

AGREEMENT

WHEREAS, Robert and Diane Beatty, now of 560 Mason Montgomery Road, Mason, Ohio, request the City of Mason for permission to tap into its water system, and

WHEREAS, the City has a policy that water is not to be provided outside of the City limits, and

WHEREAS, the City is agreeable to making an exception to this policy provided the owners of said property agree to pursue annexation at the earliest possible date.

THEREFORE, in consideration of the mutual promises made in this Agreement, it is hereby agreed and understood between Robert and Diane Beatty (hereinafter referred to as "Owners"), their heirs, successors, or assigns and the City of Mason (hereinafter referred to as "City"), that:

Section 1. Owners hereby agree to:

- (a) file for annexation within six (6) months and pursue it to a prompt and successful conclusion;
- (b) the termination of any further water service if, for any reason, the annexation is not pursued or not approved;
- (c) pay the required tap-in fee and other charges without any expectation of reimbursement;
- (d) the termination of any further water services if any erection, alteration or change of any building or structure on the property to receive the water service, constructed after the date of this Agreement, is not in compliance with the City of Mason Building Code and Zoning Code and Subdivision Regulations;
- (e) pay for utility consumption and use at 150% of standard rates until such time as the property is annexed;

Section 2. City agrees to provide water service to Owners during the period in which Owners are pursuing annexation of a tract of land whose address is 4309 Mason Montgomery Road in a prompt and expeditious manner and thereafter, provided the annexation is approved.

This Agreement shall inure to the benefit of and be the obligation of any successors, heirs and assigns.

Brian Arnold
Witness

By Robert Beatty
Robert Beatty

By Diane Beatty
Diane Beatty

Date 10-12-01

Kelli L. Prokocak
Witness

By Scot F. Lahrmer
CITY OF MASON
Scot F. Lahrmer, City Manager

Date 11/5/01

Ordinance 2001-178
October 22, 2001