

**PETITION FOR ESTABLISHMENT OF THE \_\_\_\_\_ DOMESTIC WATER IMPROVEMENT DISTRICT AND PETITION TO INCUR EXPENSES**

**TO THE HONORABLE BOARD OF SUPERVISORS OF YAVAPAI COUNTY, ARIZONA:**

The undersigned real property owners request the establishment of a domestic water improvement district pursuant to Sections 48-901 to 48-966, inclusive, and Sections 48-1011 to 48-1019, inclusive, Arizona Revised Statutes (the "County Domestic Water Improvement District Laws"), and all amendments and supplements thereto.

The name of the proposed district is the \_\_\_\_\_ Domestic Water Improvement District of Yavapai County, Arizona.

The necessity for the proposed district is the need for domestic water system improvements and other local improvements in the area of the proposed improvement district (as hereinafter described) and the financing of such improvements by the issuance of bonds secured by special assessments on the parcels of land so benefited in said district, charging and collecting fees and charges as may be permitted by law, and levying taxes within such district to operate and maintain said improvements. The public convenience, necessity and welfare will be promoted by the establishment of the district and the real property to be included therein will be benefited by the improvements which can be ordered upon the formation of the district.

The boundaries of the proposed district are as shown on the attached description, marked Exhibit A and the attached plat, marked Exhibit B. The boundaries of the proposed district are \_\_\_\_\_ are not \_\_\_\_\_ wholly \_\_\_\_\_ partially \_\_\_\_\_ within either of the following:

- (1) The boundaries of the existing service territory of a public service corporation that provides domestic water or wastewater services as defined in an application for a certificate of convenience and necessity issued by the Corporation Commission.
- (2) The boundaries of the proposed service territory of a public service corporation that provides domestic water services as defined in an application for a certificate of convenience and necessity that is pending before the Corporation Commission or that has been considered by the Commission within one year before the date the petition for an improvement district is filed with the Clerk of the Board.

A general outline of the proposed improvement is to acquire and improve or construct a domestic water system and all appurtenances thereto, within and without the district, and to make any and all other local improvements by special assessments and the issuance of bonds as may now or hereafter be ordered under and pursuant to the Domestic Water Improvement District Laws, and to provide for the operation and maintenance of such improvements, suitable for the needs of the district in one or more proceedings as the need therefor may arise.

The petitioners pray that the Board of Supervisors set this petition for hearing; direct notice be given to all interested property owners concerning the hearing in the manner prescribed in A.R.S. § 48-905(B); after consideration of any objections that may be made, enter a formal order declaring its findings; establish the boundaries; and declare the domestic water improvement district to be organized.

The Petitioners request that the district have an elected Board of Directors consisting of five members and that the following qualified electors of the district be appointed as the initial Board of Directors:

1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_
4. \_\_\_\_\_ 5. \_\_\_\_\_

Election dates shall be the county wide general election date of each even numbered year, commencing \_\_\_\_\_ and terms of the applicable class shall expire on the last day of December following the election.

When the district is formed, this petition shall be deemed to be a petition to the Board of Directors of the district that the district incur the expense of appointing and employing a district engineer, drafting and preparing plans, specifications and estimates of the district's improvements or any one of them, and of taking all action to initiate and complete such improvements.

Petitioners agree to pay all expenses connected with the proceedings in case the Board of Supervisors refuses to establish the district. If the district is established but the improvement work is abandoned by the district, the costs incurred previous to the abandonment (i.e., costs for engineering, legal, financial and other incidental expenses) will be paid by the district, such payment will be provided for by the levy and collection of taxes upon all the property, real and personal, in the district, or payment for such costs will be made by any other remedy or law in force at the time of abandonment.

The petitioners understand and acknowledge that in the event any property assessed within the district is, or becomes, subject to the ownership or control of the United States Government or any agency or instrumentality of, or which is controlled by, the United States Government, the portion of the costs assessed against such property may be required to be reapportioned to the remaining property within the district if and to the extent that the assessment cannot be enforced against the property owned or controlled by the United States Government or any agency or instrumentality of, or which is controlled by, the United States Government.

The petitioners understand that the engineer's estimate of costs of the improvement has not been completed nor has the assessment methodology been determined or approved by the Board of Directors, and that therefore no maximum limit on the amount of any assessment or the aggregate of all assessments has been established.





**EXHIBIT B**

**DOMESTIC WATER IMPROVEMENT DISTRICT**

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**OF YAVAPAI COUNTY, ARIZONA**

**IMPROVEMENT DISTRICT BOUNDARY MAP**

**CERTIFICATE OF PROPERTY OWNER  
REGARDING PETITION FOR ESTABLISHMENT AND  
PETITION TO INCUR EXPENSE (§48-915)**

STATE OF \_\_\_\_\_

ss.

COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, hereby certify:

That I am one of the petitioners who signed the foregoing petition; that I am a property owner whose property is subject to assessment for the improvement contemplated; that the facts stated in the petition are true; that I have examined the petition and that the signatures thereto are, to the best of my knowledge, the genuine signatures of property owners contained within the limits of the proposed domestic water improvement district.

\_\_\_\_\_  
Signature of Property Owner/Petitioner

\_\_\_\_\_  
Address of Property Owner/Petitioner

**SUBSCRIBED AND SWORN TO** before me this \_\_\_\_ day of

\_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

(Seal and Expiration Date)

**MASTER AFFIDAVIT**

**CERTIFICATE OF PROPERTY OWNER  
REGARDING PETITION FOR ESTABLISHMENT AND  
PETITION TO INCUR EXPENSE**

STATE OF \_\_\_\_\_

ss.

COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, being first duly sworn, on oath  
depose and say:

That I am a property owner whose property is within the proposed domestic water improvement district and subject to assessment for the improvement contemplated in the attached petition; that I have examined the petition or the several copies thereof and that the signatures thereto are, to the best of my knowledge, the genuine signatures of the owners of a majority of the land within the proposed district, and the owners of the majority of the frontage of property contained within the limit of the proposed district to be charged with the costs of the improvement contemplated.

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Address of Property Owner

**SUBSCRIBED AND SWORN TO** before me this \_\_\_\_ day of

\_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

(Seal and Expiration Date)