

ORIGINAL



0000013326

SALLQUIST & DRUMMOND, P.C.

ATTORNEYS AT LAW
TEMPE OFFICE
4500 S. LAKESHORE DRIVE
SUITE 339
TEMPE, ARIZONA 85282

RICHARD L. SALLQUIST

PHONE (602) 224-9222
FACSIMILE (480) 345-0412
E-MAIL dick@sd-law.com

November 19, 2004

HAND DELIVERY

Judge Amanda Pope
Arizona Corporation Commission
Hearing Division
1200 W. Washington
Phoenix, AZ 85007

Arizona Corporation Commission

DOCKETED

NOV 19 2004

DOCKETED BY *CKL*

AZ CORP COMMISSION
DOCUMENT CONTROL

2004 NOV 19 P 2:17

RECEIVED

Re: Utility Source, LLC; Docket No. WS-04235A-04-0073; CC&N Application

Dear Judge Pope:

I apologize for not providing the enclosed legal descriptions earlier, but the subject tank, well and wastewater treatment plant sites needed to be surveyed, and that took the engineer longer to complete than we had anticipated.

The Commission's Engineering Division has provided a map of the entire requested area based upon Exhibit A-6 in the hearing, and as shown on Exhibit A-5. I have attached that legal description and map for your convenience.

Also attached hereto are two 24" by 36" engineering drawings including the legal descriptions of the tank site and 8 wells within Section 36 on the first sheet, with a second sheet showing a portion of the requested area within Section 1, specifically describing the wastewater treatment plant site. The tank site, 8 well sites, and the wastewater treatment plant referred to as "Tract F", along with an additional sliver parcel called the "Greenfield Land Development to Utility Source", will be conveyed to the Company. The irregular shaped piece designated as "Tract A" on the second engineering sheet is the area containing the Regional Park and the lagoons which will be utilized by the Company through a perpetual easement from the Homeowners Association.

The area the Company has requested for the Conditional Certificate of Convenience and Necessity ("CC&N") (referred to as Phase 1 during the hearing) includes Flagstaff Meadows Units 1 and 2, Phase 1 of the Town Homes, plus the area the Company believes was described in the Letter of Physical Availability Determination that was provided to you in my October 27, 2004 correspondence which includes the Truck Stop and Motel. Although we did not discuss it specifically during the hearing, we

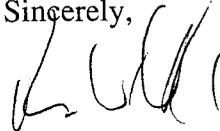
assume that the Commission will also want the wastewater treatment plant, the tank site, all well sites, and the fire station included within the Conditional CC&N. Attached hereto as Attachment 1 is a legal description of those areas.

The area proposed to be in the Order Preliminary encompasses Flagstaff Meadows III (which includes the second phase of the Town Homes), and the "Bellemont Commercial" parcel in Section 1, plus the "Undeveloped" parcel and the "Utility Source" parcel (excluding the tank site and 8 well sites already included in the Conditional CC&N) within Section 36. The Order Preliminary Area legal description will be the entire area contained in the Engineering Division's Memo (Exhibits A-5 and A-6), less the area included in the Conditional CC&N area (Attachment 1). The proposed Order Preliminary Area is more fully described in Attachment 2 hereto.

The Company is of the opinion the Conditional CC&N Area and the Order Preliminary Area are fully described in Attachment 1 and Attachment 2 hereto, respectively and can be utilized as exhibits in the Recommend Order in his proceeding.

In the event we can provide any additional information, please do not hesitate to contact the undersigned.

Sincerely,



Richard L. Sallquist

Enclosures

Cc: Docket Control (15 copies without Engineering Drawings)
Tim Sabo
Barb Wells
Lonnie McCleve

MEMORANDUM

TO: Jim Fisher
Executive Consultant II
Utilities Division

FROM: Barb Wells
Information Technology Specialist
Utilities Division

THRU: Del Smith
Engineering Supervisor
Utilities Division

DATE: October 18, 2004

RE: **UTILITY SOURCE, LLC (DOCKET NO. WS-04235A-04-00731)**

The area requested by Utility Source has been plotted using a revised legal description, which was entered into the record at the hearing. This legal description is attached and should be used in place of the original description submitted with the application.

Also attached are copies of the maps for your files.

