OFFICE OF THE PINAL COUNTY ATTORNEY

M. LANDO VOYLES
PINAL COUNTY ATTORNEY

March 10, 2016

Domingos R. Santos, Jr.
SANTOS LAW OFFICE
2415 East Camelback Road, Suite 700
Phoenix, Arizona 85016
ds@santoslawpllc.com

Re: ***TX2014-000727 – Superstition North LC, et al.***

This letter is written in accordance with Rule 408 of the Arizona Rules of Evidence and is not admissible in any court proceeding or pleading filed with the court in this matter.

Dear Mr. Santos:

The Pinal County Assessor's Office has reviewed the information in the above-referenced matter and has authorized us to make the following conditional settlement recommendation ("Recommendation"): The Assessor's Office will reduce the aggregate full cash value of Pinal County parcel numbers 104-17-424, 104-17-425, and 104-17-427 from $439,411 to $290,503 for the 2015 tax year.

This Recommendation is conditioned upon review and approval by the Board of Supervisors, A.R.S. § 11-251(14), and is void in the event the Board of Supervisors does not give its approval.

This Recommendation is also subject to the following terms and conditions:

1. The limited property value of the foregoing Pinal County Assessor Parcel Numbers will be calculated pursuant to the applicable statutes.

2. Plaintiff must pay timely, and in full, all taxes as billed which become due prior to entry of judgment. Plaintiff's timely compliance with all applicable administrative and judicial filing deadlines for the subject tax parcels for the subject tax year is required.

3. In the event Plaintiff has paid less than 100% of the 2015 tax year taxes, Plaintiff's refund will be limited and equal to that percentage of the 2015 tax year taxes that it paid, plus statutory interest.

4. After entry of judgment, the Treasurer's Office will calculate the amount of a tax refund, if any, with interest thereon at the legal rate as provided in A.R.S. § 42-16214 as follows:

   > the legal rate of interest payable from the date of overpayment until the judgment is paid in full shall be 3% pursuant to A.R.S. § 42-16214(A)(3), *as amended* by 2014 Ariz.Legis.Serv. Ch 249 (S.B. 1352) eff. July 24, 2014.

5. All refunds will first be applied to any unpaid/delinquent property taxes, interest and penalties on the property.

6. Each party will bear its own attorneys' fees and costs.

7. Plaintiff waives any and all other claims it may have with respect to the assessment, valuation, classification and taxation of the subject property for the 2015 tax year, including, but not limited to, claims pursuant to A.R.S. § 42-11005 and claims pursuant to A.R.S. §§ 42-16251 to 42-16258.

8. This settlement recommendation is the product of compromise and dispute resolution and it may not be used for any purpose other than those stated herein.

9. Subject to the exceptions provided by A.R.S. § 42-16002, the subject property's reduced full cash value for the 2016 tax years, as determined by this Judgment, will be its full cash value for the following tax year, unless the full cash value as determined by the Assessor for the following tax year is determined to be lower, in which case the full cash value shall be that lower value. However, nothing in this paragraph shall operate as a waiver of any existing appeal rights.

This Recommendation will remain open for twenty (20) calendar days from the date of this letter, unless withdrawn earlier in writing.

Plaintiff may only agree with the terms and conditions of this Recommendation and authorize its submission to the Pinal County Board of Supervisors in whole and may not agree with the terms and conditions of this Recommendation and authorize it submission to the Board of Supervisors in part.

If this Recommendation meets with your client's approval, please sign the Authorization on the last page of this letter, and return it to our office. Upon receipt of that Authorization, we will ask the Assessor's Office to prepare this matter for presentation to the Board of Supervisors for its review and approval. If the Board of Supervisors approves this Recommendation, we will contact you about lodging a judgment.

Should you have any questions, please feel free to contact me. We hope that this matter will be amicably resolved.

Sincerely,

Cedric I. Hay
Deputy County Attorney

CIH/lw

cc: Marnie Daniels, Pinal County Assessor's Office

AUTHORIZATION

My client, ***Superstition North LC, et al.***, agrees with the terms and conditions of the proposed conditional settlement recommendation and authorizes its submission to the Pinal County Board of Supervisors.

DATED this 12th day of August, 2016.

By: _____
Domingos R. Santos, Jr.
Attorney for Defendant