

ORIGINAL

THIS AMENDMENT:

Passed _____ Passed as amended by _____
Failed _____ Not Offered _____



0000031287

60H

HEARING DIVISION PROPOSED AMENDMENT #1

DATE PREPARED: September 23, 2005

COMPANY: Mohave Electric Coop. v. UniSource, et al.

AGENDA ITEM NO.: U-1

DOCKET NO. E-01750A-04-0798
E-04204A-04-0798
E-04230A-04-0798

MEETING DATE: Sept. 27 and 28, 2005

E-04204A-04-0824
E-01750A-04-0824

Page 4, Line 28 (Footnote 5), DELETE: "The 'Nucor site' "

INSERT new Footnote 5 as follows: "The area to be initially transferred is described in Exhibit A attached to this Decision. The legal description for the Nucor plant site, which will be transferred later, is attached hereto as Exhibit B. Exhibit A is the same as the Legal Descriptions attached to Decision No 58798 as 'F-2' and 'F-3'."

Page 5, Line 17, DELETE: "Mohave submitted a legal description of the CC&N area to be transferred to UNS pursuant to the Settlement (MEC Ex. 2)."

Page 6, Line 7, after "is" INSERT: "in"

Page 6, Line 21, DELETE Second Ordering Paragraph and INSERT New Ordering Paragraph as follows:

"IT IS FURTHER ORDERED that, contingent upon UNS' payment to Mohave of \$48,070 for facilities previously installed by Mohave, the portion of Mohave's CC&N described in Exhibit A attached to this Decision (*i.e.*, the portion granted in Decision No. 58798, with the exception of the Nucor plant site) shall be transferred to UNS."

Page 6, Line 26, after "site" INSERT: "described on Exhibit B to this Decision"

RECEIVED
2005 SEP 23 A 11: 15
AZ CORP COMMISSION
DOCUMENT CONTROL

EXHIBIT A

Page 1 of 3

LEGAL DESCRIPTION "F-2":

A parcel of land located in Section 9, Township 20 North, Range 17 West of the Gila and Salt River Meridian, Mohave County, Arizona and said parcel of land being more particularly described as follows:

BEGINNING at the Northeast Corner of said Section 9, and running thence, South $00^{\circ} 02' 37''$ East, along the East Line of said Section 9, a distance of 2641.22 feet to the East One-quarter (E1/4) Section Corner of said Section;

Thence, South $00^{\circ} 04' 12''$ East, along the East Line of said Section, 2641.10 feet to the Southeast Corner of said Section;

Thence, South $89^{\circ} 53' 24''$ West, along the South Line of said Section, 2641.30 feet to the South One-quarter (S1/4) Section Corner of said Section;

Thence, North $00^{\circ} 14' 58''$ West, along the North-South Centerline of said Section 9, a distance of 1322.35 feet to the Southeast Corner of the NE1/4 SW1/4 of said Section;

Thence, North $89^{\circ} 58' 42''$ West, along the South Boundary of said NE1/4 SW1/4, a distance of 1322.60 feet to the Southwest Corner of said NE1/4 SW1/4;

Thence, North $00^{\circ} 15' 34''$ West, along the West Boundary of said NE1/4 SW1/4, a distance of 1296.96 feet to point being 100.00 feet Southeasterly at a right angle to the Centerline of the East bound main track of the Atchison, Topeka and Santa Fe Railway Company;

Thence, North $25^{\circ} 07' 10''$ East, along a line being 100.00 feet Southeasterly and parallel to the Centerline of the East bound main track of said Atchison, Topeka and Santa Fe Railway Company, a distance of 2944.27 feet to a point on the North Line of said Section 9;

Thence, North $89^{\circ} 54' 55''$ East, along said North Line, 61.36 feet to the Northwest corner of the NW1/4 NE1/4 of said Section 9;

Thence, South $00^{\circ} 14' 58''$ East, along the West Boundary of said NW1/4 NE1/4, a distance of 1320.52 feet to the Southwest corner of said NW1/4 NE1/4;

Thence, North $89^{\circ} 57' 55''$ East, along the South Boundary of said NW1/4 NE1/4, a distance of, 1327.06 feet to the Southeast corner thereof;

Thence, North $00^{\circ} 09' 08''$ West, along the East Boundary of said NW1/4 NE1/4, 1320.56 feet to the Northeast corner of said NW1/4 NE1/4 of said Section 9;

Thence, North $89^{\circ} 57' 48''$ East, along the North Line of said Section 9, a distance of 1329.83 feet to the POINT OF BEGINNING.

