

# NEW APPLICATION



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AZ CORP COMMISSION  
DOCUMENT CONTROL

Southland Sanitation Co.  
2730 E. Broadway #135  
Tucson, AZ 85716

January 26, 2005

Docket Control  
Arizona Corporation Commission  
1200 W. Washington St.  
Phoenix, Arizona

SW-02390A-05-0097

Attached is an application by Southland Sanitation Co. for approval of the deletion of a portion of the Certificate of Convenience and Necessity (Sewer). The purpose of this application is to delete approximately 111 acres from Southland Sanitation Co.'s service area as sewer service will be provided with the City of Sierra Vista, Arizona. See attached letter.

Arizona Corporation Commission  
**DOCKETED**

FEB 14 2005

DOCKETED BY	<i>AR</i>
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*Andrew L. Romo*

Andrew L. Romo, President

ARIZONA CORPORATION COMMISSION

APPLICATION FOR APPROVAL OF THE DELETION OF A PROTION  
OF THE CERTIFICATE OF CONVENIENCE  
AND NECESSITY

WATER AND/OR SEWER

A. The name, address and telephone number of the Applicant is:

Southland Sanitation Co.

(520) 327-6000

2730 East Broadway #135, Tucson, Arizona 85716

B. If doing business under a name other than the Applicant name, specify

N/A

C. The Applicant is a:

<input checked="" type="checkbox"/> Corporation:  <input checked="" type="checkbox"/> "C", <input type="checkbox"/> "S", <input type="checkbox"/> Non-Profit  <input type="checkbox"/> Arizona, <input type="checkbox"/> Foreign	<input type="checkbox"/> Partnership  <input type="checkbox"/> Limited, <input type="checkbox"/> General  <input type="checkbox"/> Arizona, <input type="checkbox"/> Foreign
<input type="checkbox"/> Sole Proprietorship	<input type="checkbox"/> Limited Liability Company (LLC)
<input type="checkbox"/> Other (Specify)	

D. List the name, address and telephone number of the attorney for the applicant:

Sidney N. Mendelsohn, Jr.

(520) 325-7500

2730 E. Broadway, #100

Tucson, Arizona 85716

E. List the name, address and telephone number of the management contact:

Andrew Romo

(520) 327-6000

2730 E. Broadway, #135

Tucson, Arizona 85716

F. **IMPORTANT:** Attach an additional page that explains in detail all the reasons for the deletion.

G. Provide a legal description of the area to be deleted. See Attached

H. Provide a map depicting the area to be deleted in relation to the Applicants certificated area. See Attached

I. Are there any present customers within the deletion area? \_\_\_ Yes X No.

J. Are there any utility facilities located within the deletion area? \_\_\_ Yes X No.

DATED the 10<sup>th</sup> day of February 2005

Andrew L. Romo

(Signature of Authorized Representative of Applicant)

Andrew L. Romo

(Type or Print Name Here)

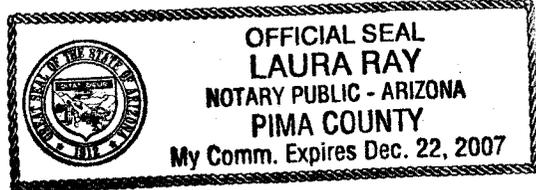
President

(Title)

SUBSCRIBED AND SWORN to before me on this 10<sup>th</sup> day of February, 2005

Laura Ray  
NOTARY PUBLIC

My Commission Expires Dec 22, 2007



**PUBLIC NOTICE OF AN APPLICATION FOR THE SALE OF ASSETS  
AND THE CANCELLATION OF THE CERTIFICATION OF CONVENIENCE  
AND NECESSITY BY**

**Southland Sanitation Co.**

Southland Sanitation Co. has filed with the Arizona Corporation Commission ("Commission") an application for authority to delete a portion of its Certificate of Convenience and Necessity to provide sewer service because the service will be provided by the City of Sierra Vista, Arizona. If the application is granted, Southland Sanitation Co. would no longer be obligated to provide service within this area.

If you have any questions or concerns about this application, have any objections to its approval or would like to request information on intervention in the proceeding, you may contact the Consumer Services Section of the Commission [1200 West Washington Street, Phoenix, Arizona 85007 or call 1-800-222-7000/400 West Congress, North Building, Room 218, Tucson, Arizona 85701 or call 1-800-535-0148].

