

HARVEY R. JACKSON
Attorney at Law
3479 McCulloch Blvd., N.
Lake Havasu City, AZ 86406
(928) 855-9471
(928) 855-7427 - Fax

January 7, 2014

Clerk of the Court
Mohave County Superior Court
2001 College Drive
Lake Havasu City, AZ 86403

RE: Ullery vs. Lake Havasu City, et al.
New Complaint

Dear Clerk:

Enclosed please find the originals and copies of the following pleadings regarding the above matter:

- Complaint
- Summons
- Order to Show Cause
- Certificate on Compulsory Arbitration

Also enclosed please find the Civil Cover Sheet as well as my check in the amount of \$264.00 for the filing fee.

Please file the pleadings and have the Summons and Order to Show Cause issued and returned to me, along with a conformed copy of the Certificate on Compulsory Arbitration and the Complaint (first page only), in the enclosed self-addressed stamped envelope.

Thank you for your cooperation in this matter.

Yours very truly,



HARVEY R. JACKSON

HRJ/htp
Enclosures

cc: Dr. Bill Ullery

APPENDIX A

In the Superior court of the State of Arizona
In and For the County of Mohave

Case Number _____

CIVIL COVER SHEET – NEW FILING ONLY
(Please type or Print)

Plaintiff's Attorney Harvey R. Jackson

Attorney's Bar Number 003301

Plaintiff's Name(s): (List all)

JESSE W. (DR. BILL) ULLERY

Plaintiff's Address:

735 Little Drive

Lake Havasu City, AZ 86406

(List additional plaintiffs on page two and/or attach a separate sheet)

Defendant's Name(s): (List All)

LAKE HAVASU CITY, a body politic

KELLY WILLIAMS

(List additional defendants on page two and/or attach a separate sheet)

EMERGENCY ORDER SOUGHT: Temporary Restraining Order Provisional Remedy OSC
 Election Challenge Employer Sanction Other _____

(Specify)

RULE 8(i) COMPLEX LITIGATION DOES NOT APPLY. (Mark appropriate box under **Nature of Action**)

RULE 8(i) COMPLEX LITIGATION APPLIES. Rule 8(i) of the rules of Civil Procedure defines a "Complex Case" as civil actions that require continuous judicial management. A typical case involves a large number of witnesses, a substantial amount of documentary evidence, and a large number of separately represented parties. (Mark appropriate box on page two as to complexity, in addition to the Nature of Action case category).

NATURE OF ACTION

(Place an "X" next to the one case category that most accurately describes your primary case.)

TORT MOTOR VEHICLE:

- Non-Death/Personal Injury
- Property Damage
- Wrongful Death

TORT NON-MOTOR VEHICLE:

- Negligence
- Product Liability - Asbestos
- Product Liability - Tobacco
- Product Liability - Toxic/Other
- Intentional Tort
- Property Damage
- Legal Malpractice
- Malpractice – Other professional
- Premises Liability
- Slander/Libel/Defamation
- Other (Specify) _____

MEDICAL MALPRACTICE:

- Physician M.D. Hospital
- Physician D.O. Other

CONTRACTS:

- Account (Open or Stated)
- Promissory Note
- Foreclosure
- Buyer-Plaintiff
- Fraud
- Other Contract (i.e. Breach of Contract)
- Excess Proceeds-Sale
- Construction Defects (Residential/Commercial)
 - Six to Nineteen Structures
 - Twenty or More Structures

OTHER CIVIL CASE TYPES:

- Eminent Domain/Condemnation

OTHER CIVIL CASE TYPES (Continued)

- Eminent Domain/Condemnation
- Eviction Actions (Forcible and Special Detainers)
- Change of Name
- Transcript of Judgment
- Foreign Judgment
- Quiet Title
- Forfeiture
- Election Challenge
- NCC – Employer Sanction Action (A.R.S. §23-212)
- Injunction against Workplace Harassment
- Injunction against Harassment
- Civil Penalty
- Water Rights (Not General Stream Adjudication)
- Real Property
- Sexually Violent Person (A.R.S. §36-3704)
- (Except Maricopa County)
- Minor Abortion (See Juvenile in Maricopa County)
- Special Action Against Lower Courts
(See lower court appeal cover sheet in Maricopa)

UNCLASSIFIED CIVIL:

