Maricopa )

SUBSCRIBED and SWORN TO on the 30th day of October 2023 before me,

PUBLIC:

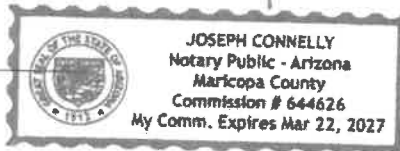
Joseph Connelly NOTARY

Signature

Notary Public in and for the State of Arizona

My Commission Expires: 11/1/2019

3-22-2027



# PROPOSAL

HT4

Boomer Schlesener  
PO Box 552  
Safford, AZ 85548

Mobile: (928)322-4447  
Email: boomerht4const@gmail.com

PROPOSAL SUBMITTED TO	PHONE	DATE
Land Arizona/ JAK LLC	(760)505-8999	07/05/2023
ADDRESS	EMAIL	
2015 Freda Ln	jim@landarizona.net	Quartzsite Job # 3-2023
CITY, STATE AND ZIP		
Cardiff, CA 92007		

We hereby submit specifications and estimates for:  
This includes 1500 LF of STD 21 pipe,  
Two Water Services with Just Angle Meter Stops,  
Run to property line,  
Also one Blow-off and one Air Release Valve

**Waterline**

We propose hereby to furnish material and labor - complete in accordance with the above specifications for the sum of:  
Twenty Nine Thousand, Eight hundred Twelve dollars \$29,812.00

Payment to be made as follows:


Payment in full due upon completion of said work.

Any alteration or deviation from above specifications involving extra costs will be executed only upon written order and will become an extra charge over and above the estimate.

Signature

*Note - this proposal may be withdrawn by us if not accepted within 3 days.*

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.  
Payment will be made as outlined above.

  
Customer Signature

Date of Acceptance 07-06-2023

# PROPOSAL

HT4

Boomer Schlesener  
PO Box 552  
Safford, AZ 85548

Mobile: (928)322-4447  
Email: boomerht4const@gmail.com

PROPOSAL SUBMITTED TO	PHONE	DATE
Land Arizona/ JAK LLC	(760)505-8999	07/05/2023
ADDRESS	EMAIL	
2015 Freda Ln	jim@landarizona.net	Quartzsite Job # 3-2023
CITY, STATE AND ZIP		
Cardiff, CA 92007		

We hereby submit specifications and estimates for:  
Build a road 24' wide by 12" high for 350 Feet  
Borrow source will be 400' to 500' away er Stops,  
Owner to supply 6" of AB for road base,  
This includes some time to help channel water flow S.E. Of new road

**Earthwork**

We propose hereby to furnish material and labor - complete in accordance with the above specifications for the sum of:  
Eighteen Thousand, Five Hundred Twenty Three Dollars \$18,523.00

Payment to be made as follows:

TOTAL FOR BOTH JOBS: \$48,335.00

Gross Receipts Tax

\$2,387.75

TOTAL DUE

\$50,722.75

Payment in full due upon completion of said work.

Any alteration or deviation from above specifications involving extra costs will be executed only upon written order and will become an extra charge over and above the estimate.

Signature

Note - this proposal may be withdrawn by us if not accepted within 3 days.

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.  
Payment will be made as outlined above.

  
Customer Signature

Date of Acceptance 07-06-2023

# PROPOSAL

HT4

Boomer Schlesener  
PO Box 552  
Safford, AZ 85548

Mobile: (928)322-4447  
Email: boomerht4const@gmail.com

PROPOSAL SUBMITTED TO	PHONE	DATE
Land Arizona/ JAK LLC	(760)505-8999	07/05/2023
ADDRESS	EMAIL	
2015 Freda Ln	jim@landarizona.net	Quartzsite Job # 3-2023
CITY, STATE AND ZIP		
Cardiff, CA 92007		

We hereby submit specifications and estimates for:  
I will place 6" of borrow,  
And 6" of AB supplied by owner

Earthwork for Site Pads

We propose hereby to furnish material and labor - complete in accordance with the above specifications for the sum of:  
Twenty Three Thousand, Two Hundred Sixty Seven Dollars and thirty Cents \$23,267.30

Payment to be made as follows:	\$22,172.00
Gross Receipts Tax	\$1,095.30
<b>TOTAL DUE</b>	<b>\$23,267.30</b>

Payment in full due upon completion of said work.