ATTACHMENT "A"

Southland Sanitation Co.  
2730 E. Broadway #135  
Tucson, AZ 85716

January 26, 2005

Docket Control  
Arizona Corporation Commission  
1200 W. Washington St.  
Phoenix, Arizona

Attached is an application by Southland Sanitation Co. for approval of the deletion of a portion of the Certificate of Convenience and Necessity (Sewer). The purpose of this application is to delete approximately 111 acres from Southland Sanitation Co.'s service area as sewer service will be provided with the City of Sierra Vista, Arizona. See attached letter.



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Andrew L. Romo, President



# City of Sierra Vista

January 31, 2005

Sidney N. Mendelsohn, Jr., Esq.  
Andy Romo  
Tucson/Sierra Properties, LLP  
C/o Lyons Romo  
2730 E. Broadway, Suite 135  
Tucson, AZ 85716

Re: Annexation and Development Agreement

Dear Messrs Mendelsohn and Romo:

This letter is to confirm my intention to recommend an annexation and development agreement to the City Council at the time of final action on the proposed annexation of certain property consisting of approximately 110 acres located in the vicinity of Buffalo Soldier Trail and Highway 92. As you know, the Mayor and Council approved a resolution on Thursday, January 27, 2005, officially starting the annexation process for that property.

Although we have yet to finalize the specific language for the development and annexation agreement, my recommendation will address the following points:

- The agreement will specify that the equivalent zoning classification most nearly comparable to the existing Cochise County MH-72 zoning is SFR (Single Family Residential) 8.
- It will further document the City's willingness and ability to allow connection of the area to the City's sewer system, provided that the developer is responsible for the construction of the infrastructure necessary to connect to existing city sewer lines.
- Finally, the agreement will also outline a mutually agreeable manner in which roadway linkages will be constructed, including but not limited to a phasing of such linkages, in order to provide safe ingress and egress of future residents of the development.

Should there be additional items that need to be included in the development and annexation agreement, I am more than willing to discuss them. Please continue to work with Assistant City Manager Mary Jacobs as the City's lead person in this process.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles P. Potucek".

Charles P. Potucek  
City Manager

Copy: Mary Jacobs, Assistant City Manager  
Jim Herrewig, Community Development Director  
Mike Hemesath, Public Works Director

**ATTACHMENT "B"**

**PUBLIC NOTICE OF AN APPLICATION FOR THE SALE OF ASSETS  
AND THE CANCELLATION OF THE CERTIFICATION OF CONVENIENCE  
AND NECESSITY BY**

**Southland Sanitation Co.**

Southland Sanitation Co. has filed with the Arizona Corporation Commission ("Commission") an application for authority to delete a portion of its Certificate of Convenience and Necessity to provide sewer service because the service will be provided by the City of Sierra Vista, Arizona. If the application is granted, Southland Sanitation Co. would no longer be obligated to provide service within this area.

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Buffalo Soldier Trail

18 | 17  
19 | 20



SCALE 1" = 400'

AREA TO BE DELETED 111.5 acre

NW NE  
SW SE

GOLDEN ACRES MOBILE  
HOME PARK UNIT 2, BOOK  
9 M&P PAGE 22.

Golden Acres Drive

SKETCH TO ACCOMPANY A LEGAL  
DESCRIPTION IN SECTION 19, TOWNSHIP 22  
SOUTH, RANGE 21 EAST, GILA AND SALT  
RIVER MERIDIAN, SIERRA VISTA, COCHISE  
COUNTY, ARIZONA.



BRUCE SMALL SURVEYS, INC.  
3040 N. CONESTOGA AVE.  
TUCSON AZ 85749-9332  
VOICE: (520) 444-7186  
FAX: (520) 760-8346  
E-MAIL: BRUCE.SMALL@COX.NET

**Bruce Small Surveys, Inc.**

3040 N. Conestoga Ave.  
Tucson AZ 85749-9332  
e-mail: bruce.small@cox.net  
voice: (520) 444-7186  
FAX: (520) 760-8346

January 21, 2005

Description of Golden Acres Drive Parcel.

