

**PETITION FOR THE BOARD OF SUPERVISORS OF APACHE COUNTY, ARIZONA TO ESTABLISH  
THE ALPINE DOMESTIC WATER IMPROVEMENT DISTRICT**

The undersigned real property owners ("Petitioners"), as set forth in Exhibit A, hereby petition the Board of Supervisors of Apache County, Arizona ("County"), to enter its final order ("Resolution") forming a domestic water improvement district acting pursuant to the provisions of Title 48, Chapter 6, Arizona Revised Statutes ("A.R.S."), as amended ("Improvement District Act").

1. Petitioners propose to organize a domestic water improvement district to be named "Alpine Domestic Water Improvement District" ("District").
2. The proposed District boundaries within the County are delineated by legal description and map in Exhibit B ("Property").
3. The District is desirable needed to provide domestic water to the Property at a reasonable cost. The District will own and operate a domestic water system appropriately constructed and permitted to provide domestic water to the Property thereby promoting public convenience, necessity and welfare. All of the Property benefit by this domestic water system, which is generally outlined and attached hereto as Exhibit C.
4. The District shall be a special purpose district and a municipal corporation for all applicable purposes. These purposes consist of, but are not limited to, the purposes prescribed in § 48-909(A)(5) and (6) as well as the related powers prescribed in A.R.S. § 48-909(B), A.R.S. 48-909(E), and A.R.S. § 48-910 that are not in conflict with the Improvement District Act.
5. Petitioners acknowledge that the formation of the District may result in the levy of ad valorem taxes, assessments and other charges to pay the costs of improvements constructed or acquired by the District and for their operation and maintenance, and that the Property and its owners will be subject to the ordinances, resolutions and other laws of the District. Petitioners also understand and consent that taxes may be levied on a square footage basis pursuant to A.R.S. § 48-955.
6. Petitioners request that the Board of Supervisors determine that the District be governed by a board of directors composed of five members. Petitioners recommend the following Property owners to serve as the initial board of directors:
  1. Frank Barnes
  2. Lee Barnes
  3. Melvin O'Dell
  4. Marvin Sexton
  5. Harold Dusick
7. This Petition is signed by a majority of the persons owning real property within the proposed District boundaries and a copy of a recent title search showing ownership is attached hereto as Exhibit D.
8. Petitioners acknowledge that the proposed district is partially within the boundaries of an existing service territory of a public service corporation that provides domestic water as defined by a certificate of convenience and necessity issued by the Arizona Corporation Commission.

WHEREAS, the Petitioners represent and understand that this Petition constitutes a binding obligation and that this Petition has been validly authorized and executed;

WHEREAS, the Petitioners request that the Board conduct a hearing as required by A.R.S. § 48-904 and upon a proper showing that the formation of the proposed District will promote public convenience, necessity and welfare, such District be established in accordance with the boundaries legally defined and attached as Exhibit B;

WHEREAS, as this Petition is signed by a majority of the persons owning real property within the proposed District boundaries and any requirements of posting, publication, mailing, or notice otherwise required by

the Improvement District Act in connection with the adoption of the Resolution will be complied with prior to the hearing before the Board of Supervisors;

THEREFORE, Petitioners pray that this Petition be properly filed as provided by law and that the County set the hearing date as required by the Improvement District Act and/or Title 48.

### Notice of Public Hearing

The Apache County Board of Supervisors will hold a public hearing for discussion and possible approval of the proposed Alpine Domestic Water Improvement District. The public hearing will be held on June 5, 2007 at 8:30 a.m. in the Apache County Board of Supervisors meeting room, County Annex building, 75 W. Cleveland Street in St. Johns, Arizona. The public may view a copy of the proposed district boundaries anytime between 8:00 am – 5:00 p.m. Mon-Fri. in the County Managers, Office, 75 W. Cleveland Street, St. Johns, Arizona.

