

NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED

NOTICE IS HEREBY GIVEN pursuant to the provisions of the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended, that on September 5, 2024, the Board of Trustees (the “Board”) of NS Public Infrastructure District No. 2 (the “Issuer”), adopted a resolution (the “Resolution”) in which it authorizes the issuance of the Issuer’s Limited Tax General Obligation Bonds, Series 2024A-1 (the “2024A-1 Senior Bonds”), its Limited Tax General Obligation Convertible Capital Appreciation Bonds, Series 2024A-2 (the “2024A-2 Senior Bonds,” and together with the Series 2024A-1 Senior Bonds, the “2024A Senior Bonds”) and its Subordinate Limited Tax General Obligation Bonds, Series 2024B (the “2024B Subordinate Bonds” and collectively with the 2024A Senior Bonds, the “Bonds”) (to be issued in one or more series, under one or more indentures and with such other series or title designation(s) as may be determined by the Issuer) and hold a public hearing as described herein.

PURPOSE, TIME, PLACE AND LOCATION OF PUBLIC HEARING

The Issuer shall hold a public hearing on September 23, 2024, at the hour of 11:00 a.m., at 60 W. 50 N. Suite 300, Salt Lake City UT 84101 or via electronic means at zoom.us/join or +1 719-359-4580 using Meeting ID: 899 4003 9720 and Passcode: 439975.

The purpose of the hearing is to receive input from the public with respect to (a) the issuance of the Bonds and (b) any potential economic impact that the Project to be financed with the proceeds of the Bonds may have on the private sector. All members of the public are invited to attend and participate. Comments received will be added to the public record at the public hearing. Public comment during the meeting will be allowed.

PURPOSE FOR ISSUING THE BONDS

The Bonds will be issued for the purpose of (a) financing or reimbursing all or a portion of the cost of public infrastructure as permitted under the Special District Act, Title 17B, (b) funding capitalized interest (with respect to the 2024A-1 Senior Bonds), (c) funding any necessary reserve and/or surplus funds (with respect to the Series 2024A Senior Bonds), and (d) paying costs of issuance of the Bonds.

REVENUES TO BE PLEDGED

The Bonds are limited tax general obligations of the Issuer payable from all or any portion of ad valorem property taxes of the Issuer and pioneering agreement revenues, if any, (collectively, the “Pledged Revenues”).

PARAMETERS OF THE BONDS

The Issuer intends to issue the Bonds in the combined aggregate original principal amount of not more than Thirteen Million Dollars (\$13,000,000), including upon conversion of the Series 2024A-2 Senior Bonds. The Bonds shall mature in not more than thirty-one (31) years from their date or dates, taxes being imposed for a period of up to forty (40) years from the first date of imposition thereof, to be sold at a price not less than ninety-five percent (95%) of the total principal amount thereof (except for capital appreciation bonds which shall just be limited to the maximum

par amount as described herein), and bearing interest at a rate or rates of not to exceed fifteen percent (15%) per annum. The Bonds are to be issued and sold by the Issuer pursuant to the Resolution, including as part of said Resolution, an Indenture of Trust (Senior) and an Indenture of Trust (Subordinate) (collectively, the “Indentures”).

OUTSTANDING BONDS SECURED BY REVENUES

Other than the proposed Bonds, the Issuer currently has \$-0- principal amount of bonds outstanding secured by the Pledged Revenues.

TOTAL ESTIMATED COST OF BONDS

Based on the Issuer’s current plan of finance and a current estimate of interest rates, the total principal and interest cost is estimated at approximately \$11,740,577 for the 2024A-1 Senior Bonds, approximately \$7,108,350 for the 2024A-2 Senior Bonds and approximately \$8,294,104 for the 2024B Subordinate Bonds.

A copy of the Resolution and the Indentures are available on the Utah Public Notice Website created under Section 63A-16-601 (<https://www.utah.gov/pmn/index.html>) and on file at Gilmore & Bell, P.C., 15 West South Temple, Suite 1450, Salt Lake City, Utah 84101, where they may be examined Tuesday through Thursday during regular business hours from 9:00 a.m. to 4:00 p.m. for a period of at least thirty (30) days from and after the date of posting of this notice. For electronic copies of the Resolution and Indentures, please call (801) 258-2730 or email awade@gilmorebell.com.

NOTICE IS FURTHER GIVEN that a period of thirty (30) days from and after the date of the posting of this notice is provided by law during which any person in interest shall have the right to contest the legality of the Resolution, the Indentures, the Bond Consent (as defined in the Resolution,) or the Bonds, or any provision made for the security and payment of the Bonds, and that after such time, no one shall have any cause of action to contest the regularity, formality, or legality thereof for any cause whatsoever.

DATED this September 5, 2024.

/s/Josh Clark

Clerk/Secretary