- Administrative Review
(See lower court appeal cover sheet in Maricopa)
- Tax Appeal
(All other tax matters must be filed in the AZ Tax Court)

UNCLASSIFIED CIVIL (Continued)

- Declaratory Judgment
- Habeas corpus
- Landlord Tenant Dispute - Other
- Restoration of civil Rights (Federal)
- Clearance of Records (A.R.S. §13-4051)
- Declaration of Factual Innocence (A.R.S. §12-771)
- Declaration of Factual Improper Party Status
- Vulnerable Adult (A.R.S. §46-451)
- Tribal Judgment
- Structured Settlement (A.R.S. §12-2901)
- Attorney Conservatorships (State Bar)
- Unauthorized Practice of Law (State Bar)
- Out-of-State Deposition for Foreign Jurisdiction
- Secure Attendance of Prisoner
- Assurance of Discontinuance
- In-State Deposition for Foreign Jurisdiction
- Eminent Domain – Light Rail Only
- Interpleader – Automobile Only
- Delayed Birth Certificate (A.R.S. §36-333.03)
- Employment Dispute - discrimination
- Employment dispute - Other
- Other _____

(Specify)

COMPLEXITY OF THE CASE

If you marked the box on page one indicating that Complex Litigation applies, place an "X" in the box of no less than one of the following:

- Antitrust/Trade Regulation
- Construction Defect with many parties or structures
- Mass Tort
- Securities Litigation with many parties
- Environmental Toxic Tort with many parties
- Class Action Claims
- Insurance Coverage Claims arising from the above-listed case types
- A Complex Case as defined by rule 8(i) ARCP

Additional Plaintiff(s)

Additional Defendant(s)

HARVEY R. JACKSON
Attorney at Law
3479 McCulloch Blvd., N.
Lake Havasu City, AZ 86406
(928) 855-9471
(928) 855-7427 – Fax
harveyjackson@frontiernet.net
State Bar No. 003301
Attorney for Plaintiff

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MOHAVE

JESSE W. (DR. BILL) ULLERY,)
) No.
Plaintiff,)
)
vs.) SUMMONS
)
LAKE HAVASU CITY, a body politic)
KELLY WILLIAMS,)
JOHN DOES I thru X, and)
JANE DOES I thru X,)
)
Defendants.)
_____)

TO THE ABOVE NAMED DEFENDANTS:

LAKE HAVASU CITY & KELLY WILLIAMS

You are hereby summoned and required to appear and defend in the above-entitled action in the above-entitled court within TWENTY (20) DAYS exclusive of the day service after service of this Summons upon you if served within the State of Arizona and, within THIRTY (30) DAYS exclusive of the day of service if served outside the State of Arizona, and you are hereby notified that in case you fail to do so, judgment by default will be rendered against you for the relief demanded in the Complaint.

The name and address of the attorney for the Plaintiff is, and a copy of the pleadings being served may be obtained from:

Harvey R. Jackson, Attorney at Law
3479 McCulloch Blvd., N., Lake Havasu City, AZ 86406

Requests for reasonable accommodation for persons with disabilities must be made to the Court by parties at least three (3) working days in advance of a scheduled Court proceeding.

Given under my hand and the seal of the Superior Court of the State of Arizona in and for the said county this _____ day of _____, 2014.

Clerk of the Court

Deputy Clerk

1 HARVEY R. JACKSON
2 Attorney at Law
3 3479 McCulloch Blvd., N.
4 Lake Havasu City, AZ 86406
5 (928) 855-9471
6 (928) 855-7427 – Fax
7 harveyjackson@frontiernet.net
8 State Bar No. 003301
9 Attorney for Plaintiff

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11
12 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
13
14 IN AND FOR THE COUNTY OF MOHAVE

15 JESSE W. (DR. BILL) ULLERY,)
16) No.
17 Plaintiff.)
18)
19 vs.) ORDER TO SHOW CAUSE
20)
21 LAKE HAVASU CITY, a body politic)
22 KELLY WILLIAMS,)
23 JOHN DOES I thru X, and)
24 JANE DOES I thru X.)
25)
26 Defendants.)
27 _____)

28 Cause appearing from the verified complaint, petition, motion, application or other affidavit and pursuant to RCP 6(d).

