

# AGREEMENT

This Agreement is made between :

Michael Secor and Brenda Secor, (hereinafter Secor) of 7206 Hollow Creek Road, Louisville, KY 40228,

And

Kay L. Rivoli, (hereinafter Rivoli), of 6806 Downs Branch Road, Louisville, KY 40228

The above parties agree to the following:

- Secor will be able to construct and retain a deck on their property as shown in Planning and Design case # 16VARIANCE1074.
- Rivoli will not raise any objections to that deck, either in administrative or judicial venues.
- The following plantings, as shown on the attached drawing, will be accomplished no later than March 31, 2017:
  - A Thuja Green Giant Arborvitae, 7-8 ft in height at planting, at the northeast corner of the deck.
  - Several Emerald Green Arborvitae, planted 3' on center, along the east side of the larger deck,
  - Several Thuja Green Giant Arborvitae, 8-9 ft. in height, planted 3' on center, along the east side of the narrower deck,
  - Several Thuja Green Giant Arborvitae, 8-9 ft. in height, planted 3' on center, along the remaining east side of the Secor property.
- Secor shall pay the full cost of purchasing, planting and maintaining or replacing as necessary the plantings noted above in 3a, 3b, and 3c.
- Secor shall pay 2/3, and Rivoli shall pay 1/3, of the cost of purchasing, planting and maintaining or replacing as necessary the plantings noted above in 3d.
- This agreement shall be proposed to the Louisville Metro Board of Adjustment to be added as a condition of approval of the variance in 16VARIANCE1074 and shall take effect as of the approval by that Board.

\_\_\_\_\_  
Michael Secor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Brenda Secor

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Kay L. Rivoli

1-19-17  
\_\_\_\_\_  
Date