

MONROE CITY, UTAH
CREATION OR DESIGNATION OF SPECIAL TAX ASSESSMENT
AREA No. 2024-1 (Hot Spring Estates)
November 12, 2024

RESOLUTION No. 11 03 2024

A RESOLUTION TO CREATE OR DESIGNATE SPECIAL TAX ASSESSMENT AREA NO. 2024-1 (HOT SPRING ESTATES) OF MONROE CITY, UTAH, DESCRIBED IN THE NOTICE OF INTENT CONCERNING THE SPECIAL TAX ASSESSMENT AREA AND AUTHORIZING THE TOWN OFFICIALS TO PROCEED TO MAKE IMPROVEMENTS AS SET FORTH IN THE NOTICE OF INTENT, AS AMENDED HEREIN, AND RELATED MATTERS.

WHEREAS, on July 9, 2024, the City Council (the “Council”) of Monroe City, Utah (the “Town”) adopted a “Notice of Intention to Create or Designate Special Tax Assessment Area No. 2024-1,” called a public hearing for August 27, 2024, and authorized publication and mailing of said notice in accordance with Utah law; and

WHEREAS, the public hearing was scheduled and held on August 27, 2024, and the time for filing protests expired 60 days thereafter; and

WHEREAS, the proposed Special Tax Assessment Area No. 2024-1 would construct improvements (as defined in the Act) including water system improvements, including any modification to streets related improvements; and

WHEREAS, sometime after October 27, 2024, the City may create or designate Special Tax Assessment Area No. 2024-1; and

WHEREAS, the Council desires to create or designate Special Tax Assessment Area No. 2024-1:

NOW THEREFORE, BE IT RESOLVED by the Town Council of Monroe City, Utah:

Section 1. The City Council of Monroe City, Utah (the “City”), hereby determines that it would be in the best interest of the City to construct or have constructed certain improvements within the City. The specific description of the nature of the improvements was set out in a Notice of Intent approved on July 9, 2024, and a public hearing regarding the improvements was held on August 27, 2024.

Section 2. After hearing from all interested parties appearing and considering all protests, the improvements proposed and described are hereby authorized. The Special Tax Assessment Area as described in the Notice of Intent is hereby created and designated.

Section 3. The properties to be included and assessed in the Special Tax Assessment Area described in the Notice of Intent are hereby approved by the Council. The description and tax identification number of said properties to be assessed shall be attached hereto.

Section 4. As required by law, the City Clerk is hereby authorized and directed to file a copy of this resolution creating the Special Tax Assessment Area as finally approved, together with a list of properties proposed to be assessed described by tax identification number and legal description, in the Sevier County Recorder's office within five days from the date hereof.

Section 5. In addition to the requirements of Section 4 hereof, immediately upon its adoption, this Resolution shall be placed in the records of the City where it will be continuously available for public inspection on a reasonable basis at the office of the City during regular business hours of the City, from and after the date hereof through and including the last date of issuance of any related bonds or such later time as is determined by the City.

Section 6. The City shall not be obligated to proceed with any of the improvements described in the Notice of Intent or otherwise continue with the Special Tax Assessment Area 2024-1 hereby created and designated until the City has obtained assurances, sufficient in the sole estimation of City officers and officials, that the City will be able to finance the improvements described in such consents and approved herein. The City will use its best efforts to obtain financing for the improvements but assumes no responsibility or obligation to obtain such financing.

Section 7. The City Clerk is directed to complete the attached Record of Proceedings.

Section 8. The City Engineer has noticed and bid or is directed to prepare a notice to contractors for the receipt of bids for the construction of improvements. Said notice is to specify the time and place for the receipt of sealed bids and the notice is to be published as required by law and posted on the Utah Public Notice Website. Said notice is hereby approved by the Council. The City shall at the time specified in the notice, open, examine and publicly declare the bids and may reject any or all bids when deemed for the public good and, at a later meeting, shall reject all bids other than the lowest and best bid of a responsible bidder. The Council may in any case refuse to award a contract and may obtain new bids after giving new notice to contractors or may determine to abandon the Special Tax Assessment Area or not to make some or all of the improvements proposed to be made.