The parcel of land herein described containing 362.93 acres, more or less.

DECISION NO. _____

EXHIBIT A

Page 2 of 3

LEGAL DESCRIPTION "F-3":

A parcel of land located in Government Lots 9 and 10 and the South Half of Section 5, Township 20 North, Range 17 West of the Gila and Salt River Meridian, Mohave County, Arizona and said parcel of land being more particularly described as follows:

Commencing at the Southeast Corner of said Section 5, and running thence, North 89° 47' 47" West, along the South Line of said Section 5, a distance of 2085.39 feet to a point lying Northwesterly 100.00 feet at a right angle to the Centerline of the West bound main track of the Atchison, Topeka and Santa Fe Railway Company, and said point being the true POINT OF BEGINNING:

Thence, North 89° 47' 47" West, along the South Line of said Section 5, a distance of 545.56 feet to the South One-quarter (S1/4) Section Corner of said Section 5:

Thence, North 89° 56' 47" West, along the South Line of said Section 5, a distance of 318.28 feet to a point being the Easterly most corner to that parcel as described in Book 2176, Pages 737-742, Mohave County Official Records;

Thence, North 32° 04' 52" West, along the Easterly Boundary of said parcel being described in said Book 2176, pages 737-742, a distance of 1222.65 feet to a point;

Thence, South 57° 55' 08" West, along the Northwesterly Boundary of said parcel being described in said Book 2176, Pages 737-742, a distance of 1946.45 feet to a point on the South Line of said Section 5;

Thence, North 89° 56' 47" West, along said South Line, 21.34 feet to the Southwest Corner of said Section 5;

Thence, North 00° 09' 33" West, along the West Line of said Section 5, a distance of 2641.78 feet to the West One-quarter (W1/4) Section Corner of said Section 5;

Thence, South 89° 59' 48" East, along the East-West Centerline of said Section 5, a distance of 2640.17 feet to the Center One-quarter (Ctr. 1/4) Section Corner of Section 5;

Thence, North 00° 06' 59" West, along the West Line of said Government Lot 10, a distance of 1320.83 feet to the Northwest Corner of said Government Lot 10;

Thence, South 89° 59' 35" East, along the North Line of said Government Lot 10, a distance of 514.46 feet to a point on the Southwesterly Boundary of that parcel of land as described in Book 797, Pages 491-495, Official Records;

Thence, South 38° 18' 23" East, along said Southwesterly Boundary, 248.90 feet to the Southerly most corner of said parcel;

Thence, North 51° 32' 32" East, along the Southeasterly Boundary of said parcel being described in Book 797, Pages 491-495, a distance of 313.96 feet to the North Line of said Government Lot 10;

DECISION NO. _____

EXHIBIT A

Page 3 of 3

LEGAL DESCRIPTION "F-3" (continued):

Thence, South $89^{\circ} 59' 35''$ East, along said North Line, 402.15 to a point being common the Northeast Corner of said Government Lot 10 and the Northwest Corner of said Government Lot 9;

Thence, North $89^{\circ} 59' 23''$ East, along the North Line of said Government Lot 9, a distance of 310.12 feet to a point;

Thence, South $00^{\circ} 06' 23''$ East, 1322.26 feet to a point being the Northerly most point of that parcel being described in Book 56, Page 417 of Deeds, Mohave County Records, and said point being on a curve concave to the Northwest, the radius point of which bears North $50^{\circ} 02' 29''$ West, 530.00 feet;

Thence, Southwesterly 163.46 feet along the arc of said curve being the Northwesterly Boundary of said parcel as described in said Book 56, Page 417 of Deeds to the point of tangency of said curve;

Thence, South $57^{\circ} 37' 46''$ West, along last said Northwesterly Boundary, 528.87 to the Westerly most corner of said parcel as described in Book 56, Page 417 of Deeds;

Thence, South $57^{\circ} 05' 44''$ East, along the Southwesterly Boundary thereof, 330.69 feet to a point on the Southeasterly Boundary of a perpetual easement for Interstate 40 granted to the State of Arizona by the Atchison, Topeka and Santa Fe Railway Company and described in Book 36, Pages 91-94 of Deeds;

Thence, South $29^{\circ} 45' 37''$ West, along said Southeasterly Easement Boundary, 371.30 feet to a point;

Thence, South $64^{\circ} 11' 14''$ East, 451.41 feet to a point being 100.00 feet Northwesterly at a right angle from the Centerline of the West bound main track of the Atchison, Topeka and Santa Fe Railway Company;

Thence, South $32^{\circ} 54' 09''$ West, along a line being Northwesterly 100.00 feet and parallel to the Centerline of the said West bound main track, a distance of 1852.73 feet to the true POINT OF BEGINNING.

