

FILED

MAY 28 1985

**PUBLIC SERVICE
COMMISSION**

MEMORANDUM AGREEMENT

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**PUBLIC SERVICE
COMMISSION**

WHEREAS, the Dexter-Almo Heights Water District (District) now serves a portion of Northern Calloway County, Kentucky, and said District joins the Murray Water and Sewer Systems (Murray), and

WHEREAS, the District's present water line running from the Fisher-Price property to Murray Memorial Gardens along U. S. Highway 641 is a 4-inch line, and

WHEREAS, the District would better serve its present and future customers and increase the System's water pressure and volume by use of a 12-inch water line from the Fisher-Price property along U. S. Highway 641 to the point where the District's 6-inch line begins (Murray Memorial Gardens), and

WHEREAS, the District being served by said 12-inch line may enhance its ability to provide better customer satisfaction, increased customer usage and potential fire protection for the District, and

WHEREAS, the Murray-Calloway County Industrial Foundation (Foundation) is the owner of an industrial development site located

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JUN 19 1985

**PURSUANT TO 207 KAR 5:011,
SECTION 9(1)**

[Signature]

within the Dexter-Almo Heights Water District and the Foundation desires the City to provide water to serve said industrial site, and

WHEREAS, the City has made application for Federal Funds to extend said water line, and

WHEREAS, the City and Foundation intend to serve only industrial customers and not interfere with residential and commercial customers, either present or future, located within the District.

NOW, THEREFORE, it is agreed as follows:

The City agrees:

1. It will extend a 12-inch water line from its present northerly limit (Fisher-Price site) along the east side of U. S. Highway 641 to the industrial site or to the point where the District's 6-inch water line begins (most southerly point) whichever shall be farther.

2. At the point above mentioned, the City will cause an 8-inch line to be extended under U. S. Highway 641 and tie into the District's line now existing west side of said highway.

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PURSUANT TO 807 KAR 81011,
SECTION 9 (3)

BY: B. Jones

3. The City agrees to permit the District to use its existing 4-inch line by way of "backfeed" to serve all existing and future customers within its present District.

4. The present water meter shall be moved to the industrial site at city expense and all water sold to the District by the City shall be "metered" at that point.

5. The City shall construct, maintain and make all repairs on the 12-inch line herein agreed to be constructed.

6. The City shall not supply water to any present or future customers within the District except industrial without the consent of the District.

The District agrees:

1. To permit the City to own, construct and maintain the 12-inch water line above mentioned.

2. To permit the City to supply and sell water to all industrial customers at the site above mentioned without charges therefor.

3. To permit the City to use any existing easements to run the line being proposed

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PURSUANT TO 807 KAR 8:011,
SECTION 9(1)

BY: B. J. [Signature]

It is jointly agreed:

1. That this Agreement shall be contingent upon sufficient funds becoming available to construct the 12-inch line herein mentioned. In the event said funds shall not be available, this Agreement shall become null and void.

This the 24th day of May, 1985.

attest:

J. Crass
city clerk

CITY OF MURRAY, KENTUCKY

By *Nathaniel Ellis*
Holmes Ellis, Mayor

DEXTER-ALMO HEIGHTS WATER DISTRICT

By *Stafford Curd*
Stafford Curd, Commissioner

Buel Hargis
Buel Hargis, Commissioner

Orbie Culver, Sr.
Orbie Culver, Commissioner

A. Vincent Blackford
A. Vincent Blackford, Trustee

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JUN 19 1985

PURSUANT TO 80/ KAR 5:011,
SECTION 9(1)

BY: *[Signature]*