

SUPPLEMENT TO CONTRACT

This SUPPLEMENT TO CONTRACT, made and entered into this 19th day of April, 1961, by and between THE CITY OF NEWPORT, KENTUCKY, a municipal corporation and city of the second class operating under the City Manager form of government, hereinafter referred to as "NEWPORT", and THE CAMPBELL COUNTY WATER DISTRICT OF CAMPBELL COUNTY, KENTUCKY, organized and existing under and by virtue of the laws of Kentucky, and pursuant to orders of the Campbell County Court, its successors and assigns, hereinafter referred to as "DISTRICT":

W I T N E S S E T H :

WHEREAS, Newport and the District did, on the 6th day of June, 1957, enter into a written Contract wherein Newport agreed to sell to the District, and the District agreed to purchase from Newport, finished water, in accordance with the terms and conditions set forth in said Contract; and

WHEREAS, paragraph 19 of said Contract, styled "EFFECTIVE DATE AND TERM OF CONTRACT", provided, among other things, that said contract shall remain in full force and effect for a full and complete term of thirty (30) years from the date of the execution and delivery of said Contract, which Contract, as aforesaid, was executed and delivered on June 6, 1957, so that under the terms of said Contract, said Contract would remain in full force and effect to June 6, 1987; and

WHEREAS, in order to carry out the terms of said Contract, it is necessary that Newport reconstruct, modernize and expand its waterworks production facilities, and to issue Waterworks Revenue Bonds in the approximate sum of Three Million (\$3,000,000.00) Dollars, which Waterworks Revenue Bonds are to be dated July 1, 1961, and the last of said Bonds are to mature on July 1, 1992,

unless sooner called and paid by Newport, in accordance with the call provisions of said Bonds; and

WHEREAS, it is necessary and requisite that the term and duration of the aforesaid Contract be for a length of time and term of years to coincide with the final date of the payment of all of the Bonds issued under said Waterworks Revenue Bond Issue; and

WHEREAS, in order so to do, it is necessary that the aforesaid Section 19 be supplemented, so that the expiration of said Contract be midnight, June 30, 1992.

NOW, THEREFORE, it is mutually agreed by and between the parties as follows:

1. That Section 19 of the said written Contract dated June 6, 1957, by and between these parties, be, and the same hereby is, changed and amended, so that as so changed and amended, same shall read and be as follows:

19. EFFECTIVE DATE AND TERM OF CONTRACT

This contract shall remain in full force and effect and shall be binding upon each of the parties hereto, their successors and assigns, for a term of years running to and ending midnight, June 30, 1992.

and this amended Section 19 shall take the place and be in lieu of Section 19 as now contained in the written Contract dated June 6, 1957, the same as if fully rewritten therein at length.

2. Nothing in this Contract shall change, alter or amend any other terms, provisions, or conditions of the aforesaid Contract dated June 6, 1957, but all other terms, provisions and conditions shall remain as set forth in said Contract.

IN WITNESS WHEREOF, The City of Newport, Kentucky, a municipal corporation, by and through its City Manager, authority

and approval having been given by Commissioners' Ordinance No. 1134
duly passed by the Board of Commissioners of the City of Newport,
Kentucky, on the 25th day of April, 1931, and the Campbell County
Water District of Campbell County, Kentucky, by and through its
Chairman, authority having been given by a Resolution of the
District duly passed by the District on the ~~25th~~ ^{24th} day of April,
1931, have set their hands and respective seals this the 29th day
of April, 1931.

THE CITY OF NEWPORT, KENTUCKY

By Oscar Heck
CITY MANAGER, City Manager

ATTEST:

Robert M. Schomaker
Clerk, City of Newport, Kentucky

THE CAMPBELL COUNTY WATER DISTRICT
OF CAMPBELL COUNTY, KENTUCKY

By Charles A. Witzinger Sr.
CHAIRMAN

By R. H. ...
MEMBER

By Charles A. ...
MEMBER

ATTEST:

R. H. ...
Secretary, The Campbell County
Water District of Campbell
County, Kentucky