:bsw

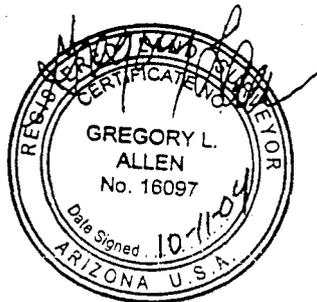
Attachments

cc: Docket Control
Mr. Richard Sallquist
Deb Person (Hand Carried)
File

LEGAL DESCRIPTION
FLAGSTAFF MEADOWS I & II, TOWNHOMES I, SEWER
TREATMENT PLANT, AND FIRESTATION

A PORTION OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 21 NORTH, RANGE 5 EAST OF THE GILA RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 1, SAID POINT BEING A FOUND ALUMINUM CAP STAMPED LS #14671, THENCE NORTH 89°58'34" EAST ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 2649.06 FEET;
THENCE SOUTH 00°33'42" EAST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 1, 2649.29 FEET TO A FOUND GLO BRASS CAP;
THENCE NORTH 89°58'18" WEST ALONG THE EAST-WEST MID-SECTION LINE, 436.63 FEET;
THENCE NORTH 60°03'20" WEST 1054.40 FEET;
THENCE NORTH 27°47'14" EAST 339.37 FEET;
THENCE SOUTH 60°13'33" EAST 277.14 FEET;
THENCE NORTH 00°12'57" EAST 367.81 FEET;
THENCE NORTH 46°08'35" WEST 1967.51 FEET;
THENCE SOUTH 43°51'27" WEST 226.12 FEET;
THENCE SOUTH 89°49'53" WEST 176.16 FEET;
THENCE NORTH 00°10'15" WEST 362.63 FEET TO THE POINT OF BEGINNING.



LEGAL DESCRIPTION

UTILITY SOURCE, TRUCK STOP, MOTEL AND UNDEVELOPED

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 22 NORTH, RANGE 5 EAST OF THE GILA RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 36, SAID POINT BEING A FOUND ½' REBAR,
THENCE NORTH 01°03'21" WEST ALONG THE WEST LINE OF THE SAID SOUTHWEST QUARTER OF SECTION 36, A DISTANCE OF 226.39 FEET TO A FOUND BRASS CAP AND THE POINT OF BEGINNING;
THENCE CONTINUING NORTH 01°03'21" WEST ALONG SAID WEST LINE, 436.64 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 36;

THENCE SOUTH 89°54'02" EAST ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 36 1734.58 FEET;

THENCE SOUTH 00°19'45" EAST 661.71 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 36;

THENCE NORTH 89°56'29" WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 36, 584.22 FEET, SAID POINT LYING SOUTH 89°56'29" EAST 1141.95 FEET AWAY FROM THE SOUTHWEST CORNER OF SAID SECTION 36;

THENCE NORTH 02°24'39" WEST 24.44 FEET;

THENCE NORTH 89°57'22" WEST 482.79 FEET;

THENCE NORTH 87°13'35" WEST 36.57 FEET;

THENCE NORTH 00°13'15" EAST 41.59 FEET;

THENCE NORTH 89°44'08" WEST 113.88 FEET TO THE BEGINNING OF A 743.51 FOOT RADIUS NON-TANGENT CURVE, CONCAVE TO THE NORTH, A RADIAL TO SAID BEGINNING BEARS SOUTH 00°12'16" WEST;

THENCE WESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 29°44'56" AN ARC DISTANCE OF 386.04 FEET;

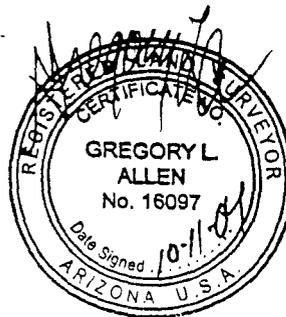
THENCE NON-TANGENT TO SAID CURVE, NORTH 67°27'22" WEST A DISTANCE OF 155.35 FEET TO THE POINT OF BEGINNING.



LEGAL DESCRIPTION
FLAGSTAFF MEADOWS I, II & III, TOWNHOMES I & II, SEWER
TREATMENT PLANT, BELLEMONT COMMERCIAL, AND
FIRE STATION

A PORTION OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 21 NORTH, RANGE 5 EAST OF THE GILA RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 1, SAID POINT BEING A FOUND ALUMINUM CAP STAMPED LS #14671, THENCE NORTH $89^{\circ}58'34''$ EAST ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 2649.06 FEET;
THENCE SOUTH $00^{\circ}33'42''$ EAST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 1, 2649.29 FEET TO A FOUND GLO BRASS CAP;
THENCE NORTH $89^{\circ}58'18''$ WEST ALONG THE EAST-WEST MID-SECTION LINE, 436.63 FEET;
THENCE NORTH $60^{\circ}03'20''$ WEST 2578.54 FEET;
THENCE NORTH $60^{\circ}01'53''$ WEST 1116.02 FEET;
THENCE NORTH $48^{\circ}27'42''$ WEST 871.53 FEET;
THENCE NORTH $30^{\circ}32'49''$ EAST 263.41 FEET TO A POINT ON THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 1 LYING SOUTH $89^{\circ}56'29''$ EAST 1167.90 FEET FROM THE NORTHWEST CORNER THEREOF;
THENCE SOUTH $89^{\circ}56'29''$ EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 1, 1481.21 FEET TO THE POINT OF BEGINNING.



