

**SIXTH AMENDMENT TO SEWER USAGE AGREEMENT**

**THIS AMENDED AGREEMENT** made and entered into this \_\_\_ day of April, 2017, by and between AGRI-MARK, INC., a Delaware corporation having its principal place of business at Milk Street Office Park, Methuen, Massachusetts 01844 (hereinafter referred to as "Agri-Mark") and TOWN OF MIDDLEBURY, a municipal corporation situated in the County of Addison and State of Vermont (hereinafter referred to as the "Town");

**WITNESSETH:**

**WHEREAS**, Agri-Mark and the Town entered into a Sewage Usage Agreement dated April 9, 1997, which was subsequently amended by an Amendment dated June 19, 2001, a Second Amendment dated November 14, 2002, a Third Agreement dated May 30, 2013, a Fourth Agreement dated December 24, 2013, and a Fifth Amendment dated January 31, 2014.

**WHEREAS**, the Agreement, as amended, currently provides for an expiration date of April 9, 2017, and

**WHEREAS**, the Town and Agri-Mark have agreed to an eighty-two (82) day extension while they continue to negotiate the terms and conditions of a new or further amended Sewer Usage Agreement;

**NOW, THEREFORE**, the parties for the consideration herein set forth, mutually covenant and agree as follows:

1. The expiration date of the Sewer Usage Agreement is hereby amended to June 30, 2017.
2. The Town's Flow Component Charge will remain at \$2.3558 per 100 cubic feet.
3. All other terms of the Sewer Usage Agreement, as amended by the First, Second, Third, Fourth and Fifth Amendments, shall remain in full force and effect.

**DATED** at Middlebury, Vermont, this \_\_\_ day of April, 2017.

TOWN OF MIDDLEBURY

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
Town Manager,  
Agent Duly Authorized

AGRI-MARK, INC.

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
Agent Duly Authorized

\_\_\_\_\_  
Name & Title