

SANITARY DRAIN OPERATION AGREEMENT AMENDMENT

This Amendment to Agreement, entered into this 17 day of NOV, A.D., 1994, by and among MISSAUKEE SANITARY DRAIN NO. 1 DRAINAGE DISTRICT, hereinafter called the "DISTRICT", and the CITY OF LAKE CITY, TOWNSHIP OF LAKE, and TOWNSHIP OF CALDWELL, hereinafter called the "PUBLIC CORPORATIONS", all public corporations of the County of Missaukee, Michigan.

WITNESSETH:

WHEREAS, the DISTRICT, the CITY OF LAKE CITY, CALDWELL TOWNSHIP, and LAKE TOWNSHIP have previously entered into Sanitary Drain Operation Agreements; and

WHEREAS, It is the desire of the parties to amend the Sanitary Drain Operation Agreement;

NOW, THEREFORE, in consideration of the premises and the covenants of the parties hereto, it is hereby agreed that the following provisions be added to the Sanitary Drain Operation Agreement:

1. Lake City shall submit to the District, Caldwell Township, and Lake Township by March 1st of each year, an annual budget for the next succeeding April 1st to March 31st period. The submittal shall include a summary of system revenues and expenses for the preceding calendar year and a reconciliation of all balances held in all accounts.
2. Lake City shall establish and keep segregated the following funds to be used solely for the purposes indicated:

shall impose such amounts as a lien against the premises served on the next due property tax assessment and shall collect upon and enforce such lien in the same manner as provided for the collection of taxes. Upon collection of such amounts, Caldwell Township and Lake Township shall forthwith pay the same to Lake City for deposit in the O & M Fund.

4. **Expansion Cost:** The cost of all extensions to the collection systems beyond the original drain project in Lake City, Lake Township, and Caldwell Township shall be borne solely by the new customers to be served by the System and will not be included in the service charges to the existing customers of the System.
5. **Advisory Committee:** An advisory committee is hereby established and shall be known as the Missaukee Sanitary Drain No. 1 Sewer Advisory Committee (the "Committee"). The Committee shall consist of five members as follows:
 - a) Three members appointed by the Lake City Council.
 - b) One member appointed by the Caldwell Township Board.
 - c) One member appointed by the Lake Township Board.

The Committee members may be city council or township board members or citizens served by the System within each of the respective public corporations and shall serve annual terms. Members of the Committee shall be paid \$35.00 per meeting. The Committee shall meet semi-annually or at the request of any public corporation with notice being posted in Lake City, Caldwell Township, and Lake Township. The Committee shall appoint a chairperson and shall act upon the affirmative vote of three members. All expenses incurred by the Committee shall be deemed operating expenses of the System. The Committee shall meet and

IN WITNESS WHEREOF, the parties hereto have executed this Amendment to Agreement as of the date set forth above.

WITNESS:

MISSAUKEE COUNTY DRAINAGE BOARD
for Missaukee Sanitary Drain No. 1

George L. Lutho

By: *Arnold Kasseba*

WITNESS:

CITY OF LAKE CITY

Lance M. Aldrich

By: *Keith Williams*

WITNESS:

TOWNSHIP OF CALDWELL

Nancy Wilson

By: *Daniel H. Smith*

WITNESS:

TOWNSHIP OF LAKE

Bonnie J. Brown

By: *Thomas Muddles*

RPF/mg
9101-22-8
11/01/94

IN WITNESS WHEREOF, the parties hereto have caused this Contract to be executed as of the day and year first above written.

MISSAUKEE SANITARY DRAIN NO. 1
AND BRANCHES DRAINAGE DISTRICT

By *Ralph K. ...*
Chairman of the Drainage Board

By *John ...*
Member of the Drainage Board

CITY OF LAKE CITY

By *Edward J. ...*
Its Mayor

By *Beverly ...*
Its City Clerk

TOWNSHIP OF CALDWELL

By *Richard ...*
Its Supervisor

By *Nancy E. Wilson*
Its Clerk