COUNTY OF Coconino

RANGE 5 East

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

TOWNSHIP 21 North



W-2526 (2)
Bellemont Water Company



Utility Source, LLC
Docket No. WS-4235-04-073
Application for CC&N for Water and Sewer

COUNTY OF Coconino

RANGE 5 East

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

TOWNSHIP 22 North

 W-2526 (2)
Bellemont Water Company

 Utility Source, LLC
Docket No. WS-4235-04-073
Application for CC&N for Water and Sewer

LEGAL DESCRIPTION
FLAGSTAFF MEADOWS I & II, TOWNHOMES I, SEWER
TREATMENT PLANT, AND FIRESTATION

A PORTION OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 21 NORTH, RANGE 5 EAST OF THE GILA RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 1, SAID POINT BEING A FOUND ALUMINUM CAP STAMPED LS #14671, THENCE NORTH 89°58'34" EAST ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 2649.06 FEET;
THENCE SOUTH 00°33'42" EAST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 1, 2649.29 FEET TO A FOUND GLO BRASS CAP;
THENCE NORTH 89°58'18" WEST ALONG THE EAST-WEST MID-SECTION LINE, 436.63 FEET;
THENCE NORTH 60°03'20" WEST 1054.40 FEET;
THENCE NORTH 27°47'14" EAST 339.37 FEET;
THENCE SOUTH 60°13'33" EAST 277.14 FEET;
THENCE NORTH 00°12'57" EAST 367.81 FEET;
THENCE NORTH 46°08'35" WEST 1967.51 FEET;
THENCE SOUTH 43°51'27" WEST 226.12 FEET;
THENCE SOUTH 89°49'53" WEST 176.16 FEET;
THENCE NORTH 00°10'15" WEST 362.63 FEET TO THE POINT OF BEGINNING.



ATTACHMENT 1

UTILITY SOURCE
WATER PARCEL

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 22 NORTH,
RANGE 5 EAST OF THE GILA RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA,
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 36;
THENCE NORTH 78°37'21" EAST A DISTANCE OF 620.91 FEET TO THE POINT OF
BEGINNING;

THENCE NORTH 07°48'54" EAST 210.70 FEET;
THENCE SOUTH 82°26'29" EAST 183.15 FEET;
THENCE SOUTH 18°50'15" WEST 12.65 FEET;
THENCE SOUTH 15°14'56" WEST 82.50 FEET;
THENCE SOUTH 89°13'20" WEST 32.80 FEET;
THENCE SOUTH 00°54'39" WEST 30.02 FEET;
THENCE SOUTH 21°03'14" WEST 47.43 FEET;
THENCE SOUTH 20°11'26" EAST 45.04 FEET;
THENCE SOUTH 25°00'11" WEST 45.81 FEET;
THENCE NORTH 60°11'06" WEST 75.87 FEET;
THENCE NORTH 66°43'52" WEST 70.17 FEET TO THE POINT OF BEGINNING.

WELL 1

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 22 NORTH, RANGE 5 EAST OF THE GILA RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 36;
THENCE NORTH 80°58'33" EAST A DISTANCE OF 491.35 FEET TO THE POINT OF BEGINNING;
THENCE NORTH 25°43'26" EAST 10.00 FEET;
THENCE SOUTH 64°16'34" EAST 10.00 FEET;
THENCE SOUTH 25°43'26" WEST 10.00 FEET;
THENCE NORTH 64°16'34" WEST 10.00 FEET TO THE POINT OF BEGINNING.

WELL 2

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 22 NORTH, RANGE 5 EAST OF THE GILA RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 36;
THENCE NORTH 83°04'00" EAST A DISTANCE OF 698.88 FEET TO THE POINT OF BEGINNING;
THENCE NORTH 25°43'26" EAST 10.00 FEET;
THENCE SOUTH 64°16'34" EAST 10.00 FEET;
THENCE SOUTH 25°43'26" WEST 10.00 FEET;
THENCE NORTH 64°16'34" WEST 10.00 FEET TO THE POINT OF BEGINNING.

