

AGREEMENT

THIS AGREEMENT made and entered into this the 17th day of APRIL, 1989, by and between the City of Somerset, Kentucky, hereinafter referred to as the "City" and the Barnesburg Water Association, hereinafter referred to as "Association".

WHEREAS, the City desires to build water lines east of the City to furnish water to Asahi, and,

WHEREAS, the City will have to cross the lines of the Association in order to build said lines, and,

WHEREAS, the City desires that water be furnished to Cumberland Industries factory and to the Leisure Time factory and,

WHEREAS, the Association desires additional access to the City's water source in order to more efficiently serve additional customers,

NOW, THEREFORE, in consideration of the mutual promises and agreements contained herein the parties agree as follows:

1. The parties agree to cooperate in providing temporary and permanent water connections to the Cumberland Industries factory and to the Leisure Time factory site. When water connections are provided to said plants, water will be metered by the Association's meters and provided by the Association, but the City will bill Cumberland Industries and Leisure Time directly for water usage. The amount billed Cumberland Industries and Leisure Time for water usage

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SECTION 9(1)

BY: James C. Smith
FOR THE PUBLIC

then be deducted from the Association's monthly bill for water obtained from the City.

2. The City agrees that the Association is hereby given the option to connect to the City's water line being constructed to the Asahi plant and put additional master meters at said connection points, and that said connections and master meters may be located at points to be determined by the Association. The City further agrees that the Association may buy additional water to serve additional customers under the same terms and under the same conditions heretofore existing between the parties.

This agreement is entered into this the day and date first above written.

CITY OF SOMERSET, KENTUCKY

BY:

Smith VanHook
Smith VanHook, Mayor

BARNESBURG WATER ASSOCIATION

BY:

L. D. Bell

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SECTION 3 (1)

BY: Justin B. Bell
FOR THE PUBLIC SERVICE COMMISSION