

FIRST AMENDMENT TO THE AGREEMENT

THIS AGREEMENT, made and entered into on this ____ day of _____, 2015, by and between **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, an urban county government pursuant to KRS Chapter 67A, and located at 200 East Main Street, Lexington, Fayette County, Kentucky 40507 (hereinafter referred to as "GOVERNMENT"), and **FAYETTE COUNTY ATTORNEY'S OFFICE**, whose post office address is 110 West Vine Street, Lexington, Kentucky, 40507 (hereinafter referred to as "FCAO").

WHEREAS, the GOVERNMENT and FCAO entered into an Agreement dated May 17, 2012 (hereinafter referred to as the "Agreement"), whereby the GOVERNMENT agreed to permit FCAO access to and use of the property at 1631 Old Frankfort Pike, Lexington, KY 40504, (hereinafter referred to as "Old Frankfort Pike Landfill" or "Landfill") for the operation of the FCAO Driver's Education Program;

WHEREAS, the GOVERNMENT and FCAO further agreed to allow FCAO to design and construct a new paved driving pad on the undeveloped southeast section of the Old Frankfort Pike Landfill and upon completion of the new paved driving pad FCAO would allow the GOVERNMENT use to train drivers of government vehicles;

WHEREAS, pursuant to Section II of the Agreement, the parties wish to exercise their right to extend the terms of the Agreement;

NOW, THEREFORE, in consideration of the foregoing and mutually agreed upon promises, conditions, and covenants hereinafter set forth, the parties hereto agree as follows:

1. That the above recitals are incorporated herein by reference as if fully stated.
2. The terms of the Agreement shall be extended until December 31, 2018, the last day of the current elected term of Fayette County Attorney, Larry S. Roberts.
3. In the event of a conflict between the terms of this Amendment and the terms of the Agreement, this Amendment shall control. All other terms and conditions of the Agreement shall remain unchanged and in full force and effect as stated in the Agreement.

IN WITNESS WHEREOF, the parties have executed this First Amendment to Agreement as the day, month, and year first written above.

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Jim Gray, Mayor

ATTEST:

Clerk of Urban County Council

FAYETTE COUNTY ATTORNEY'S OFFICE

BY *Jay S. Roberts*

Larry S. Roberts *Fayette County Attorney*
Printed Name Title

X:\Cases\WASTE\12-CC0315\CONT\00488995.DOC