



16 SEP 9 11:12 AM 1123

Arizona Department of Liquor Licenses and Control
800 W Washington 5th Floor
Phoenix, AZ 85007-2934
www.azliquor.gov
(602) 542-5141

Application for Liquor License
Type or Print with Black Ink

APPLICATION FEE AND INTERIM PERMIT FEES (IF APPLICABLE) ARE NOT REFUNDABLE
A service fee of \$25 will be charged for all dishonored checks (A.R.S. § 44-6852)

SECTION 1 This application is for a:

- ☐ Interim Permit (Complete Section 5)
☐ New License (Complete Sections 2, 3, 4, 13, 14, 15, 16)
☒ Person Transfer (Complete Section 2, 3, 4, 12, 13, 14, 16)
☐ Location Transfer (Bars and Liquor Stores Only)
(Complete Section 2, 3, 4, 11, 13, 14, 16)
☐ Probate/ Will Assignment/ Divorce Decree
(Complete Sections 2, 3, 4, 9, 13, 14, 16)
(Fee not required)
☐ Government (Complete Sections 2, 3, 4, 10, 13, 16)
☐ Seasonal

SECTION 2 Type of Ownership:

- ☐ J.T.W.R.O.S. (Complete Section 6)
☒ Individual (Complete Section 6)
☐ Partnership (Complete Section 6)
☐ Corporation (Complete Section 7)
☐ Limited Liability Co (Complete Section 7)
☐ Club (Complete Section 8)
☐ Government (Complete Section 10)
☐ Trust (Complete Section 6)
☐ Tribe (Complete Section 6)
☐ Other (Explain) _____

SECTION 3 Type of license

1. Type of License: BAR LICENSE # 06110012

SECTION 4 Applicants

1. Individual Owner/Agent's Name: SOTOMAYOR JANET RAE
Last First Middle
2. Owner Name: JANET RAE SOTOMAYOR
(Ownership name for type of ownership checked on section 2)
3. Business Name: SUPERSTITION SKIES BAR AND RESTAURANT
(Exactly as it appears on the exterior of premises)
4. Business Location Address: 945 ESCENIC ST APACHE JUNCTION AZ 85219 PINAL
(Do not use PO Box) Street City State Zip Code County
5. Mailing Address: 400 E SAN ANGELO AVE GILBERT AZ 85234
(All correspondence will be mailed to this address) Street City State Zip Code
6. Business Phone: 480-982-5726 Daytime Contact Phone: 480-201-9287
7. Email Address: MAVERICK 9497 @ AOL.COM
8. Is the Business located within the incorporated limits of the above city or town? ☒ Yes ☐ No
9. Does the Business location address have a street address for a City or Town but is actually in the boundaries of another City, Town or Tribal Reservation? ☐ Yes ☒ No
If yes, what City, Town or Tribal Reservation is this Business located in: _____
10. Total Price paid for Series 6 Bar, Series 7 Beer & Wine Bar or Series 9 Liquor Store (license only) \$ _____

Fees: <u>\$100</u>	<u>\$100</u>	Department Use Only	<u>\$22</u>	<u>\$222.00</u>
Application	Interim Permit	Site Inspection	Finger Prints	Total of All Fees
Is Arizona Statement of Citizenship & Alien Status for State Benefits complete? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
Accepted by: <u>C.A.</u>		Date: <u>9-9-16</u>	License # <u>06110012</u>	

SECTION 5 Interim Permit

- If you intend to operate business when your application is pending you will need an interim permit pursuant to ARS § 4-203.01
- There **MUST** be a valid license of the same type you are applying for currently issued to the location or for the replacement of a Hotel/Motel license with a Restaurant license pursuant to A.R.S. § 4-203.01.

1. Enter license number currently at the location: _____

2. Is the license currently in use? ☐ Yes ☐ No If no, how long has it been out of use? _____

Attach a copy of the license currently issued at this location to this application.

I, _____ declare that I am the CURRENT OWNER, AGENT, OR CONTROLLING PERSON on the stated license and location. <div style="text-align: center; font-size: small;">(Print Full Name)</div>	
X _____ <div style="text-align: center; font-size: small;">(Signature of CURRENT Individual Owner/Agent)</div>	State of _____ County of _____ <div style="text-align: center; font-size: small;">The foregoing instrument was acknowledged before me this _____ of _____ Day _____ Month _____ Year _____</div> <div style="text-align: center; font-size: small;">Signature of NOTARY PUBLIC</div>
My commission expires on: _____ <div style="text-align: center; font-size: small;">Date</div>	

SECTION 6 Individual, Partnership, J.T.W.R.O.S, Trust, Tribe Ownerships

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE, AN "APPLICANT" TYPE FINGERPRINT CARD AND \$22 PROCESSING FEE FOR EACH CARD.

Individual

Last	First	Middle	%Owned	Mailing Address	City	State	Zip Code
Soto	mayor		100%	400 E SAN ANGELO AV	GILBERT	AZ	85234

Is any person other than above, going to share in profit/losses of the business? ☐ Yes ☒ No

If Yes, give name, current address, and telephone number of person(s). Use additional sheets if necessary.

Last	First	Middle	Mailing Address	City	State	Zip Code	Phone #

Partnership

Name of Partnership: _____

General-Limited	Last	First	Middle	%Owned	Mailing Address	City	State	Zip Code
<input type="checkbox"/>	<input type="checkbox"/>							
<input type="checkbox"/>	<input type="checkbox"/>							
<input type="checkbox"/>	<input type="checkbox"/>							
<input type="checkbox"/>	<input type="checkbox"/>							

J.T.W.R.O.S (Joint Tenant with Rights of Survivorship)

Name of J.T.W.R.O.S: _____

Last	First	Middle	Mailing Address	City	State	Zip Code

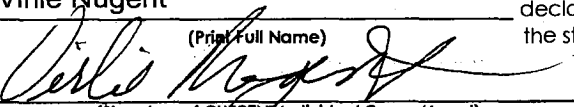
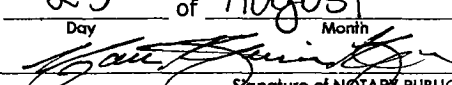
SECTION 5 Interim Permit

- If you intend to operate business when your application is pending you will need an interim permit pursuant to ARS § 4-203.01
- There **MUST** be a valid license of the same type you are applying for currently issued to the location or for the replacement of a Hotel/Motel license with a Restaurant license pursuant to A.R.S. § 4-203.01.

1. Enter license number currently at the location: 06110012

2. Is the license currently in use? ☒ Yes ☐ No If no, how long has it been out of use? _____

Attach a copy of the license currently issued at this location to this application.

I, <u>Virlie Nugent</u> <small>(Print Full Name)</small> declare that I am the CURRENT OWNER, AGENT, OR CONTROLLING PERSON on the stated license and location. x <u></u> <small>(Signature of CURRENT Individual Owner/Agent)</small> My commission expires on: <u>2/24/2020</u> <small>Date</small>	State of <u>Arizona</u> County of <u>Pinal</u> The foregoing instrument was acknowledged before me this <u>25</u> Day of <u>August</u> , <u>2016</u> <small>Day Month Year</small> <u></u> Signature of NOTARY PUBLIC Maria Berenisse Romero Notary Public Pinal County, Arizona My Comm. Expires: 02-04-2020
---	--

SECTION 6 Individual, Partnership, J.T.W.R.O.S, Trust, Tribe Ownerships

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE, AN "APPLICANT" TYPE FINGERPRINT CARD AND \$22 PROCESSING FEE FOR EACH CARD.

Individual

Last	First	Middle	%Owned	Mailing Address	City	State	Zip Code

Is any person other than above, going to share in profit/losses of the business? ☐ Yes ☐ No

If Yes, give name, current address, and telephone number of person(s). Use additional sheets if necessary.