**IT IS ORDERED that YOU: LAKE HAVASU CITY, a body politic
and KELLY WILLIAMS**

appear at the time and place designated below and show cause why the immediate relief should not be given which is requested in the Complaint for Declaratory Judgment, Special Action, and Petition for Order to Show Cause, the original of which has been filed with the Clerk of this Court and a true copy of which shall be served upon you, along with a true copy of this Order to Show Cause, by the party seeking the relief.

BEFORE WHOM APPEARANCE TO BE MADE:

DATE AND TIME OF APPEARANCE:

PLACE OF APPEARANCE:

IT IS FURTHER ORDERED that a true copy of this Order to Show Cause and a true copy of the verified complaint, petition, application, or other affidavit on which it is based, be

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served upon the parties who are required to appear and a true copy of these documents be mailed forthwith to the parties who have appeared in this action, in accordance with RCP 5(a).

DONE IN OPEN COURT THIS DATE: _____

JUDGE

AMOUNT OF TIME REQUESTED FOR HEARING: 2 hours

HARVEY R. JACKSON
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Lake Havasu City, AZ 86406
(928) 855-9471
(928) 855-7427 – Fax
harveyjackson@frontiernet.net
State Bar No. 003301
Attorney for Plaintiff

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MOHAVE

JESSE W. (DR. BILL) ULLERY,)
) No.
Plaintiff.)
)
vs.) CERTIFICATE ON
) COMPULSORY ARBITRATION
LAKE HAVASU CITY, a body politic)
KELLY WILLIAMS.)
JOHN DOES I thru X, and)
JANE DOES I thru X.)
)
Defendants.)
_____)

The undersigned certifies that Plaintiff seeks affirmative relief other than a monetary judgment.

This case is not subject to the Uniform Rules of Procedure for Arbitration.

Dated this 7 day of January, 2014.



HARVEY R. JACKSON
Attorney for Plaintiff

1 HARVEY R. JACKSON
2 Attorney at Law
3 3479 McCulloch Blvd., N.
4 Lake Havasu City, AZ 86406
5 (928) 855-9471
6 (928) 855-7427 – Fax
7 harveyjackson@frontiernet.net
8 State Bar No. 003301
9 Attorney for Plaintiff

10 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
11 IN AND FOR THE COUNTY OF MOHAVE

12 JESSE W. (DR. BILL) ULLERY,)
13) No.
14 Plaintiff.)
15)
16 vs.) COMPLAINT FOR DECLARATORY
17) JUDGMENT, SPECIAL ACTION,
18 LAKE HAVASU CITY, a body politic) AND PETITION FOR ORDER TO
19 KELLY WILLIAMS.) SHOW CAUSE
20 JOHN DOES I thru X. and)
21 JANE DOES I thru X.)
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23 Defendants.)
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COMES NOW Plaintiff, Jesse W. (Dr. Bill) Ullery, by and through his attorney undersigned, and for his cause of action against Defendants alleges as follows:

1. That your Plaintiff is an individual who has applied for two initiative petition serial numbers to the Clerk of Lake Havasu City, a body politic, which is located in the County of Mohave, State of Arizona, and all actions complained of herein took place in the County of Mohave, State of Arizona.
2. That Defendant, Lake Havasu City, is a body politic.
3. That Defendant, Kelly Williams, is the City Clerk for Lake Havasu City, and at all times material to this cause of action was and is the City Clerk for Lake Havasu City, and further is the person to whom petitions for initiative serial numbers are submitted.

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4. That your Plaintiff has heretofore submitted two petitions, one of which pertained to a \$5,000,000.00 contribution, a true and correct copy of which is attached hereto as Exhibit "A" and incorporated herein by reference as if set forth fully herein, and a true and correct copy of said initiative is attached hereto as Exhibit "B" and incorporated herein by reference as if set forth fully herein, and further that your Plaintiff has heretofore submitted an additional petition for initiative serial number for a petition to amend a bond measure, a true and correct copy of which is attached hereto as Exhibit "C" and incorporated herein by reference as if set forth fully herein, and a true and correct copy of the initiative itself is attached hereto as Exhibit "D" and incorporated herein by reference as if set forth fully herein.

5. That on or about the 23rd day of October, 2013 that the said Defendant Kelly Williams, acting in her capacity as the City Clerk for Defendant Lake Havasu City, refused to issue initiative serial numbers for either of said petitions, by her letter of October 23, 2013, attached hereto as Exhibit "E" which is incorporated herein by reference as if set forth fully herein.

