

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2005-003058

08/19/2005

HONORABLE REBECCA A. ALBRECHT

CLERK OF THE COURT  
K. Ballard  
Deputy

FILED: 08/23/2005

ARMANDO CARAMES

ARMANDO CARAMES  
506 HENRY ST  
BROOKLYN NY 11231

v.

MARICOPA COUNTY TREASURER

COUNTY ATTORNEY - CIVIL

ARMANDO CARAMES  
10121 SPRINGHILL DR  
SPRINGHILL FL 34608  
JAMES F MONDELLA  
LINDA R MONDELLA  
240 E CHARLESTON AVE  
PHOENIX AZ 85022  
STEWART TITLE & TRUST  
244 W OSBORN RD  
PHOENIX AZ 85013

ORDER SIGNED

11:41 a.m. This is the time set for Hearing re: Application for Release of Excess Proceeds. Petitioner Armando Carames appears telephonically. Petitioners James and Linda Mondella appear personally.

A record of the proceedings is made by CD/videotape in lieu of a court reporter.

Present before the Court are the three Applicants legally entitled to the release of the excess proceeds.

Stewart Title deposited with the Treasurer of Maricopa County excess proceeds as a result of a sale under deed of trust in the amount of approximately \$13,800. Stewart Title, after  
Docket Code 022 Form V000A Page 1

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2005-003058

08/19/2005

making that deposit, failed to file the required notice of deposit with the Court and failed to give notice to the person or persons who would or appeared to have a claim to these excess proceeds. These funds were deposited in November of 2002.

The Applicants before the Court today learned of that deposit and sought release of these funds through the Treasurer's Office. The Treasurer's Office indicated that before any funds could be released, there needed be a determination by the Court that these Applicants, or any of them, had a right to these funds.

The Applicants that are before the Court are those parties who were the owners of the property prior to the sale. The sale was as a result of a failure to comply with certain contractual responsibilities, and Countrywide Mortgage was paid in full what it was due and owing, and there was left as a result that excess amount of funds in the amount of \$13,817.41 originally deposited.

The Applicants request the release of the excess proceeds to the three Applicants before the Court today. The three Applicants agree they have equal rights to the funds and their private distribution of the funds does not need to concern the Court.

Based on the matters before the Court, the Court finds all of the requirements of the statute have been met with regard to the release of these proceeds.

IT IS ORDERED that the Maricopa County Treasurer's Office shall release to the Applicants, in a single check, directed to Armando Cames, James F. Mondella and Linda R. Mondella, the sum of \$13,817.41, less the \$30.00 fee due to the Treasurer's Office.

The Court advises the parties that an order will be provided to the Applicants for presentation to the Treasurer's Office momentarily.

11:47 a.m. Matter concludes.

**Later:**

Based upon the foregoing,

IT IS ORDERED approving and settling the formal written Order (releasing excess proceeds) signed by the Court this date and filed (entered) by the clerk on August 19, 2005.