

AMENDED WATER PURCHASE AGREEMENT

THIS AMENDED WATER PURCHASE AGREEMENT, made and entered into as of the 12th day of July, 1977, by and between the SHELBYVILLE MUNICIPAL WATER & SEWER COMMISSION of Shelbyville, Kentucky (the "Commission"), and the WEST SHELBY WATER DISTRICT of Shelby County, Kentucky (the "District"),

W I T N E S S E T H :

WHEREAS, the parties hereto have heretofore entered into an Agreement, dated January 31, 1966, providing for the sale of treated water by the Commission to the District, for a period of twenty (20) years from the date of initial delivery of water to the District, with an option to the District to renew said Contract for an additional term of twenty (20) years commencing at the end of the original term, and

WHEREAS, said Agreement was amended by Amendment of Agreement between the Commission and the District, dated January 13, 1976, to increase the amount of water furnished to the District by the Commission, and

WHEREAS, the parties desire to further amend said Agreement to conform to the requirements of the Farmers Home Administration of the United States Department of Agriculture, which contemplates purchasing Bonds to be issued by the District,

NOW, THEREFORE, IT IS MUTUALLY AGREED AND COVENANTED BETWEEN THE PARTIES, that said existing Water Purchase Agreement is hereby amended as follows:

1. The Commission agrees to continue supplying water to the District pursuant to the terms and conditions of its existing contractual arrangement with the District for the period ending January 1, 2017, the date of final maturity of the proposed Bonds to be issued by the District.

2. The parties agree that all rights of the District under said Agreement, as amended by said Amendment of Agreement and as amended hereby, are pledged to the purchaser of \$300,000 of West Shelby Water District Waterworks Revenue Bonds of 1977, which purchaser is contemplated to be the Farmers Home Administration of the United States Department of Agriculture, as part of the security for said Bonds, and that this pledge shall apply to and for the benefit of the holders of said Bonds, including any purchaser from and/or assignee of the FmHA as to such Bonds. Nothing contained in this paragraph shall be construed to impose any greater obligation on the Commission than is otherwise set out in the aforesaid Agreement, the aforesaid Amendment of Agreement and this Amended Agreement.

IN TESTIMONY WHEREOF, witness the duly authorized signatures of the parties hereto as of the date first above written.

SHELBYVILLE MUNICIPAL WATER & SEWER COMMISSION

By

Charles F. Long
Chairman

Attest:

W. L. Chesnut
Secretary

WEST SHELBY WATER DISTRICT

By

Wilson L. Herrick
Chairman

Attest:

Thomas Baskin
Secretary

Fry IHA Con am 10-11-77
Lyle T. Harmon
LYLE T. HARMON
Chief, Community Programs