



Hillview Water and Sewer Co-op

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Dear Water and Sewer User,

Thank you for your May/June and July/August bill payments. Enclosed you will find your September/October bill, charged at the same rates as the last one. The November/December bill will be mailed during the first full week of January 2005.

We are sorry for the delay in this bill, but we wanted to properly answer a few questions from our users and bring our charges in line with existing laws and contracts. We regret to report that most people will experience an increase, but these higher rates are necessary to pay ongoing sewer and utility bills, and to repair old and defective sewer and water pipes.

What authorizes us to charge for water and sewer services?

One of our users asked the above question. Here is the rather long, but accurate answer:

1. On November 9, 1992, a 40-year contract was signed between the Port Austin Area Sewer and Water Authority and the 754th, a Michigan corporation—requiring the 754th to provide service to the former-airbase units and pay for sewer flowing to the Port Austin Area Sewer and Water Authority.
2. On November 6, 1997, a maintenance agreement was recorded (Liber 712, page 195, as recorded by the Huron County Register of Deeds—copies are \$1 per page at the court house) between the 754th, Hillcrest Condominiums of Port Austin Association, Pleasant View Condominium Association, and the owners of Outlot "A" ("gym", "Windy Hill Lodge" and "bowling alley") and the owners of Outlot "B" ("3 dorms and baseball field"). This agreement states in section 2: "Water billings shall be based on a rate structure comparable to the Village of Port Austin's."
3. On July 27, 1999, a Land Contract (Liber 777 page 362) recorded between the 754th and Arthur Hawkins passed the water responsibilities on to Arthur Hawkins.
4. On December 14, 1999, the above land contract was assigned (Liber 791, page 220) to Eternal Life Bible Institute, doing business as Port Austin Bible Center, assuming all responsibilities.
5. On April 28, 2004, an Assignment of Land Contract was recorded (Liber 1048, page 233) between Eternal Life Bible Institute and Port Austin Sabbatarian Church Community Sacred Purpose Trust (PASCCSPT), which was later replaced by an updated Assignment of Land Contract (Liber 1073, page 62) on September 17, 2004; both contracts specifying that the water and sewer responsibilities were transferred to PASCCSPT.
6. On October 19, 2004, a contract was signed between PASCCSPT and ourselves, the Hillview Water and Sewer Co-op (HWSC), to continue the water and sewer responsibilities of PASCCSPT.
7. The Port Austin Area Sewer and Water Authority has never taken over the maintenance of the sewer or water within the condominium areas. The above contracts are the means whereby services are provided.
8. It is not yet possible to utilize Port Austin water and sewer services. The water pipe recently installed along M-53 is controlled by Bad Axe, but the only sewers accessible to the hill are controlled by the Port Austin Area Sewer and Water Authority. At present, they do not have an operational agreement providing services in this situation. Also, the internal pipes of each user would need to be upgraded before connecting to an external water supply.

What are the new rates?

The new rates will be the same as the rates used by the Village of Port Austin. The contract in point 2, above, says: "Water billings shall be based on a rate structure comparable to the Village of Port Austin's". We intend