

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is made and entered into on this _____ day of October, 2022 by and between Ash Creek Special Service District, a special service district created under the laws of the State of Utah (hereinafter referred to as "Ash Creek"), and the City of Toquerville, a municipal corporation of the State of Utah (hereinafter referred as Toquerville), collectively referred to as the Parties.

Recitals:

A. Ash Creek is the owner and operator of a wastewater collection and treatment system serving the residents of Hurricane, LaVerkin, Toquerville, Apple Valley and other unincorporated areas of Washington County, Utah.

B. Pursuant to a verbal agreement, Ash Creek historically has not charged monthly sewer service fees or sewer impact fees for any property owned by each of said municipalities, including Toquerville, which is not used for commercial purposes.

C. Pursuant to a verbal agreement, each of said municipalities, including Toquerville, historically has not charged monthly water service fees or water impact fees for any property owned by Ash Creek which is not used for commercial purposes.


D. The Parties now desire to enter into a formal written agreement memorializing the understanding and agreement of the Parties.

NOW, THEREFORE, IN CONSIDERATION of the mutual covenants and agreements contained herein, the Parties hereto agree as follows:

1. Ash Creek shall not charge monthly sewer service fees or sewer impact fees for any property owned by the Town of Toquerville which is not used for commercial purposes.
2. Toquerville shall not charge monthly water service fees or water impact fees for any property owned by Ash Creek which is not used for commercial purposes.
3. This agreement shall continue in effect until terminated by either party's sending 90 days written notice to the other party of its intent to terminate the agreement.

IN WITNESS WHEREOF the Parties hereto have affixed their signatures and seals as of the date first stated above.

Ash Creek Special Service District



Kelly Wilson, Chairman

Attest:



Darrel Humphries, Secretary