

**AMENDMENT TO THE MEMORANDUM OF AGREEMENT
BETWEEN LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
AND AVOL KENTUCKY INC.
FOR THE ACCEPTANCE OF COUNCIL CAPITAL EXPENDITURE PROJECT FUNDS**

THIS AMENDMENT made and entered into by and between the Lexington-Fayette Urban County Government, an urban county government of the Commonwealth of Kentucky created pursuant to KRS Chapter 67A, on behalf of the Urban County Council through the Department of Social Services (“LFUCG”), and AVOL Kentucky, Inc., acting as an amendment to that Agreement entered into between the parties dated July 14, 2023.

WHEREAS, on July 14, 2023, the parties hereto entered into an Agreement for the acceptance of Council Capital Expenditure Project Funds as approved by LFUCG Council on July 13, 2023; and

WHEREAS, the parties desire to amend said Agreement pursuant to a proposal to amend said Agreement;

NOW THEREFORE, in consideration of the following promises and covenants contained herein, the parties hereby agree as follows:

1. Paragraph 1 of the Memorandum of Agreement (“Term”) be and hereby is amended to extend the term of the agreement to December 31, 2024, and Paragraph 3 of the Memorandum of Agreement (“Council Capital Expenditure Project Funds”) be and hereby is amended to provide that Funds for which no approved expenditure has been or is planned to be incurred by December 1, 2024, shall be returned to LFUCG on or before December 31, 2024; and
2. That the proposal to amend this Agreement, attached hereto and incorporated herein by reference as Exhibit “A,” is hereby adopted; and
3. All other terms and conditions of the original Memorandum of Agreement dated July 14, 2023, not otherwise amended as set forth herein, shall remain in force and effect.

IN WITNESS WHEREOF, the parties have hereto caused these presents to be executed by their officers thereunto duly authorized:

**LEXINGTON-FAYETTE
URBAN COUNTY GOVERNMENT**

AVOL KENTUCKY, INC.

Linda Gorton, Mayor

Jon Parker, Executive Director

Attested by:

Clerk of the Urban County Council

4856-0639-5570, v. 1