WELL 3

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 22 NORTH, RANGE 5 EAST OF THE GILA RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 36;
THENCE NORTH 29°10'52" EAST A DISTANCE OF 726.88 FEET TO THE POINT OF BEGINNING;
THENCE NORTH 25°43'26" EAST 10.00 FEET;
THENCE SOUTH 64°16'34" EAST 10.00 FEET;
THENCE SOUTH 25°43'26" WEST 10.00 FEET;
THENCE NORTH 64°16'34" WEST 10.00 FEET TO THE POINT OF BEGINNING.

WELL 4

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 22 NORTH, RANGE 5 EAST OF THE GILA RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 36;
THENCE NORTH 25°06'48" EAST A DISTANCE OF 545.23 FEET TO THE POINT OF BEGINNING;
THENCE NORTH 25°43'26" EAST 10.00 FEET;
THENCE SOUTH 64°16'34" EAST 10.00 FEET;
THENCE SOUTH 25°43'26" WEST 10.00 FEET;
THENCE NORTH 64°16'34" WEST 10.00 FEET TO THE POINT OF BEGINNING.

WELL 5

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 22 NORTH, RANGE 5 EAST OF THE GILA RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 36;
THENCE NORTH 01°17'51" EAST A DISTANCE OF 634.61 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 64°16'34" WEST 10.00 FEET;
THENCE NORTH 25°43'26" EAST 10.00 FEET;
THENCE SOUTH 64°16'34" EAST 10.00 FEET;
THENCE SOUTH 25°43'26" WEST 10.00 FEET TO THE POINT OF BEGINNING.

WELL 6

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 22 NORTH, RANGE 5 EAST OF THE GILA RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 36;
THENCE NORTH 51°25'31" EAST A DISTANCE OF 266.25 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 25°43'26" EAST 10.00 FEET;
THENCE SOUTH 64°16'34" EAST 10.00 FEET;
THENCE SOUTH 25°43'26" WEST 10.00 FEET;
THENCE NORTH 64°16'34" WEST 10.00 FEET TO THE POINT OF BEGINNING.

WELL 7

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 22 NORTH, RANGE 5 EAST OF THE GILA RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 36;
THENCE NORTH 62°06'24" EAST A DISTANCE OF 466.09 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 08°03'08" EAST 14.13 FEET;
THENCE SOUTH 81°51'35" EAST 14.12 FEET;
THENCE SOUTH 07°37'28" WEST 14.17 FEET;
THENCE NORTH 81°40'53" WEST 14.22 FEET TO THE POINT OF BEGINNING.

WELL 8

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 22 NORTH, RANGE 5 EAST OF THE GILA RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 36;
THENCE NORTH 74°15'54" EAST A DISTANCE OF 1436.97 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 02°32'09" WEST 12.00 FEET;
THENCE NORTH 87°27'51" EAST 10.00 FEET;
THENCE SOUTH 02°32'09" EAST 12.00 FEET;
THENCE SOUTH 87°27'51" WEST 10.00 FEET TO THE POINT OF BEGINNING.

MICROTEL HOTEL

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 22 NORTH, RANGE 5 EAST, COCONINO COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING FOR REFERENCE AT THE SOUTHWEST CORNER OF SAID SECTION 36;

THENCE NORTH $01^{\circ}04'20''$ WEST, 226.39 FEET TO A FOUND ARIZONA HIGHWAY DEPARTMENT (AHD) BRASS CAP MARKED "3+97.25" ON THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. INTERSTATE HIGHWAY 40, AS SHOWN ON SHEET 27, PROJECT NO. I-40-3 (14) 175 OF THE RIGHT-OF-WAY PLANS OF THE ASHFORK - FLAGSTAFF HIGHWAY

THENCE NORTH $01^{\circ}04'20''$ WEST, 436.71 FEET ALONG THE WEST LINE OF SAID SECTION 36, TO A FOUND U.S.D.A. FOREST SERVICE BRASS CAP MARKED "S-S 1/64S35/S36 RLS 9431, 1989"

THENCE SOUTH $89^{\circ}48'40''$ EAST, 1334.47 FEET TO A FOUND $5/8''$ REBAR.

THENCE SOUTH $00^{\circ}21'26''$ EAST, 302.00 FEET TO THE POINT OF BEGINNING.