A part of the Northeast quarter and Southeast quarter of Section 19, Township 22 South, Range 21 East, Gila and Salt River Meridian, Cochise County, Arizona, described as follows:

BEGINNING at the nail and disk 8028 in a concrete post monumenting the Southwest corner of said Northeast quarter as shown on Record of Survey Book 1 at Page 12, Cochise County Recorder's Office;

THENCE N 00°03'19" W along the West line of said Northeast quarter a distance of 1,985.40 feet to a found PK nail in the concrete base for a fence post;

THENCE S 89°36'40" E 330.19 feet to a found ACP 16525;

THENCE S 89°50'15" E 661.29 feet to a found nail and disk 11845 in the concrete base for a fence post at the Southwest corner of the land described in Docket 1742 at Page 387;

THENCE continue S 89°50'15" E 60.06 feet to the East line of said land;

THENCE S 00°02'15" E along the Southerly prolongation of the East line of said land a distance of 548.42 feet to a found 1/2" iron rod capped 29869;

THENCE S 89°44'43" E 1,590.71 feet to the East line of said Northeast quarter, passing through a found 1/2" iron rod capped 28737, which is 0.13' West of the East line;

THENCE S 00°02'20" E along said East line a distance of 1,035.77 feet to a set ACP 12122;

THENCE S 59°50'58" W 124.36 feet to a set ACP 12122 at the Southeast corner of the land described in Docket 1728 at Page 215;

THENCE N 11°14'22" W along the East line of said land a distance of 423.60 feet to a set ACP 12122 at the Northeast corner of said land;

THENCE S 64°01'48" W along the North line of said land a distance of 495.89 feet to a set ACP 12122 at the Northwest corner of said land;

THENCE S 20°42'26" E along the West line of said land a distance of 442.89 feet to a set ACP 12122 at the Southwest corner of said land;

THENCE S 59°50'58" W 358.79 feet to a set ACP 12122;

THENCE S 00°13'13" E 49.87 feet to a found 3/4" iron rod with added tag 12122 on the North line of the plat of GOLDEN ACRES MOBILE HOME PARK UNIT 2, as recorded in Book 9 of Maps and Plats at Page 22, Cochise County Recorder's Office;

THENCE S 14°32'17" W along said North line a distance of 25.13 feet to a found bent 3/4" iron rod with added tag 12122, being a point on the arc of a non-tangent curve concave to the West, a radial line of said curve through said point having a bearing of S 75°45'07" E;

THENCE Southerly along said North line, along the arc of said curve, to the right, having a radius of 332.44 feet, with a chord of S 14°25'12" W 1.99 feet, and a central angle of 00°20'37" for an arc distance of 1.99 feet to a found bent 3/4" iron rod with added tag 12122 on a non-tangent line;

THENCE N 72°38'59" W along said North line a distance of 101.48 feet to a set ACP 12122 on a corner of said plat;

THENCE N 42°43'27" W along said North line a distance of 100.00 feet to a set ACP 12122;

THENCE S 47°17'17" W along said North line a distance of 486.20 feet to a set ACP 12122;

THENCE S 67°29'37" W along said North line a distance of 705.68 feet and passing through a 1/2" iron rod capped 1780, which is 0.19 Northeasterly of the North line of Golden Acres Drive as shown on the plat of GOLDEN ACRES MOBILE HOME PARK, as recorded in Book 7 of Maps and Plats at Page 15, being a point on the arc of a non-tangent curve concave to the South, a radial line of said curve through said point having a bearing of N 13°35'00" E;

THENCE Westerly along said North line, along the arc of said curve, to the left, having a radius of 1,984.86 feet, with a chord of N 83°07'47" W 464.05 feet, and a central angle of 13°25'34" for an arc distance of 465.11 feet to set ACP 12122 at a point of tangency;

THENCE N 89°50'34" W along said North line a distance of 210.00 feet to a set ACP 12122 on the West line of said Southwest quarter;

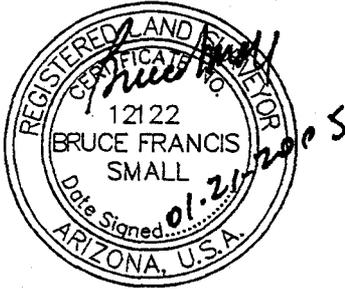
THENCE N 00°03'30" W along said West line a distance of 585.00 feet to the POINT OF BEGINNING.

