

## **NOTICE OF PUBLIC HEARING FOR PROPOSED ASSESSMENT AREA**

NOTICE IS HEREBY GIVEN pursuant to the provisions of the Assessment Area Act, Title 11, Chapter 42, Utah Code Annotated, 1953 as amended (the "Act"), that on May 21, 2020, the Central Iron County Water Conservancy District, Iron County, State of Utah, (the "District"), proposes to adopt a resolution (the "Resolution") to levy an assessment on Lots 1-70 within the Chekshani Cliffs Subdivision Plat, as amended and the Randy & Kay Carter Parcel, (collectively referred to as "Lots" or individually "Lot" or "Parcel" as applicable), to finance all of the costs associated with providing a new well, transmission lines and associated improvements (the "Improvements"), for the benefit of the Lots, in such amounts District determines necessary to complete the Improvements.

### **TIME, PLACE, LOCATION AND PURPOSE OF PUBLIC HEARING**

The District shall hold a public hearing on May 21<sup>st</sup>, 2020 at the hour of 7:00 p.m. in the District's Meeting in the Cedar City Council Chambers, 10 North Main Street, Cedar City, Utah 84720. The purpose of the hearing is to receive input from the public with respect to (a) adopting a resolution to establish an assessment area for construction of the Improvements; and (b) determine any potential economic and financial impact that the Improvements may have assessment area may have on the private sector. The Resolution is available for inspection at the District office during regular business hours. All members of the public are invited to attend and participate.

### **PURPOSE OF THE ASSESSMENT**

The purpose of the Assessment will be to construct, within approximately one-half mile of the Chekshani Cliff's Subdivision western boundary, in a Northwesterly direction, a public well and well house which shall be connected by a transmission line from the new public well to the current drinking water distribution system and tank which will provide a higher quality of culinary water to the Parcel and residential Lots of the Chekshani Cliffs Subdivision, located in Iron County, Utah. The exact well location is dependent upon the best water source, but projected to be close to the I-15 corridor freeway.

### **TOTAL ESTIMATED COSTS OF IMPROVEMENTS AFTER GRANTS**

The total estimated cost of the Improvements for the Area Assessment, as determined by the Districts project engineer, are \$460,000.00, which may be more or less depending upon government grants received through the application process. The District will pay for half or \$230,000.00 for increased capacity in the well and water line for future growth -The District proposes to levy an equal assessment on the Parcel and each and every Lot platted within the Chekshani Cliff's Subdivision as a property benefitted within the assessment area which shall be used to pay for the other half or \$230,000.00 of Improvements according to the estimated benefits to the Lots for which the Improvements are made available to serve or which will or can be served at a future date.

### **BONDING**

The Improvements will be financed by grants and bonding. Based on the District's current plan of finance and the current estimate of interest rates in the amount of 2%, the total principle and

interest rates of the Improvements if held until maturity is \$428,463.00. A reserve fund may be required for bonding, and if so required, the reserve fund will be funded from a portion of the monthly payments paid by each Parcel and Lot owner. The reserve funds will be held in a reserve fund account until sufficient funds are available to pay the remaining indebtedness on the bond in full and terminate the obligation.

### **MANNER OF BILLING ASSESSMENT FOR IMPROVEMENTS**

The District will issue a direct monthly billing statement to each Parcel and Lot owner for the Assessment Fee, which billing statement shall be included in the District's general monthly utility billing statement as a separate line item. Each parcel and lot owner shall have the option of making monthly payments in the amount of the Assessment for a period of ten (10) years, or to avoid interest, may pay the Assessment Fee in full at any time during the ten (10) year period. The District shall also include a lien on properties which choose to finance in accordance with Utah Code Annotated §59-2-1301 *et. seq.*, and in compliance with §11-42-502.1.

### **FILING OF PROTESTS**

NOTICE IS FURTHER GIVEN THAT an owner of any Parcel or Lot that is proposed to be assessed and who does not want to be included in the assessment area may, within 60 days after the day of the hearing, as provided by law, file a written protest against (i) designation of the assessment area; (ii) the inclusion of the owner's Lot or Parcel in the proposed assessment area; or (iii) the proposed improvements to be acquired or constructed. A person may protest (i) whether the assessment meets the requirements of Utah Code Annotated §11-42-409; or (ii) any other aspect of the proposed designation of an assessment area. To file such protest, you must (i) describe or identify the Lot or Parcel owned by the person filing the protest, and (ii) include the Lot or Parcel owner's signature. The protest should be delivered or mailed to the District Offices located at 88 East Fiddlers Canyon Road #220, Cedar City, UT 84721. **A LOT OR PARCEL OWNER MUST TIMELY PROTEST THE DESIGNATION OF THE ASSESSMENT AREA IN WRITING IF THE LOT OWNER OBJECTS TO THE AREA DESIGNATION OR BEING ASSESSED FOR THE PROPOSED IMPROVEMENTS.**

NOTICE IS FURTHER GIVEN THAT all protests must be filed at the District office by no later than July 20, 2020 at 5:00 p.m. The method by which the District will determine if the number of protests required to defeat the designation of the proposed assessment area is filed with the District is by removing the protests from a sealed box. The tally count shall be conducted on July 23, 2020 at the hour of 9:00 a.m. by two or more District employees being present on the date the tally is made and shall be open to the public. Failure of any owner to file a timely written protest constitutes a waiver of any objection to: (i) the designation of the assessment area; (ii) any improvement to be provided within the assessment area; (iii) the inclusion of the owner's Lot or Parcel within the assessment area; and (iv) the fact, but not amount, of the benefit of the owner's Lot. The results will be posted on District's website and office, and a public hearing will be held at 6:30 p.m. on July 30, 2020 to announce the protest tally and adopt the appropriate resolution.