

MEMORANDUM OF INTENT

TO: Christian County School Board,

FROM: Villas at Lafayette, LLC

RE: Private/Public sewer

PROPERTY: 4574 Lafayette Road, Hopkinsville, KY 42240.

Dear Above Referenced,

Please accept this draft as Villas at Lafayette, LLC's memorandum of intent regarding the above noted matters. Toward that end, please note the following numeric details:

1. Villas at Lafayette, LLC ("We" or "Our" hereinafter) currently have under contract the above referenced property, and currently owned by Barrow Development LLC; further identified as parcel 104-00-00-027.03 and being 4.66 acres.

2. We have submitted, or will submit plans to the City of Hopkinsville, Kentucky ("City" hereinafter) for the construction of a multifamily development. The development requires connection to the existing sanitary sewer system. To our knowledge, all parties are aware of the development and its location.

3. The City of Hopkinsville and the Christian County School Board (the "Board") agree and approve acceptance of the additional sanitary sewer flow generated by the development, subject to HWEA approval.

Said sanitary sewer flow shall:

- Enter the existing manhole located along Jerry Claiborne Way at approximately 36°49'00.4''N 87°30'04.4''W, owned by the City of Hopkinsville;
- Flow through approximately 770 linear feet of existing 8" PVC gravity sewer main owned by the Board;
- Continue:
 - North approximately 330 LF to the manhole at 36°49'03.7''N 87°30'04.2''W,
 - Northwest approximately 90 LF to the manhole at 36°49'04.4''N 87°30'04.7''W,
 - Northwest approximately 350 LF to the sewer pump station at 36°49'07.1''N 87°30'07.5''W, owned by HWEA.

All sewer system plans must be approved by HWEA. All sewer lines, manholes, and pump station improvements shall be installed in accordance with HWEA standards.

4. Our engineer shall demonstrate that:

- The existing sewer lines owned by the City and the Board have adequate capacity to transport current and anticipated peak flows to the wastewater treatment plant; and

- The portion of the sewer system used by the connection is not subject to excessive infiltration or inflow.

5. The Board and the City agree to grant Villas at Lafayette, LLC, its successors and assigns, a **perpetual, non-exclusive sewer conveyance easement** for the purpose of transporting sanitary sewer flow generated from the subject property through the existing sewer infrastructure described herein.

This right:

- Shall run with the land;
- Shall be binding upon and inure to the benefit of the parties and their respective successors and assigns;
- Shall not be revocable so long as the system is used in accordance with applicable regulations and approvals.

Ownership and maintenance of the existing sewer mains shall remain with their respective owners unless otherwise agreed in writing.

6. The City and the Board shall grant Villas at Lafayette, LLC, its contractors, and assigns, temporary access over their properties as reasonably necessary to install sewer lines, complete tie-ins, and perform related construction activities.

Upon completion of installation and restoration, such temporary access rights shall terminate.

7. Villas at Lafayette, LLC agrees, at its expense, to upgrade the existing lift station as required by HWEA to accommodate the additional sanitary sewer flow generated by the development.

8. Upon execution of this document by all parties, Villas at Lafayette LLC shall proceed with engineering, permitting, and development consistent with the matters herein described.

This ____ day of _____, 2026.

Villas at Lafayette, LLC

Christian County School Board