

THIS AGREEMENT, made and entered into, by and between the CITY OF NICHOLASVILLE, a municipal corporation, of Nicholasville, Jessamine County, Kentucky, party of the first part; and JESSAMINE COUNTY WATER DISTRICT NO. 1, a water district incorporated under the statutes of the State of Kentucky, with offices at 200 W. Maple, Nicholasville, Kentucky 40356, party of the second part;

W I T N E S S E T H: That WHEREAS, the City of Nicholasville supplies at wholesale water rates water to party of the second part for the purpose of resale;

WHEREAS, the party of the first part has a wholesale water contract bearing date of August 10, 1964 with the JESSAMINE COUNTY WATER DISTRICT NO. 1; and

WHEREAS, it is the desire and intent of the parties hereto to modify and amend said contract;

NOW THEREFORE, in consideration of the above premises, it is hereby agreed as follows:

1. That there is a definite need to update, correct, adjust, and improve the metering, billing, and maintenance procedure with respect to all of the master meters that supply water from first party to party of the second part. There is a detailed list of items which are attached hereto and incorporated by reference and identified as Exhibit "A" which provide specifications and details of the areas that need to be updated and repaired. It is agreed between the parties, that the party of the second part shall furnish all of the materials necessary to provide the repairs as enumerated in Exhibit "A" with party of the first part to provide all of the labor for same. Upon receipt of the materials the party of the first part will promptly proceed to diligently provide the labor and make said repairs.

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SECTION 9(1)

BY: James H. [Signature]
FOR THE PUBLIC SERVICE COMMISSION

2. It shall be the responsibility of the party of the first part to mail out it's billing to second party on the tenth (10th) day of each calander month of each year. Party of the second part shall pay party of the first part for water consumed within twenty (20) days after billing. The date of the reading of the master meters and the billing shall be on uniform days of each month, exclusive of holidays or Saturdays and Sundays. In the event that the second party fails to make payments when due, the party of the first part shall be entitled to impose a penalty of Ten percent (10%) on the amount billed and if default on the part of the second party in making payments should extend for more than thirty (30) days beyond the due date, the party of the first part may suspend service until the delinquent bill and/or bills have been paid, unless the continuation of service should be ordered by the Public Service Commission of the Commonwealth of Kentucky or by a Court of competent jurisdiction.

3. It is the understanding of the parties that in no way will the party of the first part be permitted to estimate it's bill, except in cases where it is impossible to get or obtain accurate readings. If such bill is estimated, the party of the first part shall furnish second party the method used to determine the gallons billed which must be agreeable to the second party. The party of the first part shall likewise provide written explanation to second party as to why the bill is estimated. If for any reason a master meter should be removed from service by first party and the water permitted to be served through a by-pass, party of the second part shall be notified as to the date and time of removal and when it is restored for service. The interim period shall be subject to estimation in accordance with the aforesaid regulations

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4. First party shall be responsible for maintaining all master meters so that accurate readings may be obtained. It shall be first party's responsibility to inspect and test the meters at least once each calander year and when necessary to furnish all labor and parts to repair said master meters, however, if the parts required to repair any single master meter exceed Five Hundred Dollars (\$500.00) at the time the meter is being repaired, the second party agrees to pay for any and all materials in excess of Five Hundred Dollars (\$500.00) upon the presentation of an itemized bill.

5. In the event that party of the second part should desire to have any master meter tested before the end of any test year for any master meter, then the first party shall conduct a test of any meter or meters as so designated by second party. If the results of such test prove the meter to be operative and free from inaccuracy then the costs of such of test shall be borne entirely by second party. In the event the test should reveal unacceptable inaccuracies then the test costs for same shall be borne by first party. It is understood that all test results shall be furnished to second party by first party promptly upon receipt of same.

6. This agreement in no way supersedes, deletes or replaces the original contract agreement between the first party and the Jessamine County Water District No. 1, but is merely an addendum and is made for the purpose of expanding and more clearly expressing the intentions of the parties with respect the areas enumerated above.

Given under our hands in duplicate this 4th day of November, 1981.

**PUBLIC SERVICE COMMISSION
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PURSUANT TO 807 KAR 5.011,
SECTION 4(1)

BY: *[Signature]*
FOR THE

CITY OF NICHOLASVILLE,

BY: Tommaso Masu

JESSAMINE WATER DISTRICT NO. 1,

BY: William N. Cassidy

BY: Frank Moss

BY: William N. Cassidy

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BY: William N. Cassidy
FOR THE PUBLIC SERVICE COMMISSION

EXHIBIT A

By-pass for master meter located on North U.S. 27- Jessamine County Water District #1.

- 2- 6"x4" Flanged tees
- 2- 4" 90° Ells
- 1- 4" Flanged Valve-key control
- 2- Short sections of 4" pipe
- 1- lot of fittings (adapters and gaskets)

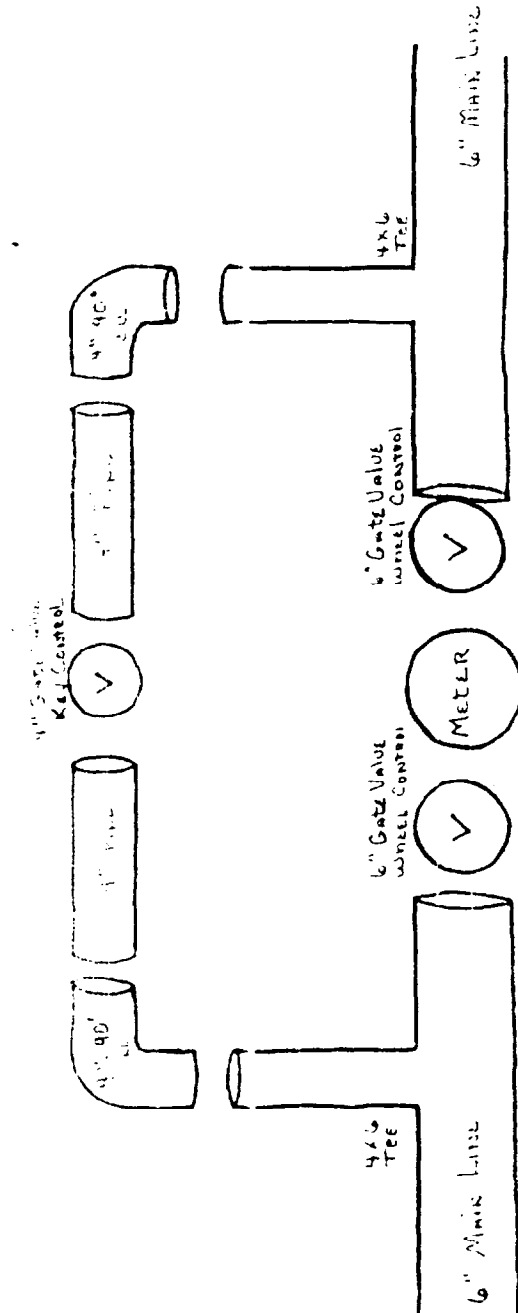
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BY: *[Signature]*
FOR THE

TYPICAL JUNCTION METER SYSTEM



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SECTION 9 (1)

BY: *[Signature]*
FOR THE PUBLIC SERVICE COMMISSION