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BEFORE THE ARIZONA CORPORATIO

COMMISSIONERS

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

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CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

JUN 25 2014

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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stating that the CC&Rs provisions set forth above in (i) – (iv) remain in place and have not been altered, amended, or repealed.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1 place and have not been altered, amended, or repealed.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 24st day of June, 2014
4

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6 

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

12 ORIGINAL and thirteen (13) copies
13 filed with Docket Control this 24th
14 day of June, 2014.

15 COPY of the foregoing hand-delivered
16 this 24th day of June, 2014, to:

17 Utilities Division
18 ARIZONA CORPORATION COMMISSION
19 1200 West Washington Street
20 Phoenix, Arizona 85007
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May 31, 2014

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

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