



BOWLING GREEN MUNICIPAL UTILITIES
WATER-WASTEWATER DIVISION
BOWLING GREEN, KENTUCKY

WAIVER OF REFUND PROVISIONS OF KRS 96.539

The undersigned developer acknowledges that he (it) has been duly advised by representatives of the Water and Wastewater Division of Bowling Green Municipal Utilities (BGMU) of the provisions of KRS 96.539 (which is set out in its entirety at the bottom of this form) and further acknowledges that he (it) has been advised by representatives of BGMU that under the applicable regulations of BGMU the developer is entitled to enter into a contract with BGMU under the terms of which BGMU will charge privilege fees to customers connecting their service lines to the water and/or wastewater extensions which have been or are now being installed by the developer and to refund to the developer all or a portion of the cost of such water and or wastewater lines over a period not to exceed ten years by utilizing the privilege fees collected from persons attaching to such service lines.

The developer represents to BGMU that he (it) considers it to be in his (its) best interest to attempt to recover the cost of the extended water and/or wastewater facilities in some manner other than provided by KRS 96.539 and the regulations of BGMU, such as by utilizing a special assessment bond issue or by adding to the tentative selling price of property owned by the developer which is intended to be served by the extended water and/or sewer mains a sufficient sum to recover the cost of such extensions.

The developer hereby elects to waive any and all rights he (it) might have under the provisions of KRS 96.539 and the BGMU regulations issued pursuant thereto to obtain refunds from BGMU for all or a portion of the cost of the water and/or wastewater main extensions.

The water and/or wastewater main extensions which are the subject of this waiver are more particularly described as follows:

This _____, 20____.

(Name of Developer)

BY: _____

(Title)

96.539

Any water or sewer utility owned by a city shall develop rules to govern extensions of service to unserved customers and areas. These rules may require that the applicants for new service pay to the utility all or part of the cost of extending utility lines. Where such payment is required, however, the cost of any extensions greater than one hundred feet per applicant shall be subject to refund by the utility on a prorated basis for each additional customer whose service line is directly connected to the extension line paid for by the initial applicant or applicants. The refund period shall extend at least ten years, and in no case shall the refund amounts exceed the amount paid. Nothing in this section shall be construed to prevent a water or sewer utility from adopting extension or refund policies which are more lenient to customers than are herein specified.