Containing 111.5504 acres or 4,859,135 square feet, more or less.

Basis of bearings: True North from GPS observations, from which I derived a bearing of N 00°03'19" W for the West line of said Northeast quarter.

Prepared by:

Bruce Small



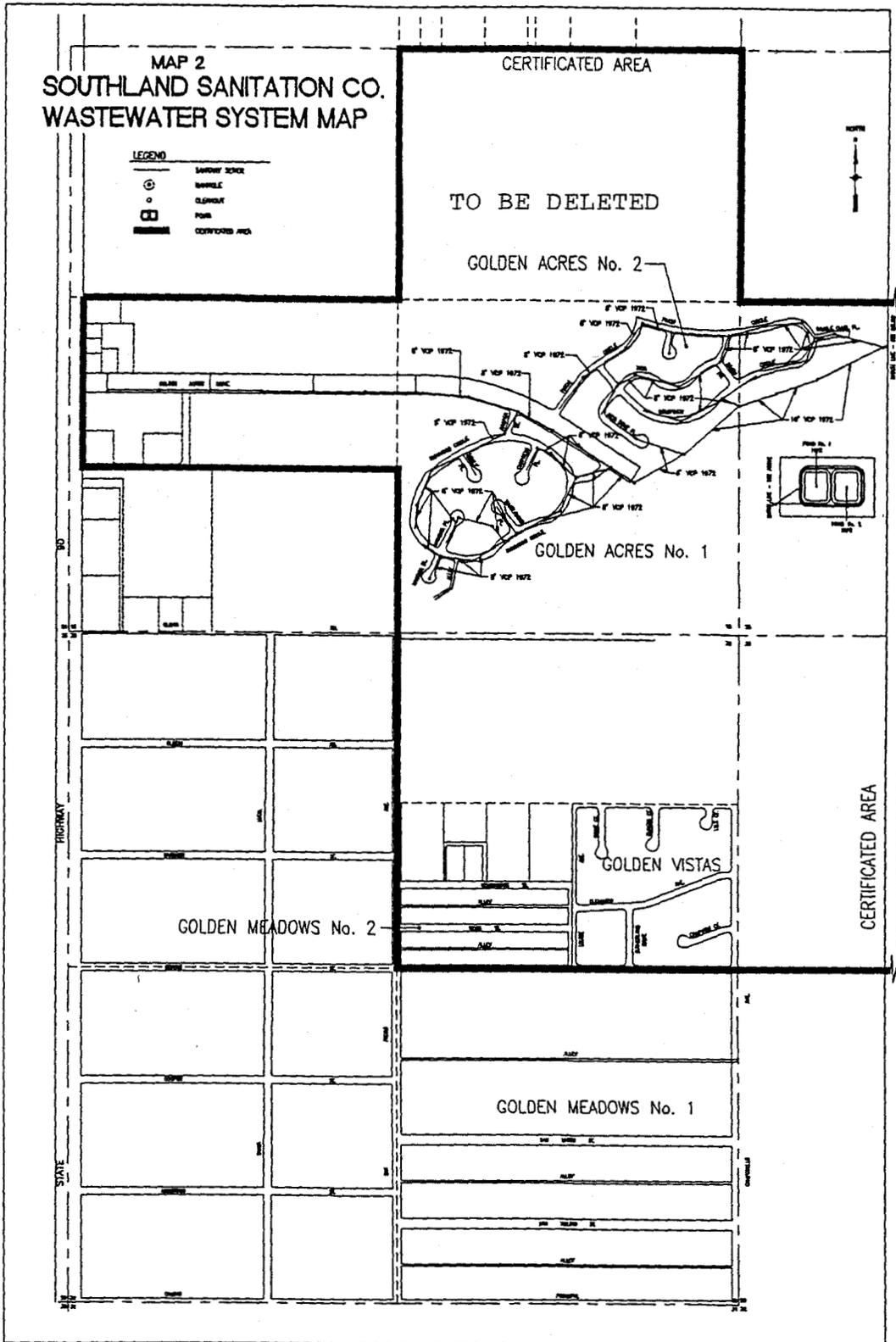


FIGURE 7  
WASTEWATER SYSTEM  
MAP