THENCE SOUTH $89^{\circ}58'08''$ EAST A DISTANCE OF 172.00 FEET;

THENCE SOUTH $00^{\circ}21'26''$ EAST A DISTANCE OF 357.00 FEET;

THENCE NORTH $89^{\circ}58'08''$ WEST A DISTANCE OF 172.00 FEET

THENCE NORTH $00^{\circ}21'26''$ WEST A DISTANCE OF 357.00 FEET TO THE POINT OF BEGINNING.

TRUCK STOP

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 22 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 36;
THENCE SOUTH 89°59'03" EAST ALONG THE SOUTH LINE OF SAID SECTION 36 A DISTANCE OF 1141.93 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 02°26'22" WEST, 24.10 FEET;
THENCE NORTH 89°56'17" WEST, 211.55 FEET;
THENCE NORTH 60°51'50" WEST, 65.03 FEET;
THENCE NORTH 37°03'51" WEST, 84.38 FEET;
THENCE SOUTH 69°11'35" WEST, 67.83 FEET;
THENCE NORTH 20°13'10" WEST, 45.04 FEET;
THENCE NORTH 21°01'30" EAST, 47.43 FEET;
THENCE NORTH 00°52'55" EAST, 30.02 FEET;
THENCE NORTH 89°11'37" EAST, 32.80 FEET;
THENCE NORTH 15°13'12" EAST, 82.50 FEET;
THENCE NORTH 13°15'20" EAST, 374.43 FEET;
THENCE SOUTH 89°48'40" EAST, 469.77 FEET;
THENCE SOUTH 01°13'25" EAST, 265.86 FEET;
THENCE SOUTH 70°36'40" WEST, 55.29 FEET;
THENCE SOUTH 00°21'26" EAST, 374.64 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 36;
THENCE NORTH 89°59'03" WEST ALONG THE SOUTH LINE OF SAID SECTION 36 A DISTANCE OF 184.23 FEET TO THE POINT OF BEGINNING;

LEGAL DESCRIPTION
FLAGSTAFF MEADOWS I & II, TOWNHOMES I, SEWER
TREATMENT PLANT, AND FIRESTATION

A PORTION OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 21 NORTH, RANGE 5 EAST OF THE GILA RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 1, SAID POINT BEING A FOUND ALUMINUM CAP STAMPED LS #14671, THENCE NORTH 89°58'34" EAST ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 2649.06 FEET;
THENCE SOUTH 00°33'42" EAST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 1, 2649.29 FEET TO A FOUND GLO BRASS CAP;
THENCE NORTH 89°58'18" WEST ALONG THE EAST-WEST MID-SECTION LINE, 436.63 FEET;
THENCE NORTH 60°03'20" WEST 1054.40 FEET;
THENCE NORTH 27°47'14" EAST 339.37 FEET;
THENCE SOUTH 60°13'33" EAST 277.14 FEET;
THENCE NORTH 00°12'57" EAST 367.81 FEET;
THENCE NORTH 46°08'35" WEST 1967.51 FEET;
THENCE SOUTH 43°51'27" WEST 226.12 FEET;
THENCE SOUTH 89°49'53" WEST 176.16 FEET;
THENCE NORTH 00°10'15" WEST 362.63 FEET TO THE POINT OF BEGINNING.



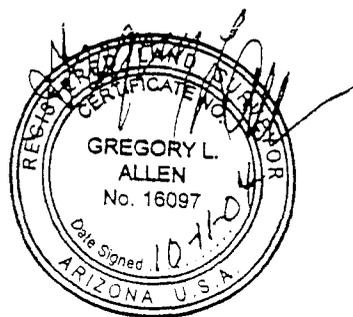
ATTACHMENT 2

LEGAL DESCRIPTION
UTILITY SOURCE, TRUCK STOP, MOTEL AND UNDEVELOPED

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 22 NORTH, RANGE 5 EAST OF THE GILA RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 36, SAID POINT BEING A FOUND ½' REBAR,
THENCE NORTH 01°03'21" WEST ALONG THE WEST LINE OF THE SAID SOUTHWEST QUARTER OF SECTION 36, A DISTANCE OF 226.39 FEET TO A FOUND BRASS CAP AND THE POINT OF BEGINNING;
THENCE CONTINUING NORTH 01°03'21" WEST ALONG SAID WEST LINE, 436.64 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 36;