The parcel of land herein described containing 251.21 acres, more or less.

EXHIBIT B
NUCOR SITE
Page 1 of 2

LEGAL DESCRIPTION "F-1":

A parcel of land located in the West Half and the West Half of the East Half of Section 4, the Southeast Quarter and Government Lot 9 of Section 5, and the Northwest Quarter of Section 9 all in Township 20 North, Range 17 West of the Gila and Salt River Meridian, Mohave County, Arizona and said parcel of land being more particularly described as follows:

BEGINNING at the Southeast Corner of said Section 5, and running thence, North 89° 47' 47" West, along the South Line of said Section 5, a distance of 1847.73 feet to a point lying Southeasterly 100.00 feet at a right angle to the centerline of the existing West bound main track of the Atchison, Topeka and Santa Fe Railway Company;

Thence, North 32° 54' 09" East, along a line being Southeasterly 100.00 feet and parallel to the centerline of said West bound main track, a distance of 3395.41 feet to a point common to the East Line of said Section 5 and the West Line of said Section 4;

Thence, continuing North 32° 54' 09" East, along the line being Southeasterly 100.00 feet and parallel with the centerline of said West bound main track, 2582.07 feet to a point of curvature of a curve to the right having a radius of 5629.65 feet;

Thence, Northeasterly, 569.02 feet, along the arc of said curve through a central angle of 05° 47' 28.5" to a point on the Southeasterly Boundary of the Unawep Patented Mineral Claim as delineated by U.S. Mineral Survey 2750;

Thence, South 38° 12' 00" East, along the Southwesterly Boundary of said Unawep Mineral Claim, 1064.18 feet to the Southeasterly Corner thereof;

Thence, North 51° 48' 33" East, along the Southeasterly Boundary of said Unawep Mineral Claim, 300.02 feet to a point being the Northwesterly corner of the Cadillac Patented Mineral Claim as delineated by U.S. Mineral Survey 2750;

Thence, South 37° 59' 27" East, along the Southwesterly Boundary of said Cadillac Mineral Claim, 66.55 feet to a point being Northwesterly 100.00 feet at a right angle to the centerline of the East bound main track of the Atchison, Topeka and Santa Fe Railway Company;

Thence, South 11° 44' 40" West, along a line being Westerly 100.00 feet and parallel to the centerline of said East bound main track, a distance of 307.09 feet to a point of curvature of a curve to the left having a radius of 2964.93 feet;

Thence, Southwesterly 831.27, along the arc of last said curve through a central angle of 16° 03' 50" to the point of tangency of said curve;

Thence, South 04° 19' 10" East, along a line being Westerly 100.00 feet and parallel to the centerline of said East bound main track, 2081.46 feet to a point of curvature of a curve to the right having a radius of 2764.93 feet;

**EXHIBIT B
NUCOR SITE**

Page 2 of 2

LEGAL DESCRIPTION "F-1" (continued):

Thence, Southwesterly 1420.64, along the arc of last said curve through a central angle of 29° 26' 20" to the point of tangency of said curve;

Thence, South 25° 07' 10" West, along a line being Westerly 100.00 feet and parallel to the centerline of said East bound main track, 215.18 feet to a point being common to the South Line of said Section 4 and the North Line of said Section 9;

Thence, South 25° 07' 10" West, along a line being Westerly 100.00 feet and parallel to the centerline of said East bound main track, 2917.39 feet to a point on the South Boundary of the Northwest Quarter of said Section 9;

Thence, South 89° 58' 03" West, along said South Boundary, 1113.28 feet to the West One-quarter (W1/4) Section Corner of said Section 9;

Thence, North 00° 14' 02" West, along the West Line of said Section 9, a distance of 2638.64 feet to the POINT OF BEGINNING;

The parcel of land herein described containing 433.54 acres, more or less.

F:\1234\7-46(Unisource_CTI)\EXHIBIT B - F1 legal.doc

DECISION NO. _____