6. That by the turn down letter, Exhibit "E", that the Lake Havasu City Clerk indicated in part "As mandated by state law and controlling court decisions on exercise of the initiative power, the City Clerk also cannot take steps to place the proposed measures on the ballot", and therefore refused to issue serial numbers so that said petitions could be circulated, and further indicated that same could not be placed on the ballot.

7. That said refusal to issue serial numbers and further said refusal to place same on the ballot, assuming the petitions were circulated and met the signature requirements, was contrary to Arizona law and various court decisions construing the applicable Arizona statutes, and therefore the Lake Havasu City Clerk, Kelly Williams, refused to act in accordance with the laws and should have issued the appropriate serial numbers.

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8. That A.R.S. §19-101, et seq. provides the various statutory procedures for initiative, and further that the proposed petitions and applications for serial numbers complied in all respects with the pertinent Arizona laws.

9. That further the rights of initiative are guaranteed to the citizens of the State of Arizona by the Arizona Constitution, Article 4, Part 1 and further by the Arizona Constitution, Article 22, Section 14. The actions of the City Clerk in refusing to issue serial numbers and therefore authorize the circulation of the initiative petitions, and further the refusal to place same on the ballot, in the event the initiative proposals met the signature gathering provisions, is in contravention of the Arizona statutes and the Arizona Constitution.

10. That pursuant to A.R.S. §12-2021 that mandamus is an appropriate remedy for Plaintiff to compel the City Clerk of Lake Havasu City to follow the law, and mandamus can compel the City Clerk to follow the law, which has not been followed in his case, and further that your Plaintiff does not have a plain, adequate and speedy remedy at law as Defendants and each of them continue to perform acts in contravention of the applicable provisions of Arizona law.

11. That your fictitious Defendants are persons or entities whose identities are not known to Plaintiff at the time of the filing of the Complaint, and Plaintiff requests leave to amend the Complaint in the event that their identities become known to Plaintiff, but are persons believed to have caused the actions complained of herein.

12. That pursuant to A.R.S. §12-2021 that mandamus is an appropriate remedy for Plaintiff to compel Lake Havasu City or its City Clerk to properly act in connection with the pertinent provisions of Arizona law, and further pursuant to the Arizona Rules of Procedure for Special Action, that special action is an appropriate procedure to effectuate a portion of the remedies requested herein.

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2 13. That justiciable controversy arises in regard to the provisions of the
3 Arizona law and its application as indicated by Lake Havasu City through its City Clerk in
4 refusing to issue serial numbers so that the initiative petitions can be circulated, and further is an
5 appropriate remedy to compel the City Clerk to place the proposed measures on the ballot in the
6 event of successful petition circulating.

7 14. As your Plaintiff by his application has made demand upon Lake Havasu
8 City, and as the demand has not been responded to, the request for initiative serial numbers has
9 been denied specifically as reflected in Exhibit "E" hereto, and therefore your Plaintiff is
10 entitled to proceed with this particular action.

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12 COUNT I

13 (Declaratory Relief)

14 COMES NOW Plaintiff, by and through his attorney undersigned, and for his
15 Count I alleges as follows:

16 15. Plaintiff realleges the allegations in paragraphs 1 through 14 above in this
17 Count I as if set forth fully herein.

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19 16. That pursuant to A.R.S. §12-1831, et seq., that a declaratory judgment is
20 appropriate as a justiciable controversy exists due to a difference of opinion of Plaintiff and
21 Defendants as to the validity of the two initiative petitions for which serial numbers were sought,
22 and that the proposed initiatives are valid under Arizona law, and therefore the refusal to
23 recognize their validity by the Lake Havasu City Clerk and further her refusal to issue the serial
24 numbers should, after hearing, result in orders by this honorable Court that Lake Havasu City and
25 the City Clerk proceed to appropriately process the initiative petitions.

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27 17. That pursuant to A.R.S. §12-1832, that your Plaintiff is a person affected by
28 the actions of Defendants and each of them, and that pursuant to A.R.S. §12-1835 a judgment by

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this honorable Court will terminate the controversy or remove the uncertainty presented by the actions of Defendants and each of them. That A.R.S. §12-1842 provides its remedy of declaratory judgment to be liberally construed.

