

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2010-011573

10/25/2010

HONORABLE BENJAMIN E. VATZ

CLERK OF THE COURT  
W. Thompson  
Deputy

DEAN SEWARD, et al.

DEAN SEWARD  
2201 LONG PRAIRIE RD # 107-804  
FLOWER MOUND TX 75022

v.

KENT SEWARD

KENT SEWARD  
390 MERMAID ST  
LAGUNA BEACH CA 92651

SUSAN SMITH  
2201 LONG PRAIRIE RD # 107-804  
FLOWER MOUND TX 75022  
ERIN CHAVEZ  
9207 W HIGHLAND AVE  
PHOENIX AZ 85037  
DAVID G. WHITT  
WHITT APPRAISALS, INC.  
3116 E SHEA BLVD.  
#121  
PHOENIX AZ 85028  
WALTER W. REED  
WALTER REED APPRAISAL  
SERVICES  
454 W REMINGTON DR  
CHANDLER AZ 85286

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JUDGMENT

This matter having come regularly on Plaintiffs' Motion for Judgment by Default pursuant to Rule 55(b)(1), Arizona Rules of Civil Procedure. The Court having considered Plaintiffs' sum certain affidavit and, the Court finding: that Defendant **Kent Seward** was regularly and duly served; that Defendant's time to answer expired without Defendant filing a valid responsive pleading; that Defendant's default was regularly entered; and, that the allegations contained in Plaintiffs' complaint are true and correct.

**NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that Plaintiffs DEAN SEWARD and SUSAN SMITH are granted judgment against Defendant **KENT SEWARD**, as follows:

1. For damages arising out of Defendant's failure to pay his 1/3<sup>rd</sup> of the expenses on the hereinafter described real property in the principal sum of \$16,847.42 together with interest thereon from the date of judgment at 10% per annum;
2. Directing that partition of the following real property situated in Maricopa County, Arizona described as:

LOT 5301, OF BELLAIR TOWNHOMES UNIT FIVE AMENDED, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 224 OF MAPS, PAGE 22, TOGETHER WITH PARKING SPACE P-5301, more commonly known as 17651 N. Lindner, Glendale, Arizona, be made in accordance with the shares or interests of the parties as follows:

Plaintiff, Dean Seward, one third (1/3)  
Plaintiff, Susan Smith, one third (1/3)  
Defendant **KENT SEWARD**, one third, (1/3); and

3. Appointing the following disinterested persons commissioners to make the partition in accordance with the judgment:

a. Erin Chavez  
9207 W. Highland Ave.  
Phoenix, AZ 85037

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- b. David G. Whitt  
Whitt Appraisals, Inc.  
3116 East Shea Blvd. #121  
Phoenix, AZ 85028
- c. Walter W. Reed  
Walter Reed Appraisal Services  
454 W. Remington Drive  
Chandler, AZ 85286

The Clerk of the Court shall forthwith notify the commissioners of their appointment, and shall deliver to one of them a certified copy of the judgment of partition.

MAILED: Certified copies of the minute entry herein to the above appointed persons.

**IT IS FURTHER ORDERED** signing this minute entry as a formal order of this Court pursuant to Rule 58, Arizona Rules of Civil Procedure.

/ s / HONORABLE BENJAMIN E. VATZ

JUDICIAL OFFICER OF THE SUPERIOR COURT