Last	First	Middle	Mailing Address	City	State	Zip Code	Phone #

Partnership

Name of Partnership: _____

General-Limited	Last	First	Middle	%Owned	Mailing Address	City	State	Zip Code
<input type="checkbox"/>	<input type="checkbox"/>							
<input type="checkbox"/>	<input type="checkbox"/>							
<input type="checkbox"/>	<input type="checkbox"/>							
<input type="checkbox"/>	<input type="checkbox"/>							

J.T.W.R.O.S (Joint Tenant with Rights of Survivorship)

Name of J.T.W.R.O.S: _____

Last	First	Middle	Mailing Address	City	State	Zip Code

STATE OF ARIZONA

DEPARTMENT OF LIQUOR LICENSES
AND CONTROL
ALCOHOLIC BEVERAGE LICENSE
License 06110012

Issue Date: 12/9/2005

Issued To:

VIRLIE LOUISE NUGENT, Agent
R NUGENT & ASSOCIATES INC, Owner

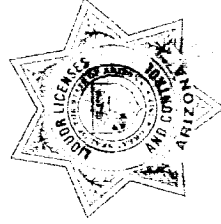
Location:

SUPERSTITION SKIES RESTAURANT & BAR
945 E SCENIC ST
APACHE JUNCTION, AZ. 85219

Expiration Date: 8/31/2017

Mailing Address:

VIRLIE LOUISE NUGENT
R NUGENT & ASSOCIATES INC
SUPERSTITION SKIES RESTAURANT & BAR
1125 N VALLEY DR
APACHE JUNCTION, AZ 85120



POST THIS LICENSE IN A CONSPICUOUS PLACE.

SECTION 6 - continued

TRUST

Name of Trust: _____

Last	First	Middle	Mailing Address	City	State	Zip Code

TRIBE

Name of Tribal Ownership: _____

Last	First	Middle	Mailing Address	City	State	Zip Code

SECTION 7 Corporations/ Limited Liability Co

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE, AN "APPLICANT" TYPE FINGERPRINT CARD AND \$22 PROCESSING FEE FOR EACH CARD.

☐ Corporation Complete Questions 1, 2, 3, 4, 5, 6, and 7

☐ L.L.C. Complete Questions 1, 2, 3, 4, 5, 6, and 7

1. Name of Corporation/ L.L.C.: _____

2. Date Incorporated/Organized: _____ State where Incorporated/Organized: _____

3. AZ Corporation or AZ L.L.C File No: _____ Date authorized to do Business in AZ: _____

4. Is Corp/L.L.C. Non Profit? ☐ Yes ☐ No

5. List Directors, Officers, Members in Corporation/L.L.C:

Last	First	Middle	Title	Mailing Address	City	State	Zip Code

(Attach additional sheet if necessary)

6. List all Stockholders / percentage owners who own 10% or more:

Last	First	Middle	%Owned	Mailing Address	City	State	Zip Code

(Attach additional sheet if necessary)

7. If the corporation/ L.L.C are owned by another entity, attach an Organizational **FLOWCHART** showing the structure of the ownership. Attach additional sheets as needed in order to disclose the Officers, Directors, Members, Managers, Partners, Stockholders and percentage owners of those entities.

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE, AN "APPLICANT" TYPE FINGERPRINT CARD AND \$22 PROCESSING FEE FOR EACH CARD

- | Last | First | Middle | Mailing Address | City | State | Zip Code |
|------|-------|--------|-----------------|------|-------|----------|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

page 4 of 9
Individuals requiring ADA accommodations please call (602)542-9027

SECTION 12 Person to Person Transfer

Questions to be completed by Current Licensee (Bar and Liquor Stores Only- Series, 06, 07, and 09)

1. Individual Owner / Agent Name: Nugent Virlie Louise Entity: agent
Last First Middle (Individual, Agent, Etc.)
2. Ownership Name: R Nugent & Associates INC
(Exactly as it appears on license)
3. Business Name: Superstition Skies Restaurant & Bar
(Exactly as it appears on license)
4. Business Location Address: 945 E. Scenic St. Apache Junction AZ 85219
Street City State Zip
5. License Type: Bar License Number: 06110012
6. Current Mailing Address: 945 E Scenic St. APACHE JCT AZ 85219
Street City State Zip
7. Have all creditors, lien holders, interest holders, etc. been notified? ☒ Yes ☐ No
8. Does the applicant intend to operate the business while this application is pending? ☒ Yes ☐ No

If yes, complete Section 5 (Interim Permit) of this application; attach fee, and current license to this application.

9. I, (Print Full Name) Virlie Nugent hereby authorize the department to process this Application to transfer the privilege of the license to the applicant provided that all terms and conditions of sale are met. Based on the fulfillment of these conditions, I certify that the applicant now owns or will own the property rights of the license by the date of issue.

I, (Print Full Name) Virlie Nugent, declare that I am the **CURRENT OWNER, MEMBER, PARTNER STOCKHOLDER or LICENSEE** of the stated license. I have read the above Section 12 and confirm that all statements are true, correct, and complete.

NOTARY

x Virlie Nugent
(Signature of CURRENT Individual Owner/Agent)

State of Arizona County of Pinal
The foregoing instrument was acknowledged before me this

My commission expires on: 02/24/2020
Date

25 of August, 2016
Day Month Year



Maria Berenisse Romero
Notary Public
Pinal County, Arizona
My Comm. Expires 02-24-2020

[Signature]
Signature of NOTARY PUBLIC

16 SEP 9 147. UC. W1123

WHEN RECORDED, MAIL TO:

Janet Sotomayor-Bloomer
The Janet Sotomayor-Bloomer 12-14-1992 Living Trust
400 E. San Angelo Avenue
Gilbert, AZ 85234

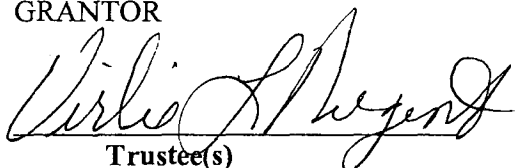
WARRANTY DEED IN LIEU OF FORECLOSURE AND AFFIDAVIT

Date:

Oct 25, 2012

Real Property located in Pinal County, Arizona

GRANTOR



Trustee(s)
of The Virlie L. Nugent Revocable
Living Trust dated July 22, 2004.
1125 N. Valley Dr.
Apache Junction, AZ 85120

GRANTEE

The Janet Sotomayor-Bloomer
December 14, 1992 Living Trust
400 E. San Angelo Avenue
Gilbert, AZ 85234

Address of Real Property: **945 E. Scenic St., Apache Junction, Pinal County, AZ 85219**

Legal Description of Real Property: **SEE ATTACHED EXHIBIT "A"**

For good and valuable considerations as set forth in this document, Grantor conveys to Grantee all right, title and interest of Grantor in the Real Property located at 945 E. Scenic St., Apache

Junction, Pinal County, Arizona 85219, legally described on the attached Exhibit "A", together with all rights and privileges appurtenant or to become appurtenant thereto on the date hereof.

Subject to current taxes and other assessments, reservations in patents and all easements, rights-of-way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record EXCEPT those between Grantor and Grantee, the Grantor warrants the title against all persons whomsoever.

