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**ADDENDUM  
TO THE  
AGREEMENT BETWEEN  
THE CITY OF FRANKLIN, TN AND BERRY'S CHAPEL UTILITY, INC.  
FOR THE COLLECTION OF SEWER SERVICE CHARGES  
COF Contract No. 2014-0250**

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*THIS ADDENDUM*, (herein called the "**Addendum**") is made and entered into on this the \_\_\_ day of September 2014 by and among **CITY OF FRANKLIN**, a Tennessee governmental entity ("**City**"), and **BERRY'S CHAPEL UTILITY, INC.**, a Tennessee nonprofit corporation ("**BCU**").

**W I T N E S S E T H:**

*WHEREAS*, BCU and City entered into an agreement for The Collection of Sewer Service Charges on April 12, 2011 (the "**Agreement**"); and

*WHEREAS*, BCU and City desire to amend the Agreement.

**NOW THEREFORE**, in consideration of the mutual covenants recited herein and for such other good and valuable consideration as is set out herein, the receipt and sufficiency of which is acknowledged by the parties, said parties do hereby agree as follows:

**R E C I T A L S:**

**1. Section 8**

Section 8 shall be deleted in its entirety and replaced with the following:

"8. On or before the twentieth (20<sup>th</sup>) day of each month, CITY will deliver to BCU the gross amount CITY has collected from BCU's sewer customers for BCU sewer services through the last day of the previous month, less a service fee equal to Three Hundred and 00/100 Dollars (\$300.00) per month, plus 50/100 Dollars (\$.50) per invoice that is sent during the prior month, which sum shall be retained as the sole and separate property of CITY for providing the services agreed upon in this Agreement."

**2. This Addendum shall be retroactive to September 1, 2014 (the "**Effective Date**").**

This Addendum shall not affect the remaining provisions of the Agreement and all terms and conditions which do not conflict with this Addendum shall remain in full force and effect.

SIGNATURE PAGE FOLLOWS:

IN WITNESS WHEREOF, this Addendum has been executed and made as of the date first written above.

**BCU:**

**BERRY'S CHAPEL UTILITY, INC**

By: \_\_\_\_\_  
Mike Knotts, Chairman

**CITY:**

**CITY OF FRANKLIN, TENNESSEE**

By: \_\_\_\_\_  
Dr. Ken Moore, Mayor

ATTEST:

By: \_\_\_\_\_  
Eric Stuckey, City Administrator

Approved as to form:

\_\_\_\_\_  
Kristen L. Corn, Staff Attorney