

ORIGINAL

ORIGINAL



0000081986

February 14, 2008

RECEIVED

06

Arizona Corporation Commission  
Commission Docket Control  
1200 W. Washington Street  
Phoenix, AZ 85007

2008 FEB 19 A 10:39

AZ CORP COMMISSION  
DOCKET CONTROL

Re: Docket No. E-01345A-07-0663, T-01846B-07-0663

Arizona Corporation Commission  
DOCKETED

Steve Benton & Delia Alvarado H/W JT  
2948 S. Noble View Drive  
Parker, Arizona 85344  
(928) 667-3366

FEB 19 2008

Parcel No. 310-32-035A

DOCKETED BY	ne
-------------	----

Dear Sirs:

As a homeowner at Hillcrest Bay I am greatly concerned about the financial implications of the underground utilities project. I attended the hearing on January 18, 2008 and have some questions and concerns about this project.

I was shocked to learn at the hearing that ~~the~~ \$30,520 was not my total bill. I knew nothing of these additional costs until the day of the hearing. I have since found out that my additional cost is \$6,500 bringing my total cost to \$37,020. Thirty-Seven-Thousand-Twenty-Dollars is considerably higher than the annual salary for someone who works in the Parker area.

Concerning the Homeowners Association at Hillcrest Bay I have the following questions:

1. Why were they allowed to use property that the association owns to count as "yes" votes? *Is this fair for those of us who voted No?*
2. I don't understand how the petition that was circulated and gathered ~~the~~ the "yes" votes on this project could be fair or legal. The reason I mention this is because the homeowners signing the petition ~~the~~ did so with huge differences in financial responsibility. If the costs were split evenly amongst everyone and then a petition was circulated, then everyone would be signing up for the same financial obligation. Which leads me to my next question. I realize these costs range from as low as \$4,500 to as high of over \$30,000. We have all been told that this was based on the square footage of our property but if you look at the attached information this does not make sense. *See Attached Sheet*
3. I understand the original developer of Hillcrest Bay (Max Dunlap) dug the trenches for the underground utilities and after a storm had partially filled the trenches with debris he went out and dug the trenches a second time. Original

property owners were told that the utilities would be underground. Even after all Max Dunlap's efforts to dig the trenches the utility companies opted to put them above ground in the beginning and this was supposed to be temporary. Are we not being forced to pay for a mistake by the utility companies back to the beginning of the development of Hillcrest Bay? I wrote to Max Dunlap concerning this issue and have attached the letter I received in return.

4. How were they able to pay Alex Romero \$22,000 of our money to walk around our neighborhood to determine individual property owners cost?
  - a. Especially when the Homeowner's Association By-Laws prohibit you from spending any more that \$9,000 on any one project. I also cannot find in the minutes of the annual meeting where there was any vote or approval of this money.
5. Why was Alex Romero paid \$1,000 of our money to appear in court on January 18, 2008?
  - a. Who authorized this?
6. Why did the Homeowners Association in their minutes of the 2005 annual meeting state that it would be \$5-6 thousand per lot?
  - a. Obviously this was incorrect.
7. Did the Homeowners Association include the square footage of the property owned by La Paz County or did they omit this piece of property so that their square footage totals would come out in their favor?

I can't prove this but [REDACTED] <sup>B-</sup> if there was an audit done on the Homeowners Association that there has been some misuse of the homeowners dues.

It seems very unfair that our own money is being used against those of us who cannot afford this project. We have all been told from the beginning of this project that our costs were based on the square footage of our property. But if you will look at the list the numbers do not reflect that. Please see attached list.

As embarrassing as this is to admit to you my net take home pay is less than \$1,400 per month. How can I possibly afford to pay \$37,020 on that income? See my attached pay stubs. I have had many restless nights to the point of making myself sick worrying about the decision that is upcoming and how I will be able to deal with it. Since I did not receive the information about my "Total Costs" and I have found at least one other person that did not receive this as well. How are we sure that all the homeowners received all the information that they were supposed to receive concerning this project

since there was nothing in place that required a person to sign anything that would prove that they received this important information.

I would think there would be a cap or limit of some kind as to how badly you could hurt someone financially. I believe that \$37,020 is an unbearable amount of money for someone to handle. I am begging you to please have compassion for those of us that who cannot afford this project.

Sincerely,

A handwritten signature in black ink that reads "Steve Benton". The signature is written in a cursive style with a large, sweeping initial "S".

Steve Benton

Enclosures

Sb/js

# TIFFANY & BOSCO

P. A.

THIRD FLOOR CAMELBACK ESPLANADE II

2525 EAST CAMELBACK ROAD  
PHOENIX, ARIZONA 85016-9240  
TELEPHONE: (602) 255-6000  
FACSIMILE: (602) 255-0103  
general@tblaw.com  
www.tblaw.com

PAMELA L. KINGSLEY  
ATTORNEY AT LAW  
DIRECT LINE: (602) 255-6015  
plk@tblaw.com

## ATTORNEYS AT LAW

MARK S. BOSCO  
MICHAEL A. BOSCO, JR.  
LANCE R. BROBERG  
J. JAMES CHRISTIAN  
ELIZABETH A. CORASINITI  
DORIAN L. EDEN  
ANDREW M. ELLIS  
WILLIAM H. FINNEGAN  
BETH A. HEATH  
CHAD A. HESTER  
RICHARD G. HIMELRICK  
TABITHA A. JECMEN  
CHRISTOPHER R. KAUP  
ROBERT V. KERRICK  
PAMELA L. KINGSLEY  
LEONARD J. MARK