It is further warranted and covenanted by Grantor in executing this Warranty Deed in Lieu of Foreclosure and agreed to by Grantee in accepting this Warranty Deed in Lieu of Foreclosure as follows:

1. Consideration for the execution of this Warranty Deed in Lieu of Foreclosure consists of the full and absolute release of Grantor from all further liability under:
 - (a) the outstanding principal balance, penalties, and interest due owing under that certain Secured \$500,000.00 Promissory Note dated August 24, 2005.
 - (b) that certain Deed of Trust and Assignment of Rents between Lee Nugent and Rick A. Nugent as Trustor and The Janet Sotomayor-Bloomer Living Trust dated December 14, 1992 and Janet Sotomayor-Bloomer as Beneficiary dated August 24, 2005 and recorded August 24, 2005 in the Office of the Pinal County Recorder, recording number 2005-10990.,
2. The total consideration set forth in the foregoing paragraph 1, for the execution of this Warranty Deed in Lieu of Foreclosure is equal to and represents the fair value of the Real Property located at 945 East Scenic Street, Apache Junction, Pinal County, Arizona 85219, legally described on the attached Exhibit "A", and includes the fair and reasonable value for Grantor's interest therein.
3. This Warranty Deed in Lieu of Foreclosure is executed voluntarily by Grantor, is bona fide and not as a result of duress or threats of any kind. Grantor is not hindering, delaying or defrauding the rights of creditors or contravening the bankruptcy laws of the United States. This Warranty Deed in Lieu of Foreclosure is not given as security for any obligation of any kind or nature. Except as provided herein, there is no other agreement or understanding, oral or written, between Grantor and Grantee or any other person relating to any reconveyance to Grantor of the Real Property located at 945 East Scenic Street, Apache Junction, Pinal County, Arizona 85219, legally described on the attached Exhibit "A", or to a sale or reconveyance to anyone else for the benefit of Grantor, or to any division of any future proceeds from any subsequent sale or otherwise.
4. Grantor intends by this Warranty Deed in Lieu of Foreclosure to vest the absolute and unconditional title to the Real Property located at 945 East Scenic Street,

Apache Junction, Pinal County, Arizona 85219, legally described on the attached Exhibit "A", in Grantee, and to forever stop and bar Grantor and Grantor's heirs, successors, executors, administrators or anyone else claiming under or through Grantor from having or claiming any right, title or interest of any kind whatsoever, either in law or in equity, or in possession or in expectancy in and to the Real Property located at 945 East Scenic Street, Apache Junction, Pinal County, Arizona 85219, legally described on the attached Exhibit "A", or any part thereof.

The parties to this Warranty Deed in Lieu of Foreclosure have sworn to the truth of the facts set forth above, agree to the terms hereof, and approve the warranties. The following verification is evidence of the parties' affirmation, agreement and approval.

GRANTOR:

The Virlie L. Nugent Revocable
Living Trust dated July 22, 2004

By Virlie L. Nugent

Trustee

Trustee

GRANTEE:

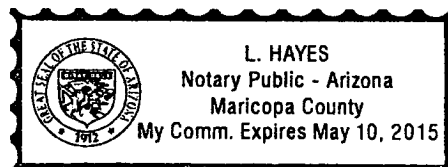
The Janet Sotomayor-Bloomer Living
Trust dated December 14, 1992

By Janet Sotomayor-Bloomer
Janet Sotomayor-Bloomer
Trustee

STATE OF ARIZONA)
) ss.
County of Pinal)

This Warranty Deed in Lieu of Foreclosure was subscribed and sworn to before me, the undersigned Notary Public, by Virlie L. Nugent,
Trustee(s) of The Virlie L. Nugent Revocable Living Trust dated July 22, 2004, on the 25
day of October, 2013.

L. Hayes
Notary Public



STATE OF ARIZONA)
) ss.
County of Maricopa)

This Warranty Deed in Lieu of Foreclosure was subscribed and sworn to before me, the undersigned Notary Public, by Janet Sotomayor-Bloomer, Trustee of The Janet Sotomayor-Bloomer Living Trust Dated December 14, 1992, on 25 October, 2013.



Notary Public

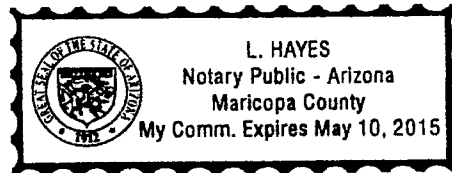


EXHIBIT A

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF PINAL, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

PARCEL NO. 1:

The Southeast quarter of the Northeast quarter of the Northwest quarter of the Southwest quarter of the Northeast quarter of Section 21, Township 1 North, Range 8 East, Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPTING all coal, oil, gas and other mineral deposits, as reserved to the United States of America in Patent of said land.

PARCEL NO. 2:

The Northeast quarter of the Northeast quarter of the Northwest quarter of the Southwest quarter of the Northeast quarter of Section 21, Township 1 North, Range 8 East, Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPTING all coal, oil, gas and other mineral deposits, as reserved to the United States of America in Patent of said land.

PARCEL NO. 3:

The East 42.00 feet of the Northwest quarter of the Northeast quarter of the Northwest quarter of the Southwest quarter of the Northeast quarter of Section 21, Township 1 North, Range 8 East, Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPTING all coal, oil, gas and other mineral deposits, as reserved to the United States of America in Patent of said land.

PARCEL NO. 4:

The East 42.00 feet of the North half of the Southwest quarter of the Northeast quarter of the Northwest quarter of the Southwest quarter of the Northeast quarter of Section 21, Township 1 North, Range 8 East, Gila and Salt River Base and Meridian, Pinal County, Arizona;

EXCEPTING all coal, oil, gas and other mineral deposits, as reserved to the United States of America in Patent of said land.

Exhibit "E"

Bill of Sale in Lieu

For good and valuable consideration as set forth herein, the undersigned

R Nugent & Associates, Inc., an Arizona corporation, Richard Nugent and Virlie Nugent,

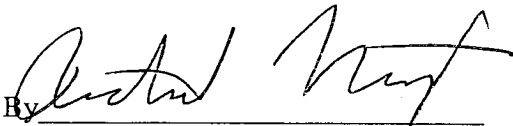
hereby convey to

The Janet Sotomayor-Bloomer Living Trust dated December 14, 1992 and Janet Sotomayor-Bloomer,

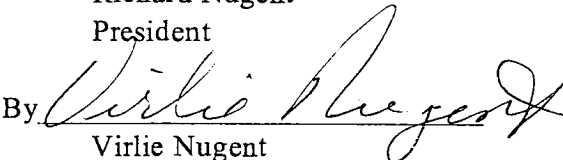
all right, title and interest in: (1) State of Arizona Liquor License Number 06110012, and (2) all equipment, furniture and fixtures located at Superstition Skies Restaurant & Bar, 945 East Scenic Street, Apache Junction, Pinal County, Arizona 85219. The undersigned warrants the title against all persons.

This conveyance is for the release of the undersigned from the obligations owed under that certain Secured \$100,000.00 Promissory Note dated August 24, 2005 and that certain Security Agreement dated August 24, 2005.

R Nugent & Associates, Inc.

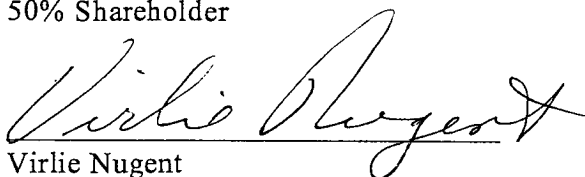
By 

Richard Nugent
President

By 

Virlie Nugent
Secretary

Richard Nugent
50% Shareholder



Virlie Nugent
50% Shareholder

16 SEP 9 09. 11. 11/23

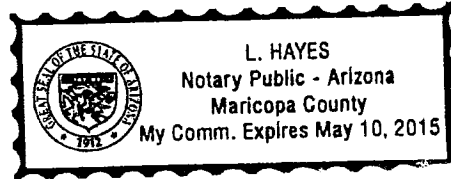
STATE OF ARIZONA)

) ss:

County of Maricopa)

The foregoing was subscribed and sworn to before me, the undersigned Notary Public, by
Richard Nugent and Virlie Nugent on 25 October, 2013.