Any alteration or deviation from above specifications involving extra costs will be executed only upon written order and will become an extra charge over and above the estimate.

Signature

Note - this proposal may be withdrawn by us if not accepted within 3 days.

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.  
Payment will be made as outlined above.

  
Customer Signature

Date of Acceptance 07-06-2023

## HT4

License # 319426

PO Box552

10/14/2023

Phone (928)322-4447

Safford, AZ 85548

Jim,

### Roadwork

You okayed the earthwork on the road, and then you ordered the AB. I told you several times that you did not know how to calculate quantities for AB, so your numbers were incorrect. Never did we use AB as a source of borrow. We need credit back from the water line bill of \$2,457.50.

### Earthwork and AB on Site Pads

All earthwork on pads was okayed by you before AB was placed. No AB was used as a borrow source. And again, your calculations were wrong. You are using loose AB versus compacted AB. Earthwork and AB was paid in full. If you had any complaints, they should have been addressed then and deducted from payment instead of making full payment. For this, we need credit back from the water line invoice of \$1,497.20.

As the agreement states, the owner is to pay in full for each segment as completed, which you did. If any back charges were to be made, they should have been made at that time, not after the fact.

### Correct hours for Tom Smith

Sept. 7	6-10am	4 hrs left early	hauling water to pad
Sept. 8	6-2pm	8 hrs	
Sept. 9	6-1pm	7 hrs	
Sept. 11	6-2pm	8 hrs	
Sept. 12	6-8am	2 hrs	
Sept 13	6-2pm	8 hrs	
Sept 14	6-11am	5 hrs	went home sick
Sept 15	6-11am	5 hrs	
Sept 18	8-1pm	5 hrs	
Sept 19	6-1:30pm	7.5 hrs	
Sept 20	6-12:30pm	6.5 hrs	

Total of 66 hours X \$25.00/hr. = \$1,650.00. Your bill is \$2,025.00. You owe HT4 \$375.00 for the difference.

A record of his hours was logged by me on a daily basis. Any hours he worked outside of those hours are not mine to pay, they are yours.

This \$375.00 needs to be added back to the waterline invoice.

### Back charges to Jim

1 ½" hose at well site - \$175.00

Level around pump house – 1 hr. @\$100.00/hr = \$100.00

On Monday, July 17 we worked on haul road to pump for Jim. 8 hrs. @ \$100.00/hr. = \$800.00

This includes hauling material from your friend's house.

The agreement was made that construction water would be available on site at the start of construction.

This did not happen, so water had to be hauled from Quartzsite. At the meeting of Sept. 12<sup>th</sup>, both you and your wife said to bill you for the extra cost. This took 11 days for you to get your pump ready. This meant a loss of work time plus the extra cost of equipment and labor.

### Hauling water from Quartzsite water source

7/17/23 - Start	500	Stopped	300								
"	480	"	260								
"	480	"	180								
"	300	"	232	Start	150	Stopped	91	Start	100	Stopped	35
"	300	"	280	"	30	"	30				
"	300	"	274	"	30	"	30				
"	350	"	280								

**Total of 7 loads**, with all loads having a full 500 gallons.

7/18/23 - Start	350	Stopped	295								
"	350	"	210	Start	100	Stopped	63	Start	150	Stopped	60
"	350	"	289								
"	350	"	35	"	350	"	256				
"	350	"	251	"	100	"	65				
"	350	"	290								
"	350	"	291								
"	350	"	250	"	50	"	31				

**Total of 8 loads.** Each time it stopped; it took 5 – 10 to restart the pump.

7/19/23 - Start	350	Stopped	282
"	350	"	275
"	350	"	271
"	350	"	281

Total of 4 loads.

7/20/23 - Start	350	Stopped	178	Start	350	Stopped	120
"	350	"	186	"	350	"	100
"	350	"	273				
"	350	"	265	"	50	"	32
"	350	"	274				
"	350	"	278	"	100	"	30

Total of 6 loads.