18. That the construction of the Arizona provisions, both in the Arizona Constitution and the statutory provisions recited herein should be liberally construed in support of the right of the public to act to direct governmental entities, such as Lake Havasu City, to accomplish or enact certain measures, and these protections were not afforded to the citizens of Lake Havasu City and therefore this honorable Court should order the City Clerk to issue serial numbers, and place the proposed measures on the ballot, assuming the appropriate signatures are collected.

WHEREFORE, Plaintiff requests this honorable Court enter its orders as follows:

- 1. After hearing, order the City Clerk to issue serial numbers for the initiative petitions.
- 2. After hearing, order the City Clerk to place the proposed measures on the ballot in the event the appropriate number of signatures is collected by Plaintiff
- 3. Award Plaintiff his reasonable attorney's fees and costs herein incurred.
- 4. Grant such other and further relief as the Court may deem just in the premises.

COUNT II

(Special Action)

COMES NOW Plaintiff, by and through his attorney undersigned, and for his Count II alleges as follows:

19. Plaintiff realleges the allegations in paragraphs 1 through 18 above in this Count II as if set forth fully herein.

20. That pursuant to A.R.S. §12-2021, et seq., that the actions complained of

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2 herein by Defendants and each of them are appropriate for a writ of mandamus, and a writ of
3 mandamus would be appropriate to compel acts by Defendants and each of them, and the actions
4 of Defendants are actions which are appropriate for a writ of mandamus.

5 21. That pursuant to the Arizona Rules of Procedure for Special Actions, that
6 statutory relief of certain writs, such as mandamus, is appropriate for special action, and further
7 that pursuant to Rule 2, Arizona Rules of Procedure for Special Actions, that your Plaintiff is a
8 person who could have applied for a writ of mandamus, and therefore is an appropriate party.
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10 22. That the actions complained of herein on behalf of Defendants and each of
11 them are actions wherein Defendants and each of them failed to exercise or perform a duty
12 required by law, or are threatening to proceed or not proceed in excess of their jurisdiction, and
13 have made decisions that are arbitrary and capricious, and therefore a special action is
14 appropriate. Further, pursuant to Rule 4, Arizona Rules of Procedure for Special Actions, the
15 Superior Court in the County in which an officer has or should have determined a matter is
16 appropriate, and therefore the Mohave County Superior Court is appropriate as to jurisdiction
17 and venue.
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19 23. That for the reasons recited above the Court should enter its declaratory
20 judgment that the City Clerk should have issued serial numbers for the initiative petitions, and
21 further, assuming the appropriate signatures are gathered, the City Clerk should place the
22 proposed measures on the ballot, and therefore pursuant to the provisions for special action, that
23 this honorable Court should, after hearing, order Defendants and each of them to proceed with
24 the serial numbers and placing the measures on the ballot.
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26 WHEREFORE, Plaintiff requests this honorable Court enter judgment against
27 Defendants and each of them as follows:

- 28 1. Order Defendants and each of them to issue initiative petition serial numbers

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for the two petitions.

- 2. Order Defendants and each of them to place the proposed measures on the ballot in the event the appropriate signatures are gathered.
- 3. Award Plaintiff his reasonable attorney's fees and costs herein incurred.
- 4. Grant such other and further relief as the Court may deem just in the premises.

COUNT III

(Petition for Order to Show Cause)

COMES NOW Plaintiff, by and through his attorney undersigned, and for his Count III alleges as follows:

24. Plaintiff realleges the allegations in paragraphs 1 through 23 above in this Count III as if set forth fully herein.

25. That pursuant to Rule 4(c), Rules of Civil Procedure for Special Action, this petition may be initiated with an application for Order to Show Cause, and Plaintiff hereby requests this honorable Court issue its Order to Show Cause why the relief requested herein should not be granted, and more specifically why Defendants and each of them should not be ordered to issue serial numbers for the proposed initiatives, and further, assuming that appropriate signatures are gathered, to place the proposed measures on the ballot.

26. Plaintiff requests that this honorable Court enter its Order to Show Cause why the relief requested herein should not be granted, establish a date for hearing on the Order to Show Cause, and after hearing grant the relief requested in Counts I and II above.

WHEREFORE, Plaintiff requests this honorable Court enter its orders as follows:

- 1. Issue its Order to Show Cause why the relief requested in Counts I and II and this Count III should not be granted.
- 2. After hearing on Order to Show Cause, grant the relief requested in Counts I

HARVEY R. JACKSON
ATTORNEY AT LAW
1470 MIDLAND BLVD. N.
LAKE HAVASU CITY, AZ
86406
PH: 928-447-
FAX: 928-455-2477

1 and II, and order Defendants and each of them to issue initiative petition serial numbers.

