

January 30, 2024

James Kunisch
LandArizona/JAK LLC
2015 Freda Lane
Cardiff by the Sea, CA 92007

CERTIFIED MAIL Return Receipt Requested
--

Rodney Schlesener, aka Boomer, dba HT4
P.O. Box 552
Safford, AZ 85448

Re: Mechanics Lien

Dear Boomer:

Following a thorough examination of your lien recording associated with our property, it has become apparent that a resolution to this matter is imperative, with due consideration for both affordability and expediency.

I am genuinely concerned about the potential implications of any misunderstanding surrounding this issue. In light of the Mechanics Lien recorded on our property, I have sought legal counsel from our attorney at Jennings Haug Keleher McLeod to understand the intricacies, particularly concerning the Conditional Waiver and Release documents. It has come to our attention that you may have been misadvised or lacked advice regarding these crucial documents.

I acknowledge and regret any confusion or frustration that may have arisen during this situation. However, it has reached a juncture where the prospective costs associated with rectifying the improperly recorded Lien are about to become considerable. We have been advised these costs will ultimately be borne by you.

I strongly advise consulting with legal counsel, ensuring they are apprised of all relevant documents, notably your signed Conditional Waiver and Release, indicating zero exceptions, which was either wittingly or unwittingly withheld from the lien documents you filed at La Paz County.

Time is of the essence, and I respectfully request your prompt attention to this matter within the next ten days to assess the illegality and potential damages arising from improperly recording a lien on our property. We must proceed with the next legal steps if we do not hear from you. Any further involvement with our attorney on this will incur more costs, not to mention the time I will spend away from our project dealing with this. I had advised

you early on of what my hourly rate is. Please don't let this matter continue unresolved. Damage is occurring, including potentially impugning our company and the project.

Again, verify with legal counsel that payment of the final amount *was final* once you accepted our money according to the Conditional Waiver & Release you signed. An attorney will tell you that a "conditional waiver" is an automatic full release and waiver of liens for work done under the agreement and Preliminary Twenty Day Notice when payment is made to and accepted by you in the amount stated in the conditional release document.

At this point, I assume you did not understand the Conditional Waiver and Release when you pursued charging us for work already paid for under the agreement and the Waiver and Release. The effect, however, is that you claimed you were not paid for work done according to our agreement, disregarding having given us a document proving you were paid.

This letter advises that you have effectively wrongfully claimed in a public document that we owe you money.

Because of the possibility you did not understand the purpose of Conditional Waiver and Release and you did not intend to ask for payment for work already paid for, we are providing you with ten days to seek a professional understanding and to contact us before it's considered a "wrongful lien," forcing us to file suit for treble damages, as outlined in **A.R.S. § 33-420**.

"A person purporting to claim an interest in, or a lien or encumbrance against, real property, who causes a document asserting such claim to be recorded in the office of the county recorder, knowing or having reason to know that the document is forged, groundless, contains a material misstatement or false claim or is otherwise invalid is liable to the owner or beneficial title holder of the real property for the sum of not less than five thousand dollars, or for treble the actual damages caused by the recording, whichever is greater, and reasonable attorney fees and costs of the action."

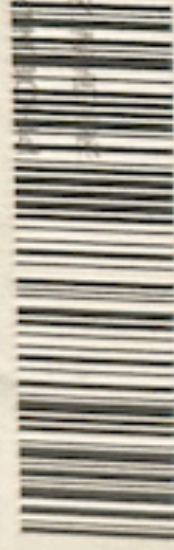
Call me to talk.

Sincerely, Jim Kunisch

A handwritten signature in black ink, appearing to be 'Jim Kunisch', with a stylized, looping initial 'J' and a long horizontal stroke at the end.

Land Arizona / AE 111
2015 Freda Lane
Candler, CA 92007

CERTIFIED MAIL



9569 0710 5270 1053 5750 30

Retail



85548



U.S. POSTAGE PAID
FCM LETTER
QUARTZSITE, AZ 853
JAN 30, 2024

\$7.40

R2305M148897-02

RDC 99

Kidney Schleseener, Dba #74
P.O. Box 552
Safford, AZ 855

NIXIE

850 CE 1

0202/25/24

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

UNC

BC: 92007141815

*2014-05715-38-41

85548055052