7/24/23 - Start	400	Stopped	210	Start	200	Stopped	74
"	400	"	281				
"	400	"	282				
"	400	"	276				
"	400	"	245				
"	400	"	304				

Total of 6 loads.

7/25/23 - Start	400	Stopped	297				
"	400	"	236	Start	100	Stopped	53
"	400	"	283				

Total of 3 loads.

7/26/23 - Start	400	Stopped	295				
"	400	"	276	Start	100	Stopped	24

Total of 2 loads.

7/27/23 - Start	400	Stopped	287				
"	400	"	208				
"	400	"	290				
"	400	"	280				
"	400	"	284				
"	400	"	267	Start	100	Stopped	30
"	400	"	300				
"	400	"	276				

Total of 8 loads.

7/31/23 - Start	400	Stopped	210	Start	200	Stopped	78
"	400	"	211	"	200	"	82
"	500	"	325				
"	500	"	293				
"	500	"	297				
"	500	"	306				

**Total of 6 loads.**

8/01/23 - Start	500	Stopped	290	1 load
8/02/23 - Start	500	Stopped	257	1 load
8/03/23 - Start	500	Stopped	282	
"	500	"	257	2 loads

**12 days back and forth from town to haul water.**

54 loads @ 20 miles per load

Truck time – 54 loads @ 1 hr. truck time per load.

54 hrs x \$16.00/ hr = \$884.00

Extra rental time on equipment for 2 weeks

Mini Excavator – 2 weeks rent – 14 days same charge as a full month - \$3,167.00

Gannon – 2 weeks rent – 14 days same charge as a full month - \$3,900.00

Charging for just one week of extra labor, not two.

Alonzo 40 hrs. X \$40.00 = \$1,600.00

Boomer 40 hrs. X \$60.00 = \$2,400.00

**RE-CAP**

Money back on water line bill -

\$1,497.20 for pads

\$2,457.50 for road

\$375.00 for Tom Smith's hrs.

**Total    \$4,329.70**

**Extra cost for hauling water**

Truck time            \$864.00

Extra rental time    \$7,067.00

Labor costs            \$4,000.00

**Total                \$11,931.00**

Hose at well site            \$175.00

Level around pump house   \$100.00

Haul Road                \$800.00

**Total    \$1,075.00**

Electric Trench            \$100 X 6 hrs = \$600.00

Extra cost for motels            \$1,356.00

**Total due                \$19,291.70**

**GROSS RECEIPTS TAX            \$954.00**

**GRAND TOTAL NOW DUE        \$20,245.70**

**WHEN THE TOTAL BALNCE IS PAID IN FULL, WE WILL ISSUE AN UNCONDITIONAL LIEN RELEASE.**

**OTHERWISE, OUR LIEN WILL STAY IN PLACE.**

## HT4

License # 319426

PO Box552

09/16/2023

Phone (928)322-4447

Safford, AZ 85548

Invoice #4

### Submit to: Land Arizona/ JAK LLC

2015 Freda Ln

Cardiff, CA 92007

### WATERLINE

This includes 1500 LF of SDD 21 pipe

Two Water Services with Just Angle Meter Stops

Run to property line

Also, one Blow-off and one Air Release Valve

**\$29,812.00**

Gross Receipts Tax

**\$1,472.71**

Total Due

**\$31,284.71**

**On original quote, I neglected to add the Gross receipts Tax for this part of the job.**

**Note:**

**Amount overpaid on Invoice #1**

**- \$561.97**

**Amount underpaid on Invoice #2**

**+ \$267.30**

**GRAND TOTAL DUE**

**\$30,990.04**

## HT4

License # 319426

PO Box552

08/05/2023

Phone (928)322-4447

Safford, AZ 85548

**Invoice #1**

### Submit to:

Land Arizona/ JAK LLC

2015 Freda Ln

Cardiff, CA 92007

Earthwork

\$18,523.00

Gross Receipts Tax      \$ 915.03

GRAND TOTAL DUE      \$19,438.03

## HT4

License # 319426

PO Box552

09/05/2023

Phone (928)322-4447

Safford, AZ 85548

**Invoice #3**

### **Submit to:**

Land Arizona/ JAK LLC

2015 Freda Ln

Cardiff, CA 92007

Digging Electrical Trench	4Hours@ \$60.00 /HR	\$240.00
---------------------------	---------------------	----------