The approximate area of the boundaries of proposed District is set forth in metes and bounds, to wit: All of the following described real property in Sections 1, 2, 11, 12 and 13 of Township 5 North, Range 30 East; and Sections 7 and 18, of Township 5 North, Range 31 East, G&SRB&M, Apache County, Arizona; Beginning at the NW corner of the SW1/4 of Section 2, T5NR30E; Thence East to the NE corner of the SW1/4 of Section 2, T5NR30E; Thence South to the SE corner of the NE1/4 of the SW1/4 of Section 2, T5NR30E; Thence East to the NW corner of the NE1/4 SW1/4 of Section 1, T5NR30E; Thence North to the NW corner of the NE1/4 SW1/4 NW1/4 SW1/4 of Section 1, T5NR30E; Thence East to the NE corner of the NE1/4 SW1/4 NW1/4 SW1/4 of Section 1, T5NR30E; Thence North of the NW corner of the NW1/4 NE1/4 NW1/4 SW1/4 of Section 1, T5NR30E; Thence East to the NE corner of the NW1/4 NE1/4 NW1/4 SW1/4 of Section 1, T5NR30E; Thence South to the NE corner of the SW1/4 SE1/4 NW1/4 SW1/4 of Section 1, T5NR30E; Thence East to the NE corner of the SE1/4 SE1/4 NW1/4 SW1/4 of Section 1, T5NR30E; Thence South to the NE corner of the SE1/4 NE1/4 SW1/4 SW1/4 of Section 1, T5NR30E; Thence East to the NE corner of the SE1/4 NW1/4 SE1/4 SW1/4 of Section 1, T5NR30E; Thence South to the SE corner of the NE1/4 SW1/4 SE1/4 SW1/4 of Section 1, T5NR30E; Thence West to the SW corner of the NE1/4 SW1/4 SE1/4 SW1/4 of Section 1, T5NR30E; Thence South to the SE corner of the SW1/4 SW1/4 SE1/4 SW1/4 of Section 1, T5NR30E; Thence West to the SW corner to the SW1/4 SW1/4 SE1/4 SW1/4 of Section 1, T5NR30E; Thence South to the SE corner of the NW1/4 NW1/4 of Section 12, T5NR30E; Thence East to the NE corner of the SW1/4 NE1/4 of Section 12, T5NR30E; Thence North to the NW corner of the NE1/4 NE1/4 of Section 12, T5NR30E; Thence East to the NE corner of the NE1/4 NE1/4 of Section 12, T5NR30E; Thence South to the SE corner of the NE1/4 NE1/4 SE1/4 of Section 12, T5NR30E; Thence West to the SW corner of the NE1/4 NE1/4 SE1/4 of Section 12, T5NR30E; Thence South to the SE corner of the SW1/4 NE1/4 SE1/4 of Section 12, T5NR30E; Thence West to the SW corner SE1/4 NW1/4 SE1/4 of Section 12, T5NR30E; Thence North to the NW corner SE1/4 NW1/4 SE1/4 of Section 12, T5NR30E; Thence East to the NE corner SE1/4 NW1/4 SE1/4 of Section 12, T5NR30E; Thence North to the SE corner SW1/4 NE1/4 of Section 12, T5NR30E; Thence West to the SW corner SW1/4 NE1/4 of Section 12, T5NR30E; Thence South to the SE corner of the SW1/4 of Section 12, T5NR30E; Thence East to the NE corner of the NE1/4 of Section 13, T5NR30E; Thence North to the NW corner of the S1/2 NW1/4 SW1/4 SW1/4 of Section 7, T5NR31E; Thence East to the NE corner of the S1/2 NW1/4 SW1/4 SW1/4 of Section 7, T5NR31E; Thence South to the SE corner of the S1/2 NW1/4 SW1/4 SW1/4 of Section 7, T5NR31E; Thence East to the NE corner of the SE1/4 SW1/4 SW1/4 of Section 7, T5NR31E; Thence South to the SE corner of the SE1/4 SW1/4

SW1/4 of Section 7, T5NR31E; Thence East to the SW corner SE1/4 SW1/4 SE1/4  
SW1/4 of Section 7, T5NR31E; Thence North to the NW corner NE1/4 NW1/4 SE1/4  
SW1/4 of Section 7, T5NR31E; Thence East to the NE corner SW1/4 SE1/4 of Section 7,  
T5NR31E; Thence South to the SE corner of the NW1/4 NE1/4 of Section 18,  
T5NR31E; Thence West to the SW corner of the NW1/4 NW1/4 of Section 13,  
T5NR30E; Thence North to the NW corner of the NW1/4 NW1/4 of Section 13,  
T5NR30E; Thence West to the SE corner of the S1/2 S1/2 SW1/4 SE1/4 of Section 11,  
T5NR30E; Thence North to the NE corner of the S1/2 S1/2 SW1/4 SE1/4 of Section 11,  
T5NR30E; Thence West to the NW corner of the S1/2 S1/2 SW1/4 SE1/4 of Section 11,  
T5NR30E; Thence North to the NW corner of the NE1/4 of Section 11, T5NR30E; Thence  
North to the NW corner of the SW1/4 of Section 2, T5N430E; which is the true point of  
beginning.

# ALPINE DOMESTIC WATER IMPROVEMENT DISTRICT

## EXHIBIT B-1 MAP OF PROPOSED BOUNDARIES