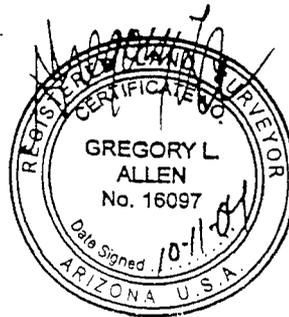
THENCE SOUTH 89°54'02" EAST ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 36 1734.58 FEET;
THENCE SOUTH 00°19'45" EAST 661.71 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 36;
THENCE NORTH 89°56'29" WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 36, 584.22 FEET, SAID POINT LYING SOUTH 89°56'29" EAST 1141.95 FEET AWAY FROM THE SOUTHWEST CORNER OF SAID SECTION 36;
THENCE NORTH 02°24'39" WEST 24.44 FEET;
THENCE NORTH 89°57'22" WEST 482.79 FEET;
THENCE NORTH 87°13'35" WEST 36.57 FEET;
THENCE NORTH 00°13'15" EAST 41.59 FEET;
THENCE NORTH 89°44'08" WEST 113.88 FEET TO THE BEGINNING OF A 743.51 FOOT RADIUS NON-TANGENT CURVE, CONCAVE TO THE NORTH, A RADIAL TO SAID BEGINNING BEARS SOUTH 00°12'16" WEST;
THENCE WESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 29°44'56" AN ARC DISTANCE OF 386.04 FEET;
THENCE NON-TANGENT TO SAID CURVE, NORTH 67°27'22" WEST A DISTANCE OF 155.35 FEET TO THE POINT OF BEGINNING.



LEGAL DESCRIPTION
FLAGSTAFF MEADOWS I, II & III, TOWNHOMES I & II, SEWER
TREATMENT PLANT, BELLEMONT COMMERCIAL, AND
FIRE STATION

A PORTION OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 21 NORTH, RANGE 5 EAST OF THE GILA RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 1, SAID POINT BEING A FOUND ALUMINUM CAP STAMPED LS #14671, THENCE NORTH $89^{\circ}58'34''$ EAST ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 2649.06 FEET;
THENCE SOUTH $00^{\circ}33'42''$ EAST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 1, 2649.29 FEET TO A FOUND GLO BRASS CAP;
THENCE NORTH $89^{\circ}58'18''$ WEST ALONG THE EAST-WEST MID-SECTION LINE, 436.63 FEET;
THENCE NORTH $60^{\circ}03'20''$ WEST 2578.54 FEET;
THENCE NORTH $60^{\circ}01'53''$ WEST 1116.02 FEET;
THENCE NORTH $48^{\circ}27'42''$ WEST 871.53 FEET;
THENCE NORTH $30^{\circ}32'49''$ EAST 263.41 FEET TO A POINT ON THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 1 LYING SOUTH $89^{\circ}56'29''$ EAST 1167.90 FEET FROM THE NORTHWEST CORNER THEREOF;
THENCE SOUTH $89^{\circ}56'29''$ EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 1, 1481.21 FEET TO THE POINT OF BEGINNING.



**EXCEPTING ALL PARCELS DESCRIBED IN
EXHIBIT A ATTACHED HERETO**

LEGAL DESCRIPTION
FLAGSTAFF MEADOWS I & II, TOWNHOMES I, SEWER
TREATMENT PLANT, AND FIRESTATION

A PORTION OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 21 NORTH, RANGE 5 EAST OF THE GILA RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 1, SAID POINT BEING A FOUND ALUMINUM CAP STAMPED LS #14671, THENCE NORTH 89°58'34" EAST ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 2649.06 FEET;
THENCE SOUTH 00°33'42" EAST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 1, 2649.29 FEET TO A FOUND GLO BRASS CAP;
THENCE NORTH 89°58'18" WEST ALONG THE EAST-WEST MID-SECTION LINE, 436.63 FEET;
THENCE NORTH 60°03'20" WEST 1054.40 FEET;
THENCE NORTH 27°47'14" EAST 339.37 FEET;
THENCE SOUTH 60°13'33" EAST 277.14 FEET;
THENCE NORTH 00°12'57" EAST 367.81 FEET;
THENCE NORTH 46°08'35" WEST 1967.51 FEET;
THENCE SOUTH 43°51'27" WEST 226.12 FEET;
THENCE SOUTH 89°49'53" WEST 176.16 FEET;
THENCE NORTH 00°10'15" WEST 362.63 FEET TO THE POINT OF BEGINNING.