L. Hayes
Notary Public



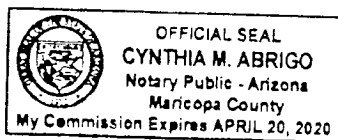
16 SEP 9 11:11 AM 1123

SEPTEMBER 9, 2016

STATE OF ARIZONA
DEPARTMENT OF LIQUOR LICENSES AND CONTROL
800 W. WASHINGTON 5TH FLOOR
PHOENIX, AZ. 85007
(602) 542-5141

THE SUPERSTITION SKIES BAR AND RESTAURANT IS CURRENTLY
HELD IN THE NAME 50% IN THE JANET RAE SOTOMAYOR
LIVING TRUST 50% IN THE SOLE NAME OF JANET RAE
SOTOMAYOR. AS THE SOLE OWNER OF THE TRUST I
HEREBY TRANSFER THE 50% NEED IN THE TRUST
BACK TO JANET RAE SOTOMAYOR AS TITLE HOLDER
AS 100% NEED BY JANET RAE SOTOMAYOR AS SOLE
OWNER

Janet Rae Sotomayor
JANET RAE SOTOMAYOR



Cynthia Marie Abrigo

Cynthia M. Abrigo

exp: 4/20/20

9. 9. 2016

SECTION 13 Proximity to Church or School

Questions to be completed by all in-state applicants.

A.R.S. § 4-207. (A) and (B) state that no retailer's license shall be issued for any premises which are at the time the license application is received by the director, within three hundred (300) horizontal feet of a church, within three hundred (300) horizontal feet of a public or private school building with kindergarten programs or grades one (1) through (12) or within three hundred (300) horizontal feet of a fenced recreational area adjacent to such school building.

The above paragraph DOES NOT apply to:

- a) Restaurant license (§ 4-205.02) Series 12
- b) Hotel/motel license (§ 4-205.01) Series 11
- c) Microbrewery Series 3
- d) Craft Distillery Series 18

- e) Government license (§ 4-205.03) Series 5
- f) Fenced playing area of a golf course (§ 4-207(B)(5))
- g) Wholesaler Series 4
- h) Farm Winery Series 13

1. Distance to nearest School: 3 mi
(If less than one (1) mile note footage)

Name of School: FOUR PEAKS ELEMENTARY
Address: 1785 N IDAHO AVE JUNCTION AZ 85119

2. Distance to nearest Church: 3 mi
(If less than one (1) mile note footage)

Name of Church: JOHN CALVIN PRESBYTERIAN
Address: 1130 E BROADWAY AVE JUNCTION AZ 85119

SECTION 14 Business Financials

1. I am the: ☐ Lessee ☐ Sub-lessee ☒ Owner ☐ Purchaser ☐ Management Company

2. If the premise is leased give lessors: Name: _____

Address: _____
Street City State Zip

3. Monthly Rent/ Lease Rate: \$ _____

4. What is the remaining length of the lease? Yrs. _____ Months _____

5. What is the penalty if the lease is not fulfilled? \$ _____ or Other: _____
(Give details-attach additional sheet if necessary)

6. Total money borrowed for the Business not including lease? \$ 0

Please List Lenders/People you owe money to for business.

Last	First	Middle	Amount Owed	Mailing Address	City	State	Zip

(Attach additional sheet if necessary)

7. What type of business will this license be used for (be specific)?

BAR-SERVING LIQ RESTAURANT-SERVING FOOD

8. Has a license or a transfer license for the premises on this application been denied by the state with in the past (1) year? ☐ Yes ☒ No If yes, attach explanation.

9. Does any spirituous liquor manufacture, wholesaler, or employee have an interest in your business? ☐ Yes ☒ No

10. Is the premises currently license with a liquor license? ☒ Yes ☐ No

If yes, give license number and licensee's name:

License #: 06110012 Individual Owner /Agent Name: UIRLIE LOUISE NUGENT
(Exactly as it appears on license)

SECTION 12 Person to Person Transfer

Questions to be completed by Current Licensee (Bar and Liquor Stores Only- Series, 06, 07, and 09)

1. Individual Owner / Agent Name: _____ Entity: _____
Last First Middle (Individual, Agent, Etc.)

2. Ownership Name: _____
(Exactly as it appears on license)

3. Business Name: _____
(Exactly as it appears on license)

4. Business Location Address: _____
Street City State Zip

5. License Type: _____ License Number: _____

6. Current Mailing Address: _____
Street City State Zip

7. Have all creditors, lien holders, interest holders, etc. been notified? ☐ Yes ☐ No

8. Does the applicant intend to operate the business while this application is pending? ☐ Yes ☐ No

If yes, complete Section 5 (Interim Permit) of this application; attach fee, and current license to this application.

9. I, (Print Full Name) _____ hereby authorize the department to process this Application to transfer the privilege of the license to the applicant provided that all terms and conditions of sale are met. Based on the fulfillment of these conditions, I certify that the applicant now owns or will own the property rights of the license by the date of issue.

I, (Print Full Name) _____, declare that I am the **CURRENT OWNER, MEMBER, PARTNER STOCKHOLDER or LICENSEE** of the stated license. I have read the above Section 12 and confirm that all statements are true, correct, and complete.

NOTARY

X _____
(Signature of CURRENT Individual Owner/Agent)

State of _____ County of _____
The foregoing instrument was acknowledged before me this

My commission expires on: _____
Date

_____ of _____, _____
Day Month Year

Signature of NOTARY PUBLIC

SECTION 15 Restaurant or hotel/motel license applicants

1. Is there an existing Restaurant or Hotel/Motel Liquor License at the proposed location? ☐ Yes ☐ No
2. If the answer to Question 1 is YES, you may qualify for an Interim Permit to operate while your application is pending; consult A.R.S. § 4-203.01; and complete SECTION 5 of this application.
3. All Restaurant and Hotel/Motel applicants must complete a Restaurant Operation Plan form provided by the Department of Liquor Licenses and Control.
4. As stated in A.R.S. § 4-205.02. (H)(2), a Restaurant is an establishment which derives at least forty (40) percent of its gross revenue from the sale of food. Gross revenue is the revenue derived from sales of food and spirituous liquor on the licensed premises. By applying for this ☐ Restaurant ☐ Hotel/Motel, I certify that I understand that I must maintain a minimum of forty (40) percent food sales based on these definitions and have included the Restaurant Hotel/Motel Records Required for Audit form with this application.

(Applicant's Signature)

5. I understand it is my responsibility to contact the Department of Liquor Licenses and Control to schedule an inspection when all tables and chairs are on site, kitchen equipment, and, if applicable, patio barriers are in place on the licensed premises. With the exception of the patio barriers, these items are not required to be properly installed for this inspection. Failure to schedule an inspection will delay issuance of the license. If you are not ready for your inspection 90 days after filing your application, please request an extension in writing; specify why the extension is necessary; and the new inspection date you are requesting.

(Applicant's Initials)

SECTION 16 Diagram of Premises

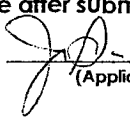
Check ALL boxes that apply to your business:

- | | | | |
|---|--|--------|--|
| <input checked="" type="checkbox"/> Entrances/Exits | <input checked="" type="checkbox"/> Liquor storage areas | Patio: | <input checked="" type="checkbox"/> Contiguous |
| <input type="checkbox"/> Walk-up windows | <input type="checkbox"/> Drive-through windows | | <input type="checkbox"/> Non Contiguous |

1. Is your licensed premises currently closed due to construction, renovation or redesign? ☐ Yes ☒ No
If yes, what is your estimated completion date? _____

Month/Day/Year

2. Restaurants and Hotel/Motel applicants are required to draw a detailed floor plan of the kitchen and dining areas including the locations of all kitchen equipment and dining furniture. Place for diagram is on section 16 number 6.
3. The diagram (a detailed floor plan) you provide is required to disclose only the area(s) where spirituous liquor is to be sold, served, consumed, dispensed, possessed or stored on the premises unless it is a restaurant (see # 3 above).
4. Provide the square footage or outside dimensions of the licensed premises. Please do not include non-licensed premises such as parking lots, living quarters, etc.
5. **As stated in A.R.S. § 4-207.01 (B), I understand it is my responsibility to notify the Department of Liquor Licenses and Control when there are changes to the boundaries, entrances, exits, added or deleted doors, windows, service windows or increase or decrease to the square footage after submitting this initial diagram.**

