

NOTICE OF INTENTION

PUBLIC NOTICE IS HEREBY GIVEN that on October 7, 2015, the Board of Board of County Commissioners of Carbon County, Utah (the "County"), adopted a resolution declaring its intention to create or designate a Special Tax Assessment Area to be known as Carbon County, Utah Special Tax Assessment Area No. 2015-1 (Hill Subdivision) (the "Special Tax Assessment Area"). It is the intention of the Board of County Commissioners to make improvements within the Special Tax Assessment Area and to levy special assessments as provided in Title 11, Chapter 42, Utah Code Annotated 1953, as amended, on the real estate lying within the Special Tax Assessment Area as described herein for the benefit of which such assessments are to be assessed in the making of such improvements.

DESCRIPTION OF SPECIAL TAX ASSESSMENT AREA

The proposed Special Tax Assessment Area shall include the following real property in Carbon County, UT and is described as:

INSERT PROPERTY DESCRIPTION OF HILL SUBDIVISION AND ALL PROPERTIES TO BE ASSESSED, EXCLUDING PROPERTIES NOT TO BE ASSESSED

INTENDED IMPROVEMENTS

The improvements to be constructed within the Special Tax Assessment Area are as follows:

Roadway the construction of a roadway and paving thereof extending the pavement of Hilltop Road from the end of the current pavement around West Gordon Creek Road to the end of Hilltop Road, and related improvements and complete the whole in a proper and workman like manner with all drainage and other improvement appurtenant and useful to roadways.

ESTIMATED COST AND METHOD OF ASSESSMENT

Estimated Cost and Method of Assessment: The total cost of Improvements in the Special Tax Assessment Area is currently estimated by the County Engineer to be \$510,000, of which the County will pay \$0.00 leaving a remainder of \$510,000 which shall be paid by special assessment on the property within the Special Tax Assessment Area.

This includes engineering costs, overhead costs and funding of a reserve fund described herein, all of which shall be paid by special tax assessment to be levied against the properties which may be directly or indirectly benefited by the Improvements which benefits need not actually increase the fair market value of the property to be assessed. The property owners' portion of the total estimated cost of the Improvements may be financed during the construction period by the use of interim warrants, in which case the interest on said warrants will be assessed to the property owners.

In lieu of utilizing a guaranty fund, the County intends to create a special reserve fund to secure payment of the special assessment bonds (the "Bonds") anticipated to be issued by the County to finance the proposed Improvements. The reserve fund will be either initially funded

with proceeds of the Bonds in an amount equal to approximately ten percent (10%) of the total principal amount of Bonds to be issued, or by building up a reserve fund over a period of six years until an amount equal to approximately ten percent (10%) of the total principal amount of Bonds to be issued is placed in the reserve fund. The County anticipates applying any moneys remaining in the reserve fund to the final payment on the Bonds which, in turn, would offset the final assessment payments to be made by the owners of property benefited by such Improvements, all of which will be further described in the assessment ordinance to be adopted by the County. In addition, estimated costs of assessment include estimated overhead costs which the County projects to incur in the creation and administration of the Special Tax Assessment Area.

The estimated cost and method of assessment against the properties for the Improvements are as follows:

<u>Improvement</u>	<u>Estimated Assessment</u>	<u>Method of Assessment</u>
Roadway	\$510,000 total cost or \$30,000 for every property owner.	based on the number of property owners within the Special Tax Assessment Area, with each property owner within said area being responsible for one share of the total special tax assessment, irrespective of how many acres or the value of the acres owned by such property owner, i.e., if there are 25 property owners within the area, each property owner will bear one-twenty-fifth of the cost of the improvements.

For assessment purposes, if applicable, an owner of a lot is defined herein to be the owner of a platted lot within Carbon County, Utah according to the official records of Carbon County,

upon which a residential, commercial, or other structure to be used for human occupancy is now or may be located consistent with the "lot size" requirements of the applicable Carbon County development ordinances in place as of the date this is adopted.

LEVY OF ASSESSMENTS

It is the intention of the Board of County Commissioners to levy assessments as provided by the laws of Utah on all property, parcels and lots of real property to be benefited by the proposed improvements within the Special Tax Assessment Area. The purpose of the assessment and levy is to pay those costs of the improvements which the County will not assume and pay. The method of assessment shall be based on the number of property owners within the Special Tax Assessment Area, with each property owner within said area being responsible for one share of the total special tax assessment, irrespective of how many acres or the value of the acres owned by such property owner, i.e., if there are 25 property owners within the area, each property owner will bear one-twenty-fifth of the cost of the improvements, as set forth herein.

The assessments may be paid by property owners in not more than ten (10) annual installments with interest on the unpaid balance at a rate or rates fixed by the County, or the whole or any part of the assessment may be paid without interest within twenty-five (25) days after the ordinance levying the assessment becomes effective. The assessments shall be levied according to the benefits to be derived by each property within the Special Tax Assessment Area. Other payment provisions and enforcement remedies shall be in accordance with Title 11, Chapter 42, Utah Code Annotated 1953, as amended.

A map of the proposed Special Tax Assessment Area is on file in the office of the County Engineer who will make such information available to all interested persons. Copies of plans, profiles and specifications of the proposed improvements shall be made available by the County Engineer as soon as they have been prepared.

TIME FOR FILING PROTESTS

Any person who is the owner of record of property to be assessed in the Special Tax Assessment Area described in this Notice of Intention shall have the right to file in writing a protest against the creation of the Special Tax Assessment Area or to make any other objections relating thereto. Protests shall describe or otherwise identify the property owned of record by the person or persons making the protest and shall indicate the total number of lots represented by said protest. Protests shall be filed with the County Clerk/Auditor of the Carbon County, Utah, on or before 5:00 p.m. on November 17, 2015. Thereafter at 4:30 p.m. on November 18, 2015, the Board of County Commissioners will meet in public meeting at the offices of the Board of County Commissioners to consider all protests so filed and hear all objections relating to the proposed improvements. If an adequate acknowledgment, waiver and consent is filed by all property owners to be assessed prior to the public hearing, then the Board of County Commissioners may create the proposed Assessment Area without a public hearing.

After such consideration and determination, the Board of County Commissioners shall adopt a resolution either abandoning the Special Tax Assessment Area or creating and designating the Special Tax Assessment Area either as described in this Notice of Intention or

with deletions and changes made as authorized by law; but the Board of County Commissioners shall abandon the Special Tax Assessment Area and not create the same if the necessary number of protests as provided herein have been filed on or before the time specified in this Notice of Intention for the filing of protests after eliminating from such filed protests: (i) protests relating to property or relating to a type of improvement which has been deleted from the Special Tax Assessment Area and (ii) protests which have been withdrawn in writing prior to the conclusion of the hearing. The necessary number of protests shall mean the aggregate of the following:

(a) Protests representing forty percent (40%) of the taxable value of property to be assessed, or.

(b) Protests representing forty percent (40%) of the number of registered voters based on the last gubernatorial election.

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, UTAH

/s/ Seth Oveson
County Clerk/Auditor

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