J. LAWRENCE McCORMLEY  
LEONARD J. McDONALD  
FRANK R. MEAD  
TRACY S. MOREHOUSE  
KEVIN P. NELSON  
RICHARD E. ONEY  
SALVADOR ONGARO  
DOW GLENN OSTLUND  
JAMES E. PADISH  
ALEXANDER POULOS  
ROBERT A. ROYAL  
JEFFREY A. SANDELL  
WILLIAM J. SIMON  
MICHAEL E. TIFFANY  
KELLIE N. WELLS

February 12, 2008

File No. 14564-001

Steve Benton  
2948 Noble View Drive  
Parker, Arizona 85344-8171

Steve Benton (Personal and Confidential)  
EMERALD CANYON GOLF COURSE  
7351 Riverside Drive  
Parker, Arizona 85344

Re: Hillcrest Bay Mobile Home Park/Underground Utilities

Dear Mr. Benton:

This firm and I represent Hillcrest Water Company and Arizona Western Land and Development Co. Hillcrest Water Company has received your letter of January 29, 2008, addressed to Mr. Max Dunlap. We have been asked to submit this letter in response, and Mr. Dunlap has approved the content of this letter.

Sometime in 1968 or 1969, Arizona Western Land and Development Co. purchased the property upon which your home is located in the Hillcrest Bay Subdivision. It was one of several developments that were created over a period in successive order, one development at a time, going "up the river."

As to the Hillcrest Bay Subdivision, APS was responsible for the power. Although Arizona Western Land and Development did dig trenches and did have to repeat the process because of certain conditions, its primary goal was to allow water to be pumped from the river up the hill to a water tank for ultimate distribution to the various lots.

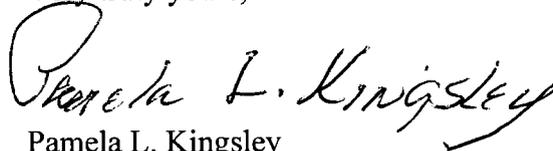
TIFFANY & BOSCO  
P.A.

Steve Benton  
February 12, 2008  
Page 2

Arizona Western Land and Development sold the property, as is. At the time it did so, the water and power were as is. And, there are no documents or other information that my client has in its possession or could create (as in the form of the requested letter) that might be of benefit. Were it so, my client would be glad to accommodate. There just is nothing it can proffer.

Nonetheless, both Hillcrest Water Company and Arizona Western Land and Development wish you well in your endeavor. Their principals have heard bits and pieces about this matter. But the cost they thought might be the potential hit for each owner was \$3,000.00 – nowhere close to the \$3 million total mentioned in your letter. If this does not work out to be a complete success for you and your neighbors, my clients and I hope that the number made known to the principals is closer to the ultimate outcome. Best of luck.

Very truly yours,



Pamela L. Kingsley

PLK:sdh  
cc: Hillcrest Water Company  
Arizona Western Land and Development Co.

La Paz County  
1108 S. Joshua Avenue  
Parker, AZ 85344-0000

**SUREPAY DIRECT DEPOSIT RECEIPT**

PAY DATE: 12/28/2007

PAYROLL

TOTAL DIRECT DEPOSIT NET PAY:

\*\*\*Six Hundred Eighty Five and 29/100\*\*\* Dollars

**\$685.29**

BENTON , STEVE L  
2948 NOBLE VIEW DRIVE  
PARKER, AZ 85344

**NOT - NEGOTIABLE**

La Paz County  
1108 S. Joshua Avenue  
Parker, AZ 85344-0000

**SUREPAY DIRECT DEPOSIT RECEIPT**

PAY DATE: 1/11/2008

PAYROLL

TOTAL DIRECT DEPOSIT NET PAY:

\*\*\*Six Hundred Ninety and 89/100\*\*\* Dollars

**\$690.89**

BENTON , STEVE L  
2948 NOBLE VIEW DRIVE  
PARKER, AZ 85344

**NOT - NEGOTIABLE**

La Paz County 1108 S. Joshua Avenue Parker, AZ 85344-0000

Emp. Number	Employee Name	Period	Cycle	End Date	Soc. Security	Deposit Date
BE89206	BENTON , STEVE L	14	1	1/5/2008	XXX-XX-9206	1/11/2008

LOT #	SQ. FT.	COST
35A	7,818.48	\$30,520.91
5A	8,319.61	\$ 9,975.95
33	9,045.17	\$12,562.30
43A	7,960.65	\$ 9,764.44
45A	8,285.65	\$10,262.71
56A	8,121.88	\$14,603.74
60A	8,877.17	\$10,854.43
68A	8,183.72	\$10,634.23
71A	8,183.72	\$15,490.21
94A	8,216.44	\$10,738.92
118A	7,875.52	\$10,380.42
132A	8,159.78	\$10,596.15
135A	8,159.78	\$11,186.35
180A	10,199.76	\$12,155.04
183A	8,721.47	\$13,855.47
186A	11,039.74	\$15,957.72
195A	10,799.74	\$17,043.64
199	10,157.26	\$12,269.45
200	9,391.82	\$13,352.27
213	8,650.19	\$10,726.37
216A	9,741.29	\$12,997.16
242A	10,479.2	\$15,655.82
247A	13,797.93	\$17,767.82
248	22,143.16	\$27,315.62
253	10,264.02	\$14,186.37
267A	9,893.45	\$12,555.41
273	10,039.86	\$11,245.19