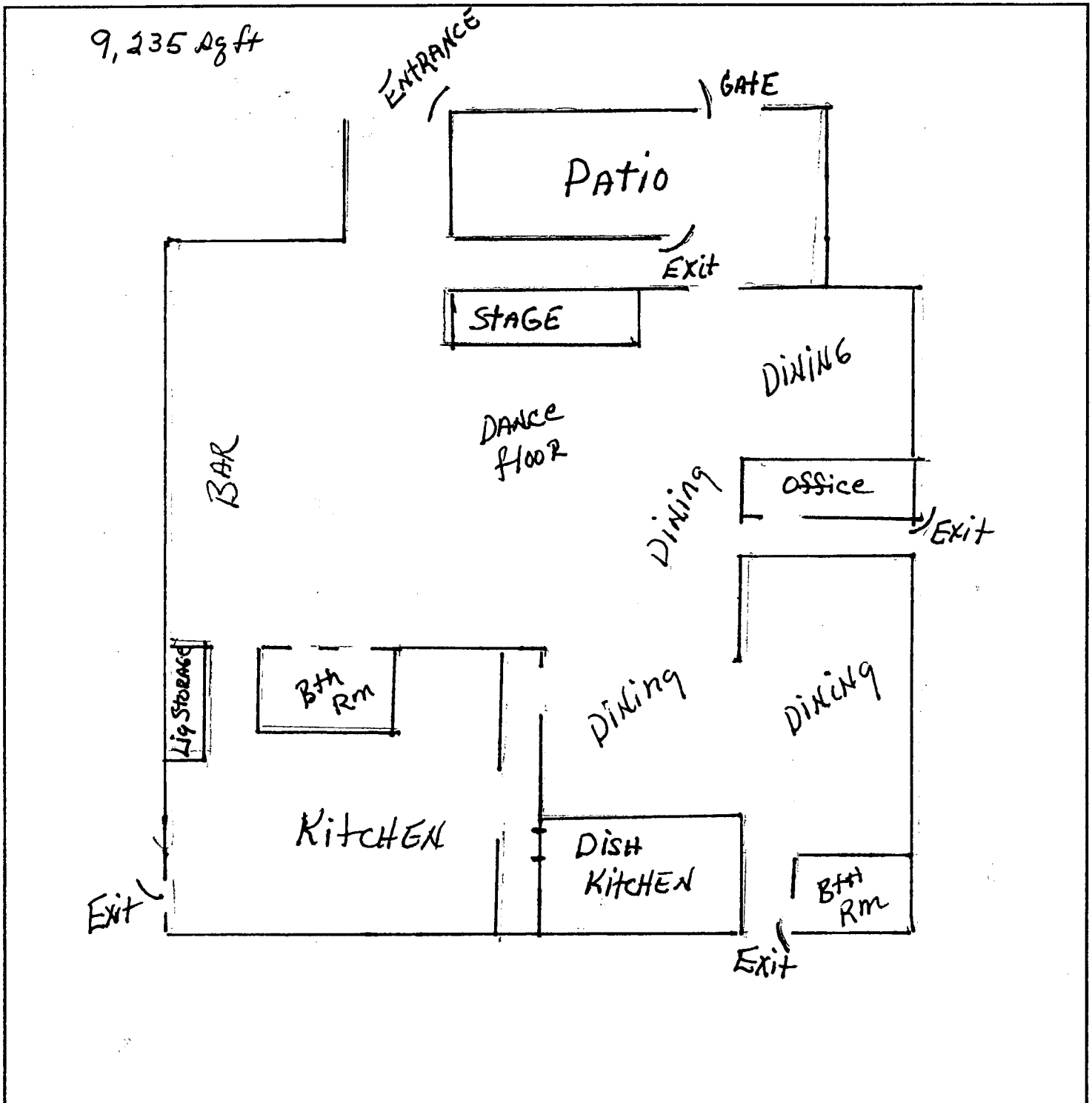

(Applicant's initials)

SECTION 16 Diagram of Premises – continued

6. On the diagram please show only the areas where spirituous liquor is to be sold, served, consumed, dispensed, possessed or stored. It must show all entrances, exits, interior walls, bars, hi-top tables, dining tables, dining chairs, dance floor, stage, game room, and the kitchen. DO NOT include parking lots, living quarters, etc. When completing diagram, North is up ↑.

If a legible copy of a rendering or drawing of your diagram of the premises is attached to this application, please write the words "DIAGRAM ATTACHED" in the box provided for the diagram on the application.

DIAGRAM OF PREMISES



SECTION 17 SIGNATURE BLOCK

NOTARY

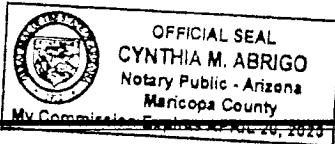
I (Print Full Name) JANET RAE SOTOMAYOR, hereby declare that I am the Owner/Agent filing this application as stated in Section 4 # 1. I have read this application and verify all statements to be true, correct and complete.

x *Janet Rae Sotomayor*
(Signature of CURRENT Individual Owner/Agent)

State of Arizona County of Maricopa
The foregoing instrument was acknowledged before me this

My commission expires on: 9/20/20
Date

9 of September, 2016
Day Month Year



Cynthia M. Abrigo
Signature of NOTARY PUBLIC

A.R.S. § 41-1030. Invalidity of rules not made according to this chapter; prohibited agency action; prohibited acts by state employees; enforcement; notice

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST THE STATE. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST THE STATE FOR A VIOLATION OF THIS SECTION.

E. A STATE EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE AGENCY'S ADOPTED PERSONNEL POLICY.

F. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.



State of Arizona
Department of Liquor Licenses and Control
800 W. Washington 5th Floor
Phoenix, AZ 85007
(602) 542-5141
QUESTIONNAIRE

16 SEP 9 11:41 AM 1123

TP REV 9/2016

804.352

P1023636 C.A.

Attention local governments: Social security and birth date information is confidential. This information may be given to law enforcement agencies for the purpose of background checks only.

Attention applicant: This is a sworn document. Type or print in **black ink**. An extensive investigation of your background will be conducted. False or incomplete answers could result in criminal prosecution and the denial or the subsequent revocation of a license or permit.

QUESTIONNAIRE TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT AND MANAGER. EACH PERSON COMPLETING THIS FORM MUST SUBMIT AN "APPLICANT" TYPE FINGERPRINT CARD AVAILABLE AT THIS OFFICE FINGERPRINTS ON FBI APPROVED CARDS (BLUE LINED) ARE ACCEPTED FROM LAW ENFORCEMENT AGENCIES, BONA FIDE FINGERPRINT SERVICES OR THE DEPARTMENT OF LIQUOR. THE DEPARTMENT OF LIQUOR CHARGES A \$13 FEE. IN ADDITION TO OTHER FINGERPRINT FEES, A \$22.00 DPS BACKGROUND CHECK FEE WILL BE CHARGED FOR EACH FINGERPRINT CARD.

The fees allowed by A.R.S. § 4-6852 will be charged for all dishonored checks.

Liquor License#:

06110012

(If the location is currently licensed)

1. Check the appropriate box



Controlling Person



Agent

(complete questions 1-19)



Manager

(complete all questions except #14, 14a & 21, Controlling Person or Agent must complete #21)

2. Name: Sotomayor JANET RAE Birth Date: [REDACTED]
Last First Middle (NOT a public record)
3. Social Security #: [REDACTED] Driver License#: DD5191348 State: ARIZONA
(NOT a public record)
4. Place of birth: POWERS LAKE NORTH DAKOTA USA Height: 5'4" Weight: 125 Eyes: Blue Hair: Blonde
City State COUNTRY (not country)
5. Marital status: ☒ Single ☐ Married ☐ Divorced ☐ Widowed
6. Name of current/most recent spouse: SANDRA JOSEPH MICHAEL Birth Date: [REDACTED]
(List all for past 5-years, use additional sheet if necessary) Last First Middle Maiden (NOT a public record)
7. You are a bona fide resident of what state? ARIZONA If Arizona, date of residency: 1967

If you have been an Arizona resident for less than three (3) months, submit a copy of your Arizona Drivers license or voters registration card.