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3 3. After hearing on Order to Show Cause, grant the relief requested in Counts I
4 and II and order Defendants to place the proposed measures on the ballot in the event the
5 appropriate signatures are gathered.

6 4. Award Plaintiff his reasonable attorney's fees and costs herein incurred.

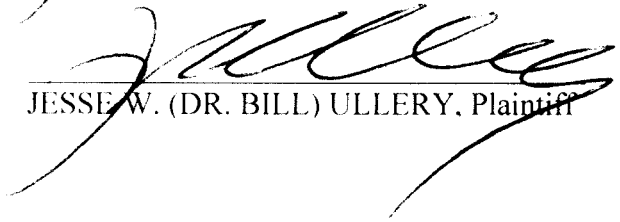
7 5. Grant such other and further relief as the Court may deem just in the premises.

8 RESPECTFULLY SUBMITTED this 6 day of January, 2014.

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12 _____
13 HARVEY R. JACKSON
14 Attorney for Plaintiff

15 I declare under penalty of perjury that the foregoing is true and correct.

16 Executed on the 6 day of January, 2014.

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19 _____
20 JESSE W. (DR. BILL) ULLERY, Plaintiff

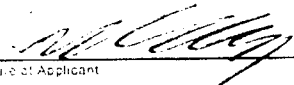
APPLICATION FOR INITIATIVE OR REFERENDUM PETITION SERIAL NUMBER

TO: CITY/TOWN CLERK

The undersigned intends to circulate and file an INITIATIVE or a REFERENDUM (circle the appropriate word) petition and hereby makes application for the issuance of an official serial number to be printed in the lower right-hand corner of each side of each signature sheet of such petition. Pursuant to Arizona Revised Statutes § 19-111 attached hereto is the full text, in no less than eight point type, of the MEASURE or CONSTITUTIONAL AMENDMENT (circle appropriate word) intended to be INITIATED or REFERRED (circle appropriate word) at the next general election.

SUMMARY: A description of no more than one hundred words of the principal provisions of the proposed law, constitutional amendment or measure that will appear in no less than eight point type on the face of each petition signature sheet to be circulated.

An initiative measure" Be it enacted by the people of Lake Havasu City to require the city council to allocate to the wastewater treatment system, an annual \$5,000,000 contribution from the general property tax levy and the water enterprise fund until such time as the sewer bonds authorized on November 6, 2001 have been retired.



 Signature of Applicant
Jesse W. (Dr Bill) Uffery

 Printed Name of Applicant
735 Little Dr

 Address
Lake Havasu City AZ 86406

 City State Zip
928.453.2414

 Telephone Number

 Name of Organization (if any)

 Address

 City State Zip

 Telephone Number

 Name of Officer and Title

 Address

 City State Zip

 Telephone Number

 Name of Officer and Title

 Address

 City State Zip

 Telephone Number

Date of Application _____
Signatures Required _____
Deadline for Filing _____
Serial Number Issued _____
FOR OFFICE USE ONLY

AN INITIATIVE MEASURE

Be it enacted by the people of Lake Havasu City, Arizona to

**REQUIRE THE CITY COUNCIL TO ALLOCATE TO THE
WASTEWATER TREATMENT SYSTEM, AN ANNUAL \$5,000,000
CONTRIBUTION FROM THE GENERAL PROPERTY TAX LEVY AND
THE WATER ENTERPRISE FUND UNTIL SUCH TIME AS THE SEWER
BONDS AUTHORIZED ON NOVEMBER 6, 2001 HAVE BEEN RETIRED.**

Exhibit "B"


APPLICATION FOR INITIATIVE OR REFERENDUM PETITION SERIAL NUMBER

TO: CITY/TOWN CLERK

The undersigned intends to circulate and file an INITIATIVE or a REFERENDUM (circle the appropriate word) petition and hereby makes application for the issuance of an official serial number to be printed in the lower right-hand corner of each side of each signature sheet of such petition. Pursuant to Arizona Revised Statutes § 19-111, attached hereto is the full text in no less than eight point type, of the MEASURE or CONSTITUTIONAL AMENDMENT (circle appropriate word) intended to be INITIATED or REFERRED (circle appropriate word) at the next general election.

