

FALL CREEK REGIONAL WASTE DISTRICT

No 5209

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 14<sup>th</sup> day of May, 2004, between FALL CREEK REGIONAL WASTE DISTRICT ("District") and Susan Nicholson ("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 312 E Madison.

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

APPLICANT

Signature

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MADISON )

SUBSCRIBED and sworn to before me this 14<sup>th</sup> day of May, 2004.

My Commission Expires:

2-20-2008

Signature

Printed

Notary Public  
Resident of Madison County

\*\*\*\*\*  
INSPECTOR SM DATE INSPECTED 5/26/04 APPROVED ✓ REJECTED \_\_\_\_\_

REASON FOR REJECTION \_\_\_\_\_

DATE REINSPECTED \_\_\_\_\_ APPROVED \_\_\_\_\_ REJECTED \_\_\_\_\_

NOTES:

SIZE PIPE 6" TYPE PIPE SDR35

BASEMENT YES (NO)

SUMP PUMP YES (NO)

DOWNSPOUT TO GROUND (YES) NO \_\_\_\_\_

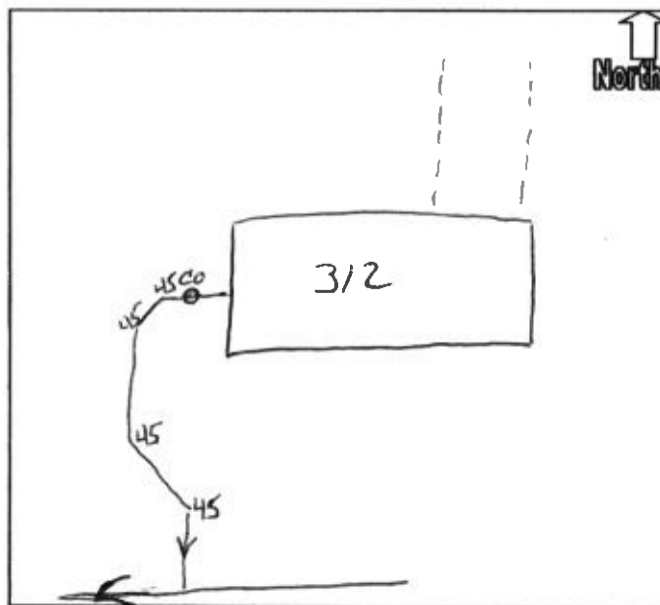
SEPTIC TANK PUMPED & FILLED (YES) NO \_\_\_\_\_

CONTRACTOR Chris Brauner

SPECIAL CONDITIONS \_\_\_\_\_

EXISTING HOME ✓

NEW CONSTRUCTION \_\_\_\_\_



SUSAN NICHOLSON 03-94  
415 E. MADISON AVE. PH. 765-778-3218  
PENDLETON, IN 46064-1228

71-553/749  
6122167

3276

DATE May 14, 2004.

Fall Creek Regional Waste \$ 475.00  
PAY TO THE ORDER OF  
Four hundred seventy five dollars



Madison  
Community Bank

MEMO

Gas fee for  
3/2/05 Madison Susan Nicholson MP

⑆07⑆ ⑆12 ⑆ ⑆ 3276

© DELINE WALLET OR DUPLICATE © STERLING GENTRY

Security Features  
Included  
Details on Back

SUSAN NICHOLSON 03-94  
415 E. MADISON AVE. PH. 765-778-3218  
PENDLETON, IN 46064-1228

71-553/749  
6122167

3281

DATE May 15, 2004

Rose McKinney, Evans LLP \$ 922.<sup>00</sup>/<sub>100</sub>  
PAY TO THE ORDER OF  
Nine hundred twenty-two <sup>00</sup>/<sub>100</sub> DOLLARS



Madison  
Community Bank

312 E. Madison property  
MEMO 48003-0704-PL-0346 Susan Nicholson

⑆074905539⑆

3281

**BOSE  
McKINNEY  
& EVANS LLP**

ATTORNEYS AT LAW

**Ty. H. Conner**

Downtown Office

Direct Dial (317) 684-5101

Direct Fax (317) 223-0101

E-Mail: TConner@boselaw.com

May 18, 2004

Mr. Thomas A. Carr  
Utility Supervisor  
Fall Creek Regional Waste District  
P.O. Box 59, County Road 650 West  
Pendleton, IN 46064

Re: Susan Nicholson

Dear Thom:


Enclosed is a check in the amount of \$922.60 that Ms. Nicholson made payable to the firm as a partial satisfaction of the Default Judgment. The firm has endorsed the check over to Fall Creek.

Ms. Nicholson still owes the capacity fee and tap fee and is required to connect to fully satisfy the judgment unless the District desires to make other arrangements.

Please let me know when she has satisfied all requirements.

Very truly yours,

BOSE McKINNEY & EVANS, LLP

  
Ty H. Conner

THC/njb

543239

**BOSE  
McKINNEY  
& EVANS LLP**

ATTORNEYS AT LAW

**Ty. H. Conner**

Downtown Office

Direct Dial (317) 684-5101

Direct Fax (317) 223-0101

E-Mail: TConner@boselaw.com

May 20, 2004

Susan Nicholson  
415 East Madison  
Pendleton, IN 46064

RE: Fall Creek Connection of 312 East Madison Avenue, Pendleton, Indiana

Dear Ms. Nicholson:

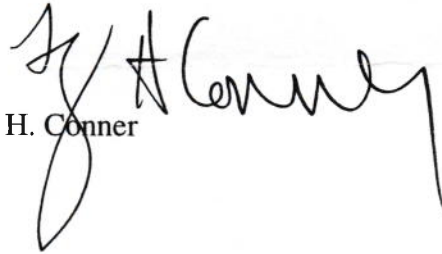
I am in receipt of your check for \$922.60 as partial satisfaction of the Default Judgment. I also understand that you have paid the tap fee and made arrangements with Fall Creek to pay the capacity fee over a three year period.

Thank you for complying with the judgment. When all outstanding balances are paid and your property is connected to Fall Creek, I will file the necessary documents to notify the Court that the judgment is satisfied.

Very truly yours,

BOSE McKINNEY & EVANS LLP

Ty H. Conner



THC:njb  
cc: Thom Carr

543237 / 8229-130