8. Daytime telephone number to contact you during business hours for questions: (480) 201-9287
9. E-mail address: MAVERICK 9497 @ AOL. Com.
10. Business Name: SUPERSTITION SKIES BAR AND RESTAURANT Business Phone: 480 / 982 / 5726
11. Business Location Address: 945 E SCENIC ST APACHE Junction ARIZONA PIVAL 85019
Street (do not use P O box#) City State County Zip

12. List your employment or type of business during the past five (5) years. If unemployed, retired, student list residence address.

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYERS NAME OR NAME OF BUSINESS (Street Address, City, State & Zip)
	CURRENT		
12/86	9/2016	RETIRED	400 E SAN ANGELO AV GILBERT, ARIZONA 85234

(ATTACH ADDITIONAL SHEET IF NECESSARY)

13. Indicate your residence address for the last five (5) years:

FROM Month/Year	TO Month/Year	Rent or Own	RESIDENTIAL Street Address (IF RENTED ATTACH ADDITIONAL SHEET WITH, NAME ADDRESS, AND PHONE NUMBER OF LANDLORD)	City	State	Zip
	CURRENT					
12/86	9/2016	OWN	400 E SAN ANGELO AV	GILBERT	ARIZONA	85234

(ATTACH ADDITIONAL SHEET IF NECESSARY)

If you checked the Manager box on the front of this form skip to # 15.

14. As a Controlling Person or Agent will you be physically present and operating the licensed premises? If you answered YES, how many hrs/day? 12, and answer #14a below. If NO, skip to #15.

☒ Yes ☐ No

14a. Have you attended a DLLC-approved Liquor Law Training Course within the past 3 years? (Must provide proof) If the answer to # 14a is "NO" course must be completed before issuance of a new license.

☐ Yes ☒ No

15. Have you been cited, arrested, indicted or summoned into court for violation of ANY law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past five (5) years? (For traffic violations, only include those that were alcohol and/or drug related.)

☐ Yes ☒ No

16. Are there ANY administrative law citations, compliance actions or consents, criminal arrest, indictments or summonses PENDING against you or ANY entity in which you are now involved? Include only criminal traffic tickets and complaints.

☐ Yes ☒ No

17. Have you or any entity in which you have held ownership, been an officer, member, director or manager had a business, professional or liquor application or license rejected, denied, revoked, suspended or fined in this or any other state in the last 10 years?

☐ Yes ☒ No

18. Has anyone EVER filed suit or obtained a judgment against you, the subject of which involved fraud or misrepresentation?

☐ Yes ☒ No

19. Are you NOW or have you EVER held ownership, been a controlling person, been an officer, member, director or manager on any other liquor license in this or any other state?

☐ Yes ☒ No

If you answered "YES" to any Question 15 through 19 YOU MUST attach a signed statement.
Give complete details including dates, agencies involved and dispositions.

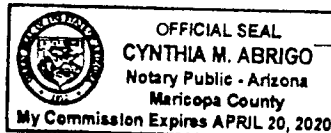
SUBSTANTIVE CHANGES TO THE APPLICATION WILL NOT BE ACCEPTED

20. I, (Print Full Name) Janet Rae Sotomayor hereby declare that I am a CONTROLLING PERSON / AGENT / MANAGER
filing this notification. I have read this document and the contents and all statements are true, correct and complete.

X (Signature) Janet Rae Sotomayor
Controlling Person / Agent

State of Arizona County of Maricopa
the foregoing instrument was acknowledged before me this

My commission expires on: 9/20/20



9 of September 2016
Day Month Year

Cynthia M. Abrigo
Signature of NOTARY PUBLIC

**COMPLETE THIS SECTION ONLY IF YOU ARE A CONTROLLING PERSON OR AGENT
APPROVING A MANAGER'S APPLICATION**

21. The applicant hereby authorizes the person named on this questionnaire to act as manager for the named liquor license.
The manager named must be at least 21 years of age.

(Print Name)

X (Signature) _____
Controlling Person / Agent

State of _____ County of _____
the foregoing instrument was acknowledged before me this

_____ of _____
Day Month Year

My commission expires on: _____

Signature of NOTARY PUBLIC



State of Arizona
Department of Liquor Licenses and Control
800 W. Washington 5th Floor
Phoenix, AZ 85007
(602) 542-5141

**ARIZONA STATEMENT OF CITIZENSHIP
OR ALIEN STATUS FOR STATE PUBLIC BENEFITS**

Title IV of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (the "Act"), 8 U.S.C. § 1621, provides that, with certain exceptions, only United States citizens, United States non-citizen nationals, non-exempt "qualified aliens" (and sometimes only particular categories of qualified aliens), nonimmigrant, and certain aliens paroled into the United States are eligible to receive state, or local public benefits. With certain exceptions, a professional license and commercial license issued by a State agency is a State public benefit.

Arizona Revised Statutes § 41-1080 requires, in general, that a person applying for a license must submit documentation to the license agency that satisfactorily demonstrates the applicant's presence in the United States is authorized under federal law.

Directions: All applicants must complete Sections I, II, and IV. Applicants who are not U.S. citizens or nationals must also complete Section III.

Submit this completed form and a copy of one or more document(s) from the attached "Evidence of U.S. Citizenship, U.S. National Status, or Alien Status" with your application for license or renewal. If the document you submit does not contain a photograph, you must also provide a government issued document that contains your photograph. You must submit supporting legal documentation (i.e. marriage certificate) if the name on your evidence is not the same as your current legal name.

SECTION I – APPLICANT INFORMATION

* INDIVIDUAL OWNER/AGENT NAME (Print or type) JANET RAE Sotomayor

SECTION II – CITIZENSHIP OR NATIONAL STATUS DECLARATION

* Are you a citizen or national of the United States? ☒ Yes ☐ No

If Yes, indicate place of birth:

* City POWERS LAKE State (or equivalent) NORTH DAKOTA Country or Territory BURKE USA

If you answered Yes, 1) Attach a legible copy of a document from the attached list.

* 2) Name of document: BIRTH CERTIFICATE US Passport
Go to Section IV.

If you answered No, you must complete Section III and IV.

SECTION III – ALIEN STATUS DECLARATION

To be completed by applicants who are not citizens or nationals of the United States. Please indicate alien status by checking the appropriate box. Attach a legible copy of a document from the attached list or other document as evidence of your status.

Name of document provided

Qualified Alien Status (8 U.S.C. §§ 1621(a)(1), 1641(b) and (c))

- ☐ 1. An alien lawfully admitted for permanent residence under the Immigration and Nationality Act (INA)
- ☐ 2. An alien who is granted asylum under Section 208 of the INA.
- ☐ 3. A refugee admitted to the United States under Section 207 of the INA.
- ☐ 4. An alien paroled into the United States for at least one year under Section 212(d)(5) of the INA.
- ☐ 5. An alien whose deportation is being withheld under Section 243(h) of the INA.
- ☐ 6. An alien granted conditional entry under Section 203(a)(7) of the INA as in effect prior to April 1, 1980.
- ☐ 7. An alien who is a Cuban/Haitian entrant.
- ☐ 8. An alien who has, or whose child or child's parent is a "battered alien" or an alien subject to extreme cruelty in the United States.

Nonimmigrant Status (8 U.S.C. § 1621(a)(2))

- ☐ 9. A nonimmigrant under the Immigration and Nationality Act [8 U.S.C § 1101 et seq.] Nonimmigrants are persons who have temporary status for a specific purpose. See 8 U.S.C § 1101(a)(15).

