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PUBLIC SERVICE COMMISSION

THIS MEMORANDUM AGREEMENT made and entered into this 22nd day of November, 1965, by and between the WEST SHELBY WATER DISTRICT, acting through its regular counsel and with apparent authority, party of the first part and the SHELBYVILLE MUNICIPAL WATER AND SEWER COMMISSION, acting through its regular counsel and with apparent authority, party of the second part;

W I T N E S S E T H:

WHEREAS, the first party has now pending before the Public Service Commission of Kentucky an application for a permit of convenience and necessity and,

WHEREAS, the second party has protested the issuance of said certificate and,

WHEREAS, both parties have come to an agreement concerning their respective positions,

NOW THEREFORE, it is hereby agreed between the parties as follows:

1. The second party will withdraw its protest before the Public Service Commission.

2. The first party will have the County Judge of Shelby County amend the first party's district so that it will be bounded on the east by the following line; BEGINNING at the intersection of the west right-of-way line of Kentucky #55 and the south right-of-way line of U. S. 60 and proceeding due north for a distance of one mile or at least to its intersection with the north boundary line of said district; and proceeding also from the intersection of the west right-of-way line of Kentucky #55 and the south right-of-way line of U. S. 60 along the west right-of-way line of Kentucky #55 to a point one thousand feet beyond the intersection of said right-of-way line with the southern right-of-way line of I-64.

3. It is further understood and agreed between the parties that the second party shall have the exclusive right from henceforth forward to serve any business or industrial user whose property abuts the western right-of-way line of Kentucky #55 as hereinabove set out and further any business or industrial property that abuts the eastern line of said district between the intersection of the west right-of-way line of Kentucky #55 and the south right-of-way line of U. S. 60 and due northward to the north boundary line of said district.

PUBLIC SERVICE COMMISSION OF KENTUCKY EFFECTIVE IN TESTIMONY WHEREOF, witness the hands of the attorneys for the parties the day and date first above written.

SEP 02 1994

PURSUANT TO 807 KAR 5011, SECTION 9(1)

BY: [Signature] FOR THE PUBLIC SERVICE COMMISSION

[Signature: Ralph Mitchell]

Subscribed and sworn to before me by Ralph Mitchell and H. B. Kinsolving, III, this 22nd day of November, 1965.

[Signature: Aileen Hawes] Aileen Hawes, Examiner Shelby Cir. C.

FUTURE RESIDENTIAL USER

ADDED PER AGREEMENT WITH DAY 2 AND COMMISSION MEETING OF 11/21/1966