

MEMORANDUM OF AGREEMENT

WHEREAS, the Marshall County Fiscal Court (COUNTY) has experienced longstanding issues with drainage in and around the areas of 65 Wildcat Lane, Benton, Kentucky, having been acquired by Randy Clark and Deborah Clark by deed dated July1, 1993, of record in Deed Book 264, page 295, Marshall County Court Clerk's Office; and;

WHEREAS, said issues create difficulties with road maintenance and also result in ponding of water and flooding; and;

WHEREAS, the County will be undertaking the following efforts to remedy these issues; and,

WHEREAS, the undersigned property owner has agreed to allow the County to undertake these efforts;

NOW THEREFORE, it is hereby agreed as follows:

(1) The County intends to conduct general excavation work which may include, but not necessarily be limited to, digging and/or moving dirt and soil, and the possible installation, if deemed necessary, of one or more culverts, the purpose of all of which is to alleviate the ponding of water in the aforementioned area and allow for the free flow of water.

(2) The undersigned property owner hereby consents for the County and its employees and/or agents to enter upon the aforementioned properties for purposes of performing the contemplated work described herein.

(3) Once completed, the County agrees to restore the aforementioned premises to as close to its prior condition as possible immediately before the work was undertaken, while still remedying the drainage issues contemplated herein.

Dated this the _____ day of _____, 2016.

“Property Owners”

Randy Clark

Kevin Neal, Judge Executive
Marshall County Fiscal Court

Deborah Clark

65 Wildcat Lane
Benton, Kentucky 42025