

## NOTICE TO ALL TIMBERLAKES LOT OWNERS

There has been a substantial amount of bad information, innuendo, and rumors being passed around regarding the proposed water project. We have tried several times to clarify this information and will try once again to set the record straight.

#1 - It is rumored that the selected design engineer is owned by one or more board members. **An engineering contract has been let to “Horrocks Engineering” to design the system upgrades, but nobody on the board is associated with Horrocks nor has any ownership therein.**

#2 - It is rumored that a contractor has been selected and that the contractor is owned by one or more board members. **This is not true. No contract has been let, nor do any board members own any part of any contracting firm. No contract will be let unless the bond assessment passes.**

#3 - Some people believe we have an ample water supply. **Let it be known that at least twice last winter our tanks almost ran dry because we have to circulate and spill water from the fire hydrants to keep the lines from freezing. Had a line broken during this time, there would have been some areas on the mountain that would have been dry for several days or weeks while the system was repaired.**

#4 - Some people believe that they personally will be liable for the proposed assessment. **Such is not the case. The assessment will be tied to the individual lot. If and when a lot is sold, the assessment will continue on the lot until paid.**

#5 - Some individuals believe that there was not adequate notice regarding the proposed assessment. **Although any effort can be improved with 20/20 hindsight, notice was properly completed as required.**

#6 - Some believe the costs of desired improvements are simply too high and that the job can be re-bid with a special owner-appointed committee overseeing the process. **Those individuals who make this claim have not sat through 18 months of board meetings and do not understand the issues involved, nor the needs of the system. The Board Chair has a Ph.D. in Civil Engineering and 25 years experience specifically dealing with Water Related Civil Engineering projects. Another Board Member has over 40 years experience designing water systems including pipes, tanks, and pump stations. The Board is well versed on the costs of the system, our needs, and what is required.**

#7 - Some people are indicating that project bids can be obtained at a \$5,000,000 savings. **Although we have a good estimate on what final costs will be, we are well aware that it is only an estimate. That is precisely why we are completing a design, and getting bids from contractors so that we can end the ongoing speculation. Some aspects of the project we hope to be able to complete with our own crews to reduce cost. Those making claims of substantial savings have not been involved in the process deeply enough to understand our efforts, nor are they able to document their claims.**

#8 - Some individuals are indicating that the assessment will create a hardship. **We clearly understand this and have discussed it as a board many times. The fact of the matter is, had we done the needed improvements 5 years ago when they were initially proposed, that the costs would be about ½ what they are today. Waiting until tomorrow only increases the burden. If the system upgrades are not made now, there is a strong possibility that future winter failures will increase and that a moratorium on new building permits will be put in place. Lot prices will change dramatically if a building moratorium is imposed on our development.**

#9 - Some claim that TLWSSD holds more than 500 acre-feet of water rights that will never be used. They claim that these “excess” water rights can be sold off and used to help make needed improvements, and that there is a hidden agenda behind our unwillingness to sell said water rights. **As a water right expert that provides professional water right and litigation support for the top water right attorneys in the State of Utah, our Chair flatly denies these claims. They are absolutely false and those making them do not know what they are talking about. Our water rights are barely adequate to provide indoor water demands for build out conditions and are not permitted by the State for outdoor use. We do not have excess to water rights to sell and legal action should be taken against any future board that attempts to do so.**

#10 - Claims have been made that the option of selling “excess” water rights was presented to the TLWSSD Board and Wasatch County Council, with no response to refute the option. **This is false. There was an offer made during a regular board meeting by a developer/realtor last year to buy our “perceived” excess shares. On another occasion during one of our hearings the same topic or option was asked. In both instances it was unequivocally stated that we have no excess water rights and that they would not be sold.**

#11 - A claim has been made that the cost to upgrade the lines was estimated to be approximately \$25 per linear foot, and that the cost is now approaching \$150 per foot. **We do not know upon what this information is based, nor whether they include other project costs, but the estimates that the board has made have never been \$25/ft. It is possible that the \$25/ft cost was an early estimate made several years ago as part of the 2003 master plan completed by Horrocks, but if so, those costs are clearly history. Costs are rising, and if we don’t want to be paying even higher costs, let’s get the project done now.**

#12 - It has been suggested that based on past history, not to be spelled out herein, that we should include the LDS Girls Camp within the assessment area. **We have no power, authority, or legal right to include the LDS Camp within our assessment area.**

#13 - Some suggest that the requirement for new homes to have a \$3,000 indoor sprinkling system is a waste and can be done away with, since it does nothing to protect against wildfires. **Those making these claims clearly do not understand the intent of indoor sprinkling systems. First, their purpose is not to put out wildfires, but to help prevent them by extinguishing house fires before they spread to the outdoors, second, they start working to put out a fire that starts in the home long before a fire truck arrives, and third, they have a**

**much greater potential of reducing or eliminating a fire since the water is being applied inside the home, not from the outside.**

#14 - We have been criticized that we are not sensitive to the economic times and owners situations, and that there is a better plan than to "tax and spend." **Those making such claims have clearly not attended regular board meetings when these issues have been addressed many times. Five of the seven board members own lots or cabins within Timberlakes and have just as much at stake as every other lot owner. We are clearly aware of the issues involved and have asked many times for alternatives from those that have attended the meetings. The board is firm in its resolution to stop the escalating and spiraling costs now before costs double again. Our system is not alone in this dilemma. A nearby system is experiencing added upgrade costs on their failing system estimated to be on the order of \$160/month.**

#15 - Some claim that this assessment harms the entire Lot, Home, and Cabin market. The property values in Timberlakes will now be harmed much more than \$9,300 per lot. **A more secure water system, one that doesn't limit new building permits will only improve lot values, not degrade them. Lots that have a secure and reliable water system, one that doesn't have winter freeze and delivery problems, are much more valuable than those that don't.**

#16 - It has been stated that Wasatch County receives nearly \$2 million in annual tax revenues from Timberlakes is reason for a rebate to offset the costs for this project. The impact on County services and schools is so minimal the revenues received from Timberlakes could be directly applied to this project. **Whether true or not, taxes paid the County are controlled and governed by State and County law and are not available to TLWSSD for system upgrades.**

Although these issues may not address all those which may exist, they are an attempt to continue to address those which we are aware of that need clarification due to misunderstandings or misinformation. The Board is clearly supportive of the proposed project and we urge you to vote in favor of these improvements so that we can stop the uncontrolled escalation of system costs.

TLWSSD Board