Alien Paroled into the United States For Less Than One Year (8 U.S.C. § 1621(a)(3))

- ☐ 10. An alien paroled into the United States for less than one year under Section 212(d)(5) of the INA

Other Persons (8 U.S.C § 1621(c)(2)(A) and (C))

- ☐ 11. A nonimmigrant whose visa for entry is related to employment in the United States, or
- ☐ 12. A citizen of a freely associated state, if section 141 of the applicable compact of free association approved in Public Law 99-239 or 99-658 (or a successor provision) is in effect [Freely Associated States include the Republic of the Marshall Islands, Republic of Palau and the Federate States of Micronesia, 48 U.S.C. § 1901 et seq.];
- ☐ 13. A foreign national not physically present in the United States.

Otherwise Lawfully Present

- ☐ 14. A person not described in categories 1-13 who is otherwise lawfully present in the United States.
PLEASE NOTE: The federal Personal Responsibility and Work Opportunity Reconciliation Act may make persons who fall into this category ineligible for licensure. See 8 U.S.C. § 1621(a).

SECTION IV - DECLARATION

All applicants must complete this section.

I declare under penalty of perjury under the laws of the state of Arizona that the answers and evidence I have given are true and correct to the best of my knowledge.

 JANET RAE SOTOMAYOR
Individual Owner/Agent Printed Name

9-9-16
Today's Date


Individual Owner/Agent Signature

EVIDENCE OF U.S. CITIZENSHIP, U.S. NATIONAL STATUS, OR ALIEN STATUS

You must submit supporting legal documentation (i.e. marriage certificate) if the name on your evidence is not the same as your current legal name.

Evidence showing authorized presence in the United State includes the following:

1. An Arizona driver license issued after 1996 or an Arizona non-operating identification card.
2. A driver license issued by a state that verifies lawful presence in the United States.
3. A birth certificate or delayed birth certificate showing birth in one of the 50 states, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, or the Northern Mariana Islands (on or after November 4, 1986, Northern Mariana Islands local time)
4. A United States certificate of birth abroad.
5. A United States passport. ***Passport must be signed***
6. A foreign passport with a United States visa.
7. An I-94 form with a photograph.
8. A United States citizenship and immigration services employment authorization document or refugee travel document.
9. A United States certificate of naturalization.
10. A United States certificate of citizenship.
11. A tribal certificate of Indian blood.
12. A tribal or bureau of Indian affairs affidavit of birth.
13. Any other license that is issued by the federal government, any other state government, an agency of this state or a political subdivision of this state that requires proof of citizenship or lawful alien status before issuing the license.

We the People

*in Order to form a more perfect Union,
establish Justice, insure domestic Tranquility,
provide for the common defence,
promote the general Welfare, and secure
the Blessings of Liberty to ourselves and
our Posterity, do ordain and establish this
Constitution for the United States of America.*

PASSPORT
PASSEPORT
PASAPORTE

UNITED STATES OF AMERICA

P 1987 USA 460776665

Surname / Nom / Apellidos
SANDOVAL
Given Names / Prénoms / Nombres

JANET RAE
Nationality / Nationalité / Nacionalidad

UNITED STATES OF AMERICA
Date of birth / Date de naissance / Fecha de nacimiento

Place of birth / Lieu de naissance / Lugar de nacimiento
NORTH DAKOTA, U.S.A.

Date of issue / Date de délivrance / Fecha de expedición
24 Nov 2009

Date of expiration / Date d'expiration / Fecha de caducidad
23 Nov 2019

Endorsements / Mentions Spéciales / Anotaciones

SEE PAGE 27

Sex / Sexe / Sexo
F
Authority / Autorité / Autoridad

United States
Department of State

[illegible]

4607766657USA [REDACTED] F1911231232391708<996542

16 SEP 9 11:14 AM

Michael K. Jeanes, Clerk of Court

*** Filed ***

09/26/2013 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FN 2012-094442

09/25/2013

HONORABLE PAUL J. MCMURDIE

CLERK OF THE COURT
L. Mitchell
Deputy

IN RE THE MARRIAGE OF
JANET R SANDOVAL

TIMOTHY WAYNE STEADMAN

AND

JOSEPH M SANDOVAL

RONALD B FINEBERG

DOCKET-FAMILY COURT-SE
FAMILY COURT SERVICES-CCC

DECREE OF DISSOLUTION

The Evidentiary Hearing in this matter was conducted on September 23, 2013. During the proceedings, the Court heard from the parties. The Court has since considered the evidence, including the demeanor of the witnesses, reviewed the exhibits as well as the case history, and considered the parties' arguments.

The Court makes the following findings and enters the following orders:

THE COURT FINDS as follows:

- A. At the time this action was commenced at least one of the parties was domiciled in the State of Arizona and that said domicile had been maintained for at least 90 days prior to the filing of the Petition for Dissolution of Marriage.
- B. The conciliation provisions of A.R.S. § 25-381.09 have either been met or do not apply.
- C. The parties were married on January 7, 1995. By operation of law, the marital community is deemed to have terminated on January 28, 2013.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FN 2012-094442

09/25/2013

- D. The marriage is irretrievably broken and there is no reasonable prospect for reconciliation.
- E. There are no minor children common to the parties.
- F. Wife is not pregnant.
- G. This was not a covenant marriage.
- H. To the extent that it has jurisdiction to do so, the Court has considered, approved and made provision for the maintenance of each spouse and the division of property and debts.

Dissolution Of Marriage

IT IS ORDERED dissolving the marriage of the parties and restoring each party to the status of a single person.

SPOUSAL MAINTENANCE

Wife seeks an award of spousal maintenance. Husband opposes the award, asserting that Wife does not qualify for an award of spousal maintenance.

The determination of spousal maintenance is controlled by A.R.S. § 25-319. The threshold question is entitlement, which is controlled by subsection (A) of the statute. It provides as follows:

In a proceeding for dissolution of marriage or legal separation, or a proceeding for maintenance following dissolution of the marriage by a court that lacked personal jurisdiction over the absent spouse, the Court may grant a maintenance order for either spouse for any of the following reasons if it finds that the spouse seeking maintenance:

1. Lacks sufficient property, including property apportioned to the spouse, to provide for that spouse's reasonable needs.
2. Is unable to be self-sufficient through appropriate employment or is the custodian of a child whose age or condition is such that the custodian should not be required to seek employment outside the home or lacks earning ability in the labor market adequate to be self-sufficient.
3. Contributed to the educational opportunities of the other spouse.
4. Had a marriage of long duration and is of an age that may preclude the possibility of gaining employment adequate to be self-sufficient.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FN 2012-094442

09/25/2013

THE COURT FINDS that Wife has not established a statutory basis for entitlement to an award of spousal maintenance. This finding is based on the evidence that shows that wife has sufficient property to support her reasonable needs. Wife's claim is therefore denied and neither party is entitled to an award of spousal maintenance.

Division of Property and Debts

Community/Sole and Separate Property Claims and Debts

The Court shall divide any disputed property in accordance with the property's character. Property is characterized by the time of its acquisition. If acquired by either spouse before marriage or acquired during marriage by gift, devise, or descent, property is characterized as separate property. A.R.S. § 25-213(A). The Court shall assign each spouse's sole and separate property to that spouse. A.R.S. § 25-318(A).

Property acquired by either spouse during marriage is characterized as community property (with the exceptions of property acquired by gift, devise, or descent). A.R.S. § 25-211(A). There is a presumption that any property acquired by either spouse during marriage is community property, unless demonstrated otherwise by clear and convincing evidence. *See Sommerfield v. Sommerfield*, 121 Ariz. 575, 578 (1979). Any property acquired by either spouse outside of Arizona shall be deemed to be community property if such property would have been characterized as community property had it been initially acquired in Arizona. A.R.S. § 25-318(A).

Equitable Division

The Court shall divide community property equitably, although not necessarily in kind, without any regard to marital misconduct. A.R.S. § 25-318(A). As a general presumption, equitable division requires that community property be divided substantially equally. *See Toth v. Toth*, 190 Ariz. 218, 221 (1997). However, the Court may order an unequal division of community property in consideration of excessive or abnormal expenditures or the destruction, concealment, or fraudulent disposition of property. A.R.S. § 25-318(C).

