

94-108-M

RECEIVED

SEP 08 1994

PUBLIC SERVICE COMMISSION

to #15

RECEIVED

SEP 08 1994

SUPPLEMENTAL CONTRACT

\* \* \* \* \*

PS C  
WATER SERVICE DIV.

THIS SUPPLEMENTAL CONTRACT made and entered into this

21 day of April, 1972, by and between the Oak Hill Water Association, Inc., a non-profit corporation organized and existing pursuant to the provisions of Chapter 273 of the Kentucky Revised Statutes, acting by and through its duly authorized corporate officers, hereinafter referred to as Association, and the Kentucky Water Service Company, Inc., hereinafter referred to as Water Company, a Kentucky corporation acting pursuant to authority and direction heretofore granted by its Board of Directors;

WITNESSETH: That whereas, the Association and the Water Company have heretofore executed a certain Contract for Purchase of Treated Water, said contract being dated July 1, 1970, whereby the Water Company promises and agrees to furnish to the Association a supply of adequate water for a period of forty years; and whereas, the Association has executed a certain contract to supply water to the Slate Branch-Shafter Water Association, Inc., likewise a non-profit corporation organized pursuant to the provisions of Chapter 273 of the Kentucky Revised Statutes which is presently in the process of constructing a water distribution system with financing to be obtained from the Farmers Home Administration of the United States Government, and which said contract between the said Oak Hill Water Association, Inc., and the Slate Branch-Shafter Water Association, Inc., is for a period of forty years from the date of the initial delivery of the water from the Oak Hill Water Association, Inc., to the Slate Branch-Shafter Water Association, Inc.; and whereas, it is necessary that the Oak Hill Water Association, Inc., obtain an adequate supply of water for a period of forty years from and after the date of said Association's initial delivery of any water to the Slate Branch-Shafter Water Association, Inc.,

PUBLIC SERVICE COMMISSION OF KENTUCKY EFFECTIVE

SEP 22 1994

PURSUANT TO 807 KAR 5011, SECTION 9 (1)

BY: Gordon C. Neal FOR THE PUBLIC SERVICE COMMISSION

NOW, THEREFORE, for and in consideration of the premises, and the mutual covenants and undertakings herein described, the parties hereto covenant and agree, each with the other, as follows:

Section 1. That the contract between the Association and the Water Company, dated July 1, 1970, shall be amended to remain in full force and effect for a period of forty years from and after the date of the Association's initial delivery of water to the Slate Branch-Shafter Water Association, Inc., which date is acknowledged by the parties hereto to be July 1, 1972; except that, if by reason of delay in the initial delivery of water to the said Slate Branch-Shafter Water Association, Inc., then this agreement shall automatically be amended to conform to the date of said initial delivery of water by the Association to said Slate Branch-Shafter Water Association, Inc.

The effectiveness of this Supplemental Contract is subject to the award by the Slate Branch-Shafter Water Association, Inc., of contracts for the construction of its waterworks distribution system after approval by the Public Service Commission of Kentucky and the effectiveness of this Supplemental Contract is also subject to the approval of said Public Service Commission.

All other provisions of said Contract for Purchase of Treated Water between the Association and the Water Company dated July 1, 1970, shall remain as written therein.

IN TESTIMONY WHEREOF, the parties have hereunto set their hands and seals as of the day and year first above written.

OAK HILL WATER ASSOCIATION, INC.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

By: W. W. Kelly  
President

Attest:

SEP 22 1994

J. K. [Signature]  
Secretary

PURSUANT TO 807 KAR 5.011,  
SECTION 9 (1)

KENTUCKY WATER SERVICE COMPANY, INC.

BY: Jordan [Signature]  
FOR THE PUBLIC USE

By: T. B. Dodson  
Vice President

Attest:

[Signature]  
Secretary

STATE OF KENTUCKY

COUNTY OF PULASKI: SCT

I, the undersigned, a Notary Public in and for the State and County aforesaid, do hereby certify that on this day the foregoing Supplemental Contract was produced before me in my said County and State by W. W. Kelly, President of the corporation, and Henry Leese, as Secretary of Oak Hill Water Association, Inc., a non-profit corporation duly organized and existing under and by virtue of the provision of Chapter 273 of the Kentucky Revised Statutes, a party thereto, being both personally known to me and known personally by me to be such officers, and to be the same persons who executed as such officers, respectively, the within and foregoing instrument of writing, and such persons duly acknowledged the execution of the same to be their voluntary act and deed as such officers of the said Oak Hill Water Association, Inc., and the official act and deed of said Oak Hill Water Association, Inc., and through them as its duly authorized officers.

Witness my hand and Notarial Seal this 9<sup>th</sup> day of May,

1972.

Deanna Landiff  
NOTARY PUBLIC  
My Commission Expires: 9-20-74

STATE OF KENTUCKY

COUNTY OF PULASKI: SCT

I, the undersigned, a Notary Public in and for the State and County aforesaid, do hereby certify that on this day the foregoing Supplemental Contract was produced before me in my said County and State by L. B. Dodson, as Vice President, and Ben D. Smith, as Secretary of Kentucky Water Service Company, Inc., a Kentucky corporation and a party thereto, being both personally known to me and known personally by me to be such officers, and to be the same persons who executed as such officers, respectively, the within and foregoing instrument of writing, and such persons

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

SEP 22 1994

PURSUANT TO 807 KAR 5011,  
SECTION 9(1)

BY: Deanna Landiff  
FOR THE PUBLIC

duly acknowledged the execution of the same to be their voluntary act and deed as such officers of said Kentucky Water Service Company, Inc., and the official act and deed of said Kentucky Water Service Company, Inc., by and through them as its duly authorized officers.

Witness my hand and Notarial Seal this 21 day of April,

1972.

Maria C. Leese  
NOTARY PUBLIC  
My Commission Expires: 5-13-73

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

SEP 22 1994

PURSUANT TO 807 KAR 5011,  
SECTION 9(1)

BY: [Signature]  
FOR THE PUBLIC SERVICE COMMISSION

THIS INSTRUMENT PREPARED BY:

[Signature]  
Attorney at Law