

ORIGINAL



RECEIVED

2013 JUN 19 P 2:32

ARIZONA CORPORATION COMMISSION  
DOCKET CONTROL

May 31, 2013

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

**Re: Annual Certification (Docket No. W-04291A-04-0843)**

Docket Control:

Pursuant to Decision No. 67881, The Aerie Conservancy hereby certifies that the provisions in the Declaration of Covenants, Conditions, Restrictions and Easements that were recorded with the Yavapai County Recorder on November 17, 2005 at Book 4335, Page 608, which (1) restrict further subdivision of the current 78 lots in the required adjudication area, (2) limit the number of memberships in The Aerie Conservancy, (3) prohibits expansion of the property to be served by The Aerie Conservancy and (4) grants equal voting rights, have not been altered, amended, or repealed.

Very truly yours,

The Aerie Conservancy  
Michelle Yerger  
President

Arizona Corporation Commission  
**DOCKETED**  
JUN 19 2013

DOCKETED BY

*Electronic Delivery*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**BEFORE THE ARIZONA CORPORATION COMMISSION**

**COMMISSIONERS**

BOB STUMP - Chariman  
GARY PIERCE  
BRENDA BURNS  
SUSAN BITTER SMITH  
BOB BURNS

**IN THE MATTER OF THE APPLICATION  
OF AERIE CONSERVANCY, AN ARIZONA  
NONPROFIT CORPORATION, FOR  
ADJUDICATION THAT IT IS NOT A PUBLIC  
SERVICE CORPORATION**

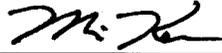
**DOCKET NO. W-04291A-04-0843  
ANNUAL CERTIFICATION**

The Arizona Corporation Commission (“Commission”) granted the application of The Aerie Conservancy for adjudication that it is not a public service corporation in the above-captioned docket. *Decision No. 67881 (June 1, 2005)*. In Decision No. 67881, the Commission ordered The Aerie Conservancy to file a copy of the Declaration of Covenants, Conditions, Restrictions and Easements for the 78 lot subdivision known as The Aerie that (i) restricts the further subdivision of The Aerie, (ii) limits the number of memberships in the Aerie Conservancy, (iii) prohibits expansion of the property to be served by The Aerie Conservancy, and (iv) grants equal voting rights (“CC&Rs”). The Commission further ordered The Aerie Conservancy to file an annual certification stating that the CC&Rs provisions set forth above in (i) – (iv) remain in place and have not been altered, amended, or repealed. The annual certification must be signed by an officer and filed by June 1 of each year until the “Transition Date,” as defined in the CC&Rs.

The Aerie Conservancy recorded the CC&Rs with the Yavapai County Recorder on November 17, 2005 at Book 4335, Page 608. In compliance with Decision No. 67881, The Aerie Conservancy hereby certifies that the CC&Rs provisions set forth above in (i) – (iv) remain in

1 place and have not been altered, amended, or repealed. The certification of Michelle Yerger, the  
2 President of The Aerie Conservancy, is attached hereto.

3 DATED this 31<sup>st</sup> day of May, 2013  
4

5  
6 

7 Michael Kern  
8 Communities Southwest Management, Inc.  
9 7001 N. Scottsdale Road, Suite 1015  
10 Scottsdale, Arizona 85253

11 ORIGINAL and thirteen (13) copies  
12 filed with Docket Control this 31<sup>st</sup>  
13 day of May, 2013.

14 COPY of the foregoing hand-delivered  
15 this 31<sup>st</sup> day of May, 2011, to:

16 Brian Bozzo, Compliance Manager  
17 Utilities Division  
18 ARIZONA CORPORATION COMMISSION  
19 1200 West Washington Street  
20 Phoenix, Arizona 85007  
21  
22  
23  
24  
25  
26  
27  
28