When dividing property, the Court may consider all related debts and obligations. A.R.S. § 25-318(B). To determine property's value, the Court shall select a valuation date. The selection of this valuation date rests within the wide discretion of the trial court and shall be tested upon review by the fairness of the result. *See Sample v. Sample*, 152 Ariz. 239, 242-43 (Ct. App. 1986).

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FN 2012-094442

09/25/2013

Unequal Division of Property

Only rarely is unequal division of community property appropriate to achieve equity. *See Toth*, 190 Ariz. at 221 (unequal division of property was appropriate because one spouse contributed substantially disproportionate separate funds compared to the other's contribution); *see also Flower v. Flower*, 223 Ariz. 531, 531 (Ct. App. 2010) (unequal division of property was appropriate because the parties incurred substantial community debt to benefit one spouse's separate property). *But see Inboden v. Inboden*, 223 Ariz. 542, 547 (Ct. App. 2010) (vacating an order for the unequal division of property because each spouse had contributed separate funds to joint property).

The Court shall consider all equitable factors before ordering an unequal division of community property, including: the length of the marriage, the contributions of each spouse to the community, the source of funds used to acquire the property to be divided, the allocation of debt, and any other factor that may affect the outcome. *See Inboden*, 223 Ariz. at 547.

THE COURT FURTHER FINDS that this case does not present a unique set of facts or circumstances. Therefore, an equal division of community property is appropriate to achieve equity.

Real Property

THE COURT FINDS that the Wife owns as her sole and separate property a house at 2421 Pine Circle Lakeside, AZ.

IT IS ORDERED affirming this real property as Wife's sole and separate property.

THE COURT FURTHER FINDS that the parties owned no other real property.

Business

At the time of the filing of the petition, Husband and Wife owned 50% of Triple J Hauling. The parties have agreed that Wife's shares will go to Husband, and that she may keep the \$ 85,000 she received for her shares.

IT IS ORDERED that Wife will ensure that her 25% of the business will go to Husband.

IT IS FURTHER ORDERED that Wife will provide all corporate records in her possession to Husband with 10 days of the date of this decree.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FN 2012-094442

09/25/2013

Personal Property

IT IS ORDERED that Husband shall have the boat.

IT IS FURTHER ORDERED that wife shall have the trailer.

The following orders are subject to the specific awards listed above.

IT IS ORDERED Husband is awarded as his sole and separate property, subject to any liens or encumbrances on the property, all vehicles, household furniture, furnishings and appliances, and other personal property currently in his possession.

IT IS FURTHER ORDERED Wife is awarded as her sole and separate property, subject to any liens or encumbrances on the property, all vehicles, household furniture, furnishings and appliances, and other personal property currently in her possession.

Debts

THE COURT FINDS that the following community debts were identified:

- | | |
|---------------------|------------|
| 1. Cabellas | \$ 5,500. |
| 2. Visa Signature | \$ 12,000. |
| 3. Citi Platinum | \$ 2,500. |
| 4. Chase Ink | \$ 5,000. |
| 5. Sam's Club | \$ 700. |
| 6. Wells Fargo | \$ 3,000. |
| 7. Century Link | \$ 500. |
| 8. American Express | \$ 7,500. |
| 9. Verizon | \$ 200. |
| 10. USBank | \$ 1,000. |

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FN 2012-094442

09/25/2013

IT IS ORDERED that in fairly and equitably allocating the community assets and the community debts, Husband shall be solely responsible for the following:

- | | |
|-------------------|------------|
| 1. Cabellas | \$ 5,500. |
| 2. Visa Signature | \$ 12,000. |
| 3. Citi Platinum | \$ 2,500. |

IT IS ORDERED that in fairly and equitably allocating the community assets and the community debts, Wife shall be solely responsible for the following:

- | | |
|---------------------|-----------|
| 1. Chase Ink | \$ 5,000. |
| 2. Sam's Club | \$ 700. |
| 3. Wells Fargo | \$ 3,000. |
| 4. Century Link | \$ 500. |
| 5. American Express | \$ 7,500. |
| 6. Verizon | \$ 200. |
| 7. USBank | \$ 1,000. |

IT IS FURTHER ORDERED as follows:

- Husband shall be solely responsible for any credit card or debt in his name incurred after service of the Petition.
- Wife shall be solely responsible for any credit card or debt in her sole name incurred after service of the Petition.
- Any community debts that were not identified at the time of the trial shall be divided equally between the parties.
- Husband shall ensure that Wife's name is removed from all the credit accounts assigned to him in this Decree by October 31, 2013.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FN 2012-094442

09/25/2013

- Wife shall ensure that Husband's name is removed from all the credit accounts assigned to her in this Decree by October 31, 2013.
- Each party shall pay any debt incurred by him or her respectively since the date of service of the Petition in this matter.
- Each party shall indemnify and hold harmless from any and all debts designated as the responsibility of that party by the terms set forth in this Decree.

Equalization

THE COURT FINDS that the above allocation of the real and personal property, when considered with the division of debt, is fair and equitable under the circumstances and that no further adjustments are necessary.

Restoration of Name

Wife asks on the record to have her name restored.

IT IS THEREFORE ORDERED restoring Wife to her former name, Janet R. Sotomayor, date of birth: [REDACTED], last four digits of social security number: [REDACTED]

IT IS FURTHER ORDERED directing the Office of the Clerk of the Superior Court to change the name on the caption of this case for Petitioner from Janet R. Sandoval to Janet R. Sotomayor, effective immediately.

Attorney Fees and Costs

Both parties have requested an award of attorney fees and costs. An award of attorney fees and costs is governed by A.R.S. § 25-324. Section 25-324 provides as follows:

A. The Court from time to time, after considering the financial resources of both parties and the reasonableness of the positions each party has taken throughout the proceedings, may order a party to pay a reasonable amount to the other party for the costs and expenses of maintaining or defending any proceedings under this chapter or chapter 4, article 1 of this title. On request of a party or another court of competent jurisdiction, the Court shall make specific findings concerning the portions of any award of fees and expenses that are based on consideration of financial resources and that are based on consideration of

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FN 2012-094442

09/25/2013

reasonableness of positions. The Court may make these findings before, during or after the issuance of a fee award.

B. If the Court determines that a party filed a petition under one of the following circumstances, the Court shall award reasonable costs and attorney fees to the other party:

1. The petition was not filed in good faith.
2. The petition was not grounded in fact or based on law.
3. The petition was filed for an improper purpose, such as to harass the other party, to cause an unnecessary delay or to increase the cost of litigation to the other party.

C. For the purpose of this section, costs and expenses may include attorney fees, deposition costs and other reasonableness expenses as the Court finds necessary to the full and proper presentation of the action, including any appeal.

D. The Court may order all amounts paid directly to the attorney, who may enforce the order in the attorney's name with the same force and effect, and in the same manner, as if the order had been made on behalf of any party to the action.

THE COURT FINDS that there is no substantial disparity of financial resources between the parties.

THE COURT FURTHER FINDS that neither party acted unreasonably in the litigation sufficient enough to warrant additional attorney's fees.

THE COURT FURTHER FINDS that the provisions of A.R.S. § 25-324(B) do not apply.

THE COURT FURTHER FINDS that neither Wife nor Husband knowingly presented a false claim knowingly presented a false claim, knowingly accused the other parent of making a false claim, or violated a court order compelling disclosure or discovery such that an award of attorney fees and costs is appropriate under A.R.S. § 25-415.

IT IS THEREFORE ORDERED denying both parties' request for attorney fees and costs.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FN 2012-094442

09/25/2013

IT IS FURTHER ORDERED denying any affirmative relief sought before the date of this Order that is not expressly granted above.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, Arizona Rules of Family Law Procedure (ARFLP).

Dated this 25th day of September, 2013.

/s/ Paul J. McMurdie

HONORABLE PAUL J. MCMURDIE
JUDGE OF THE SUPERIOR COURT

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.