ADOPTED AND APPROVED this November 12, 2024.

Mayor

ATTEST:

City Recorder

(S E A L)

NOTICE OF INTENT

(See Attachment)

RECORD OF PROCEEDINGS

A regular meeting of the City Council of Monroe City, Sevier County, Utah was held on November 12, 2024, at 7:00 p.m., or as soon thereafter as feasible, at the regular meeting place of said City Council at 10 N. Main, Monroe, Utah 84754 at which meeting there were present and answering roll call the following members who constituted a quorum:

Johnny Parsons	Mayor
Michael Mathie	Council Member
Perry Payne	Council Member
Erica Sirrine	Council Member
Janet Cartwright	Council Member
Ryan Johnson	Council Member

Also present:

Allison Leavitt	City Recorder
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Absent:

After the meeting had been duly called to order and other matters not pertinent to this resolution had been discussed, the City Recorder presented to the City Council a Certificate of Compliance with Open Meeting Law with respect to this November 12, 2024, meeting, a copy of which is attached hereto.

Council Member _____ introduced the foregoing resolution in writing and moved its adoption. Council Member _____ seconded the motion to adopt the foregoing resolution. The motion and resolution were adopted on the following recorded vote:

Those voting AYE:

Those voting NAY:

Those ABSTAINING:

STATE OF UTAH)

: ss.

COUNTY OF SEVIER)

I, Allison Leavitt, the duly chosen, qualified and acting City Recorder of Monroe City, Sevier County, Utah, do hereby certify as follows:

That the foregoing typewritten pages constitute a full, true and correct copy of the record of proceedings of the City Council taken at a regular meeting thereof held in said City on November 12, 2024, at the hour of 7:00 p.m., insofar as said proceedings relate to the consideration and adoption of a resolution creating or establishing Monroe City, Utah Assessment Area No. 2024-01 (Hot Spring Estates) and make certain improvements therein described as the same appears of record in my office; that I personally attended said meeting, and that the proceedings were in fact held as in said minutes specified.

That due, legal, and timely notice of said meeting was served upon all members as required by law and the rules and ordinances of said City.

That the above resolution was deposited in my office on November 12, 2024, has been recorded by me, and is a part of the permanent records of Monroe City, Sevier County, Utah.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and affixed the seal of said City this November 12, 2024.

Allison Leavitt, City Recorder

(S E A L)

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Allison Leavitt, the undersigned City Recorder of Monroe City, Sevier County, Utah (the City), do hereby certify, according to the records of the City in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-6(2), Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the November 12, 2024 public meeting held by the City as follows:

(a) By causing a Notice, in the form attached hereto (the "Meeting Notice"), to be posted at the principal office of the Issuer at least twenty-four (24) hours prior the convening of the meeting, the Meeting Notice having continuously

remained so posted and available for public inspection until the completion of the meeting; and

(b) By causing a copy of the Meeting Notice to be posted on the City website at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of the Meeting Notice to be published on the Utah Public Notice Website at least twenty-four (24) hours prior to the convening of the meeting; and

In addition, the Notice of 2024 Annual Meeting Schedule for the Issuer, attached hereto, specifying the date, time and place of the regular meetings of the governing body of the Issuer to be held during the calendar year 2024 was (1) posted on January 19, 2024, at the principal offices of the Issuer; (2) provided for posting on the City website on January 19, 2024; and (3) published on the Utah Public Notice Website on January 19, 2024.

IN WITNESS WHEREOF, I have hereunto subscribed to my official signature this November 12, 2024.

Allison Leavitt, City

Recorder
(S E A L)

SCHEDULE "1"

**NOTICE OF MEETING and EVIDENCE OF POSTING MEETING
NOTICE ON PUBLIC NOTICE WEBSITE AND CITY WEBSITE AND AT
CITY OFFICE**

SCHEDULE "2"

NOTICE OF ANNUAL MEETING SCHEDULE

**EVIDENCE OF POSTING ANNUAL NOTICE ON PUBLIC
NOTICE WEBSITE AND CITY WEBSITE AND AT CITY OFFICE**