UTILITY SOURCE

WATER PARCEL

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 22 NORTH, RANGE 5 EAST OF THE GILA RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 36;
THENCE NORTH 78°37'21" EAST A DISTANCE OF 620.91 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 07°48'54" EAST 210.70 FEET;
THENCE SOUTH 82°26'29" EAST 183.15 FEET;
THENCE SOUTH 18°50'15" WEST 12.65 FEET;
THENCE SOUTH 15°14'56" WEST 82.50 FEET;
THENCE SOUTH 89°13'20" WEST 32.80 FEET;
THENCE SOUTH 00°54'39" WEST 30.02 FEET;
THENCE SOUTH 21°03'14" WEST 47.43 FEET;
THENCE SOUTH 20°11'26" EAST 45.04 FEET;
THENCE SOUTH 25°00'11" WEST 45.81 FEET;
THENCE NORTH 60°11'06" WEST 75.87 FEET;
THENCE NORTH 66°43'52" WEST 70.17 FEET TO THE POINT OF BEGINNING.

WELL 1

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 22 NORTH, RANGE 5 EAST OF THE GILA RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 36;
THENCE NORTH 80°58'33" EAST A DISTANCE OF 491.35 FEET TO THE POINT OF BEGINNING;
THENCE NORTH 25°43'26" EAST 10.00 FEET;
THENCE SOUTH 64°16'34" EAST 10.00 FEET;
THENCE SOUTH 25°43'26" WEST 10.00 FEET;
THENCE NORTH 64°16'34" WEST 10.00 FEET TO THE POINT OF BEGINNING.

WELL 2

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 22 NORTH, RANGE 5 EAST OF THE GILA RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 36;
THENCE NORTH 83°04'00" EAST A DISTANCE OF 698.88 FEET TO THE POINT OF BEGINNING;
THENCE NORTH 25°43'26" EAST 10.00 FEET;
THENCE SOUTH 64°16'34" EAST 10.00 FEET;
THENCE SOUTH 25°43'26" WEST 10.00 FEET;
THENCE NORTH 64°16'34" WEST 10.00 FEET TO THE POINT OF BEGINNING.

WELL 3

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 22 NORTH, RANGE 5 EAST OF THE GILA RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 36;
THENCE NORTH 29°10'52" EAST A DISTANCE OF 726.88 FEET TO THE POINT OF BEGINNING;
THENCE NORTH 25°43'26" EAST 10.00 FEET;
THENCE SOUTH 64°16'34" EAST 10.00 FEET;
THENCE SOUTH 25°43'26" WEST 10.00 FEET;
THENCE NORTH 64°16'34" WEST 10.00 FEET TO THE POINT OF BEGINNING.

WELL 4

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 22 NORTH, RANGE 5 EAST OF THE GILA RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 36;
THENCE NORTH 25°06'48" EAST A DISTANCE OF 545.23 FEET TO THE POINT OF BEGINNING;
THENCE NORTH 25°43'26" EAST 10.00 FEET;
THENCE SOUTH 64°16'34" EAST 10.00 FEET;
THENCE SOUTH 25°43'26" WEST 10.00 FEET;
THENCE NORTH 64°16'34" WEST 10.00 FEET TO THE POINT OF BEGINNING.

WELL 5

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 22 NORTH, RANGE 5 EAST OF THE GILA RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 36;
THENCE NORTH 01°17'51" EAST A DISTANCE OF 634.61 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 64°16'34" WEST 10.00 FEET;
THENCE NORTH 25°43'26" EAST 10.00 FEET;
THENCE SOUTH 64°16'34" EAST 10.00 FEET;
THENCE SOUTH 25°43'26" WEST 10.00 FEET TO THE POINT OF BEGINNING.

WELL 6

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 22 NORTH, RANGE 5 EAST OF THE GILA RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 36;
THENCE NORTH 51°25'31" EAST A DISTANCE OF 266.25 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 25°43'26" EAST 10.00 FEET;
THENCE SOUTH 64°16'34" EAST 10.00 FEET;
THENCE SOUTH 25°43'26" WEST 10.00 FEET;
THENCE NORTH 64°16'34" WEST 10.00 FEET TO THE POINT OF BEGINNING.

WELL 7

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 22 NORTH, RANGE 5 EAST OF THE GILA RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 36;
THENCE NORTH 62°06'24" EAST A DISTANCE OF 466.09 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 08°03'08" EAST 14.13 FEET;
THENCE SOUTH 81°51'35" EAST 14.12 FEET;
THENCE SOUTH 07°37'28" WEST 14.17 FEET;
THENCE NORTH 81°40'53" WEST 14.22 FEET TO THE POINT OF BEGINNING.