SUMMARY A description of no more than one hundred words of the principal provisions of the proposed law, constitutional amendment or measure that will appear in no less than eight point type on the face of each petition signature sheet to be circulated.

Be it enacted by the people of Lake Havasu City, an initiative measure to amend the 2001 sewer bond measure by adding: The City shall, in addition to paying existing sewer bonds solely with revenue of the city's water and wastewater systems, shall levy ad-valorem taxes on all taxable property within the city, and adjust the sewer rates accordingly, taking into account the additional revenue raised by said ad-valorem taxes.

Signature of Applicant:  Jesse W. (Dr Bill) Uliery	Name of Organization (if any)
Printed Name of Applicant	Address
735 Little Dr	City State Zip
Lake Havasu City AZ 86406	Telephone Number
928.453.2414	Name of Officer and Title
Telephone Number	Address
	City State Zip
	Telephone Number
	Name of Officer and Title
	Address
	City State Zip
	Telephone Number

Date of Application _____

Signatures Required _____

Deadline for Filing _____

Serial Number Issued _____

FOR OFFICE USE ONLY

AN INITIATIVE MEASURE
Be it enacted by the people of Lake Havasu City, Arizona

**TO AMEND THE NOVEMBER 6, 2001 LAKE HAVASU CITY, AZ
SEWER BOND MEASURE:**

Bonds for wastewater system improvements utilizing conventional technology to be paid solely from water and wastewater system revenues or from water and waste water system revenues and from ad valorem property taxes.

For the purpose of providing funds to acquire, construct, improve and extend a wastewater treatment plant and system utilizing conventional technology for Lake Havasu City (the "City"), both within and without the corporate limits of the City, including acquisitions of land, interests in land and rights-of-way necessary for such purposes, establishment of necessary reserve funds and payment of costs and fees in connection therewith; shall the City be authorized to issue and sell not exceeding \$463,000,000 aggregate principal amount of bonds, such bonds to be payable solely from the revenues of the City's water and wastewater system or, at the option of the Mayor and Council, such bonds to be issued as tax secured bonds and be payable from water and wastewater system revenues and from ad valorem taxes levied on all taxable property within the City without limit as to rate or amount.

Such bonds to be issued in one or more series, maturing not more than thirty (30) years from the date of issuance of such series and bearing interest at a rate or rates not in excess of 12% per annum.

BY ADDING: | THE LAKE HAVASU CITY COUNCIL SHALL, IN ADDITION TO PAYING EXISTING SEWER BONDS SOLELY WITH REVENUE OF THE CITY'S WATER AND WASTEWATER SYSTEMS, SHALL LEVY AD-VALOREM TAXES ON ALL TAXABLE PROPERTY WITHIN THE CITY, AND ADJUST THE SEWER RATES ACCORDINGLY, TAKING INTO ACCOUNT THE ADDITIONAL REVENUE RAISED BY SAID AD-VALOREM TAXES.



OFFICE OF THE CITY CLERK
LAKE HAVASU CITY

CERTIFIED MAIL

October 23, 2013

Help Dr. Bill Stop the Sewer Fiasco
Help Dr. Bill with the \$5 Million
c/o Mr. Jesse W. Ullery
735 Little Drive
Lake Havasu City, Arizona 86406

**RE: APPLICATIONS FOR INITIATIVE SERIAL NUMBERS SUBMITTED BY HELP
DR. BILL STOP THE SEWER FIASCO AND HELP DR. BILL WITH THE \$5
MILLION**

Dear Mr. Ullery,

This advisory is sent in my capacity as the election official for Lake Havasu City as designated by state law and on advice from legal counsel.

By this letter I am informing the political committees mentioned above that the initiative matters described in the applications submitted for initiative petition serial numbers are considered to be legally invalid under the initiative power reserved to the qualified electors of the City. This office has no choice but to refuse to accept the applications submitted for initiative petition serial numbers. As mandated by state law and controlling court decisions on exercise of the initiative power, the City Clerk also cannot take steps to place the proposed measures on the ballot.

If you have questions on these matters including any challenges to this determination, you should seek the advice of your own legal counsel as this office is precluded from providing legal advice on election matters.

Respectfully,

Kelly Williams
City Clerk

Cc: Kelly Garry, City Attorney
File