

FALL CREEK REGIONAL WASTE DISTRICT

9378 S 650 WEST, P.O. BOX 59, PENDLETON, IN 46064

765-778-7544

AGREEMENT FOR SANITARY SEWER SERVICE

This Agreement made and entered into this 12th day of April, 2005, between FALL CREEK REGIONAL WASTE DISTRICT ("District") and Subway ("Applicant") regarding the provision of sanitary sewer service, and the assignment of capacity in, and connection to, the District's facilities for the premises located at 3025 W US 36, Pendleton.

NOW THEREFORE, the parties, in consideration of the mutual promises set out in this Agreement, the receipt and sufficiency of which is hereby acknowledged, agree as follows:

1. The Applicant agrees that all workmanship and materials shall conform to all District ordinances and the District's construction standards. District must accept and approve all work and materials before backfilling and final connection is made to the sewer mains. Any violation of this provision will cause all lines and appurtenances in violation to be removed and replaced at the Applicant's expense.

2. The District shall have the right to enter upon the Applicant's premises at all reasonable times to inspect, repair, or replace any equipment used in connection with the District's service or which has an impact on said service.

3. The Applicant shall be responsible for all monthly user rates, capacity charges, and tap fees. The failure to pay any rate charge or fee may result in a lien against the property and/or the termination of service to the property, the cost of which will be borne by Applicant, including, but not limited to, all attorney's fees and collection costs.

4. The District shall not be responsible for any damages as a result of any failure to supply service unless said damages are due to default, neglect or culpability on the part of the District.

5. If there is an available sanitary sewer within three hundred (300) feet of the property line, the property owner shall be required to connect to the District's sanitary sewer system.

6. The Applicant and District agree that the provision of sanitary sewer service touches and concerns the property and the terms of this Agreement bind the District and Applicant and their heirs, executors, administrators, personal representatives, successors, agents, attorneys, assigns, designees, and transferees.

The parties hereto have read and fully understand the above provisions and agree to comply with said provisions.

FALL CREEK REGIONAL WASTE DISTRICT

Signature

STATE OF INDIANA)

) SS:

COUNTY OF MADISON)

APPLICANT

Signature

PAUL D. SOMERS, MEMBER

SUBSCRIBED and sworn to before me this 12th day of April, 2005.

My Commission Expires:

2-20-2008

Signature

Printed

Notary Public

Resident of Madison County

INSPECTOR _____ DATE INSPECTED _____ APPROVED _____ REJECTED _____

REASON FOR REJECTION _____

DATE REINSPECTED _____ APPROVED _____ REJECTED _____

NOTES:

SIZE PIPE _____ TYPE PIPE _____

BASEMENT YES _____ NO _____

SUMP PUMP YES _____ NO _____

DOWNSPOUT TO GROUND YES _____ NO _____

SEPTIC TANK PUMPED & FILLED YES _____ NO _____

CONTRACTOR JONES PLUMBING

SPECIAL CONDITIONS _____

EXISTING HOME _____

NEW CONSTRUCTION X

North

Map attached
to Marsh
Permit

CAPACITY FEES	\$19,440. ⁰⁰	(9 EOU'S)
TAP FEES	3,325. ⁰⁰	7 TAPS
TOTAL	\$22,765. ⁰⁰	

* COVERS SEVEN TENANT SPACES -
LIST ATTACHED.

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER - SEE REVERSE SIDE FOR COMPLETE SECURITY FEATURES

P.P.S., LLC
P.O. BOX 391
MUNCIE, INDIANA 47308



5218

NUMBER

71-65/749

PAY: TWENTY TWO THOUSAND SEVEN HUNDRED SIXTY FIVE AND — ⁰⁰/₁₀₀ DOLLARS
DATE 4/12/05 AMOUNT \$22,765.⁰⁰

TO THE ORDER OF FALL CREEK REGIONAL WASTE WATER DIST
9378 S. 650 W.
PENOLETON, IN. 46064

P.P.S., LLC

THIS DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE - RED IMAGE DISAPPEARS WITH HEAT.

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