<b>Total Due</b>		<b>\$240.00</b>
------------------	--	-----------------

## HT4

License # 319426

PO Box552

09/05/2023

Phone (928)322-4447

Safford, AZ 85548

**Invoice #2**

### Submit to:

Land Arizona/ JAK LLC

2015 Freda Ln

Cardiff, CA 92007

Earthwork for Site Pads	\$22,272.00
Gross Receipts Tax	\$ 1,095.30
GRAND TOTAL DUE	\$23,267.30

1 Julianne C. Wheeler (No. 011795)  
E-mail: jcw@wheelerlawgroup.law  
2 **WHEELER LAW GROUP, PLLC**  
1490 S. Price Road, Suite 203  
3 Chandler, AZ 85286-8600  
Telephone: 602-885-7485  
4  
5  
6  
7

8 **SUPERIOR COURT OF ARIZONA**  
9 **LA PAZ COUNTY**  
10

11 RODNEY ELLWOOD SCHLESENER an  
Arizona resident and unmarried man doing  
12 business under the trade name "HT4,"

13 Plaintiff,

14 vs.

15 LANDARIZONA/JAK LLC, an Arizona  
limited liability company,

16 Defendants.  
17

Case No.:

**NOTICE OF PENDENCY OF  
ACTION AFFECTING TITLE TO  
REAL PROPERTY**

18 NOTICE IS HEREBY GIVEN that an action has been commenced and is pending  
19 in the Superior Court of the State of Arizona, in and for the County of La Paz, by  
20 Plaintiff Rodney Ellwood Schlesener, d/b/a HT4, to foreclose on a mechanics lien upon  
21 the premises and real estate identified in the action and hereinafter described, and to  
22 determine each and every claim, estate, or interest therein of the parties named therein  
23 or either or any of them adverse to the Plaintiff; and the premises affected by this suit  
24 are situated in the County of La Paz, State of Arizona, and are bounded and described  
25 as follows, to-wit:  
26

Exhibit A - Property Description

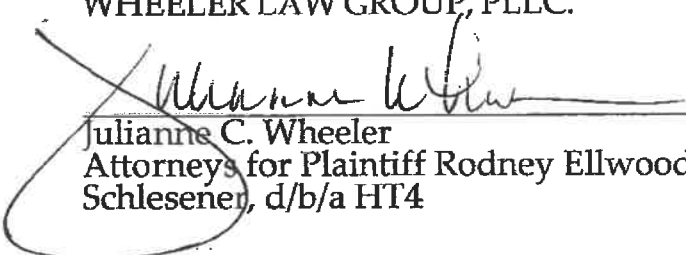
Owner: LandArizona/JAK LLC, 2015 Freda Lane, Cardiff By The Sea, CA 92007  
Project: Quartzsite Land. 29884 N 53rd St, Quartzsite, AZ 85346

The following is a complete legal description, to the best of our knowledge, of the property to be liened.  
Information for this exhibit was obtained through the Recorder's Office where the property is located, or from other sources.

THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 3 NORTH, RANGE 19 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, LAPAZ COUNTY, ARIZONA (Section: 29 Township: 3N Range: 19W NE4 NE4 SEC 29 T-3N R-19W EX N 33' RD R/W)

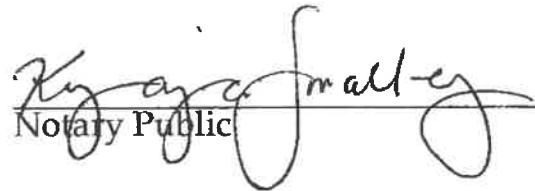
RESPECTFULLY SUBMITTED this 17th day of May, 2024.

WHEELER LAW GROUP, PLLC.

  
Julianne C. Wheeler  
Attorneys for Plaintiff Rodney Ellwood  
Schlesener, d/b/a HT4

This Notice of Pendency of Action Affecting Title to Real Property was sworn and subscribed before me this 17th day of May, 2024, by Julianne C. Wheeler.



  
Notary Public