

AMENDMENT TO CONTRACT FOR SERVICE AND SALE OF WATER

THIS AMENDMENT TO CONTRACT FOR SERVICE AND SALE OF WATER (hereinafter referred to as "the Amendment") is made and entered into the 7 day of April, 2009, between **THE RICHMOND UTILITIES BOARD**, an agency of the City of **Richmond** established by Ordinance No. A-106, with principal offices located at 300 Hallie Irvine Street, Richmond, Kentucky (hereinafter referred to as "the City") and **MADISON COUNTY**, a body politic of the Commonwealth of Kentucky, with principal offices located at Madison County Courthouse, Richmond, Kentucky 40475 (hereinafter referred to as "the County," and **MADISON COUNTY UTILITY DISTRICT**, with principal offices located at P.O. Box 670, Keeneland Drive, Richmond, Kentucky 40475 (hereinafter referred to as "the Water District").

WITNESSETH:

WHEREAS, the City, the Water District, and the County entered into a *Contract for Service and sale of Water* on April 9, 2007 (hereinafter referred to as "the Contract"); and

WHEREAS, the City, the Water District, and the County entered into an "Amendment to Contract for Service and Sale of Water" on October 5, 2007; and

WHEREAS, the parties have decided it is in their best interests to amend certain sections of the Contract as set forth below.

NOW THEREFORE, the Parties agree to amend the Contract as follows:

1. **Section I: Sale of Water to the Water District** numerical paragraph , subparagraph is amended as follows:

4. **Rates.** The Parties agree that the Water District shall pay to the City, not later than the 15<sup>th</sup> of each month for water delivered at the current rate of \$2.08 per 100 cubic feet. The Parties further agree that rates shall be adjusted annually on July 1 to begin on July 1, 2009 to reflect Richmond Utilities increase in costs for operation. The Parties agree that an annual rate increase in amount equal to or less than three percent (3%) shall be presumed reasonable by the parties with regard to any proceedings in the Kentucky Public Service Commission or in any forum.

IN WITNESS WHEREOF, the parties have hereunto set their hands in duplicate hereof the day and year first written above.

THE RICHMOND UTILITIES BOARD

MADISON COUNTY



BY: Gary Abney  
GARY ABNEY, Chairman

BY: Kent Clark  
KENT CLARK, Judge Executive

ATTEST: Henry Combs  
HENRY COMBS, Secretary

ATTEST: Francetta Durkin

MADISON COUNTY UTILITY DISTRICT

BY: James R Carr - Chairman  
JAMES CARR, Chairman

ATTEST: [Signature]



STATE OF KENTUCKY )  
 ) SS  
COUNTY OF MADISON )

SUBSCRIBED AND SWORN TO before me this 2nd day of February, 2009,  
by Gary Abney, Chairman, on behalf of the Richmond Utilities Board.

My commission expires: 07/15/10  
[Signature]  
NOTARY PUBLIC

STATE OF KENTUCKY )  
 ) SCT.  
COUNTY OF MADISON )

SUBSCRIBED AND SWORN TO before me on this 7 day of  
April, 2009 by Kent Clark, Judge Executive on behalf of the  
MADISON COUNTY.

My commission expires: 2/11/2013  
[Signature]  
NOTARY PUBLIC  
KENTUCKY STATE AT LARGE

TARIFF BRANCH  
**RECEIVED**  
4/22/2011  
PUBLIC SERVICE  
COMMISSION  
OF KENTUCKY

STATE OF KENTUCKY    )  
                                  ) SCT.  
COUNTY OF MADISON    )

SUBSCRIBED AND SWORN TO before me on this 30 day of April, 2009 by James Carr on behalf of the MADISON COUNTY UTILITY DISTRICT.

My commission expires: 21 11 2013

*James Carr*  
NOTARY PUBLIC  
KENTUCKY STATE AT LARGE

TARIFF BRANCH  
**RECEIVED**  
4/22/2011  
PUBLIC SERVICE  
COMMISSION  
OF KENTUCKY