WELL 8

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 22 NORTH, RANGE 5 EAST OF THE GILA RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 36;
THENCE NORTH 74°15'54" EAST A DISTANCE OF 1436.97 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 02°32'09" WEST 12.00 FEET;
THENCE NORTH 87°27'51" EAST 10.00 FEET;
THENCE SOUTH 02°32'09" EAST 12.00 FEET;
THENCE SOUTH 87°27'51" WEST 10.00 FEET TO THE POINT OF BEGINNING.

MICROTEL HOTEL

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 22 NORTH, RANGE 5 EAST, COCONINO COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING FOR REFERENCE AT THE SOUTHWEST CORNER OF SAID SECTION 36;

THENCE NORTH $01^{\circ}04'20''$ WEST, 226.39 FEET TO A FOUND ARIZONA HIGHWAY DEPARTMENT (AHD) BRASS CAP MARKED "3+97.25" ON THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. INTERSTATE HIGHWAY 40, AS SHOWN ON SHEET 27, PROJECT NO.I-40-3 (14) 175 OF THE RIGHT-OF-WAY PLANS OF THE ASHFORK - FLAGSTAFF HIGHWAY

THENCE NORTH $01^{\circ}04'20''$ WEST, 436.71 FEET ALONG THE WEST LINE OF SAID SECTION 36, TO A FOUND U.S.D.A. FOREST SERVICE BRASS CAP MARKED "S-S 1/64S35/S36 RLS 9431, 1989"

THENCE SOUTH $89^{\circ}48'40''$ EAST, 1334.47 FEET TO A FOUND 5/8" REBAR.

THENCE SOUTH $00^{\circ}21'26''$ EAST, 302.00 FEET TO THE POINT OF BEGINNING.

THENCE SOUTH $89^{\circ}58'08''$ EAST A DISTANCE OF 172.00 FEET;

THENCE SOUTH $00^{\circ}21'26''$ EAST A DISTANCE OF 357.00 FEET;

THENCE NORTH $89^{\circ}58'08''$ WEST A DISTANCE OF 172.00 FEET

THENCE NORTH $00^{\circ}21'26''$ WEST A DISTANCE OF 357.00 FEET TO THE POINT OF BEGINNING.

TRUCK STOP

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 22 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, COCONINO COUNTY, ARIZONA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 36;
THENCE SOUTH 89°59'03" EAST ALONG THE SOUTH LINE OF SAID SECTION 36 A DISTANCE OF 1141.93 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 02°26'22" WEST, 24.10 FEET;
THENCE NORTH 89°56'17" WEST, 211.55 FEET;
THENCE NORTH 60°51'50" WEST, 65.03 FEET;
THENCE NORTH 37°03'51" WEST, 84.38 FEET;
THENCE SOUTH 69°11'35" WEST, 67.83 FEET;
THENCE NORTH 20°13'10" WEST, 45.04 FEET;
THENCE NORTH 21°01'30" EAST, 47.45 FEET;
THENCE NORTH 00°52'55" EAST, 30.02 FEET;
THENCE NORTH 89°11'57" EAST, 32.30 FEET;
THENCE NORTH 15°13'12" EAST, 82.50 FEET;
THENCE NORTH 13°15'20" EAST, 374.43 FEET;
THENCE SOUTH 89°48'40" EAST, 469.77 FEET;
THENCE SOUTH 01°13'25" EAST, 265.86 FEET;
THENCE SOUTH 70°36'40" WEST, 55.29 FEET;
THENCE SOUTH 00°21'26" EAST, 374.64 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 36;
THENCE NORTH 89°59'03" WEST ALONG THE SOUTH LINE OF SAID SECTION 36 A DISTANCE OF 184.23 FEET TO THE POINT OF BEGINNING;

SALLQUIST & DRUMMOND, P.C.

Tempe Office
4500 S. Lakeshore Drive
Suite 339
Tempe, Arizona 85282

F A X C O V E R S H E E T

DATE: November 18, 2004

TIME: 6:36 PM

TO: Lonnie McCleve

FAX: (480) 892-3387

CC:

FROM: Richard L. Sallquist

PHONE: (602) 224-9222

FAX: (480) 345-0412

E-MAIL: dick@sd-law.com

RE: Attached

NUMBER OF PAGES INCLUDING COVER SHEET: 24

ACCOUNT NUMBER: 36100-00000

MESSAGE

Lonnie: Attached is a draft transmittal to Judge Pope. I would like to take this with me when I leave the office about 10:30, so if you could provide your comments before that, I would appreciate it. Thanks. Dick