

15-00017.00

FALL CREEK REGIONAL WASTE DISTRICT

No 5607

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 23rd day of June, 2005, between FALL CREEK REGIONAL WASTE DISTRICT ("District") and Wendy's ("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 3280 W SR 38, 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 Deborah Wilson

APPLICANT

Signature Michael Emmy

STATE OF INDIANA)

) SS:

COUNTY OF MADISON)

SUBSCRIBED and sworn to before me this 23rd day of June, 2005.

My Commission Expires:

2-20-2008Signature Deborah L. WilsonPrinted Deborah L. Wilson

Notary Public

Resident of Madison County

INSPECTOR SN DATE INSPECTED 6/6/05 APPROVED ✓ REJECTED _____

REASON FOR REJECTION _____

DATE REINSPECTED _____ APPROVED _____ REJECTED _____

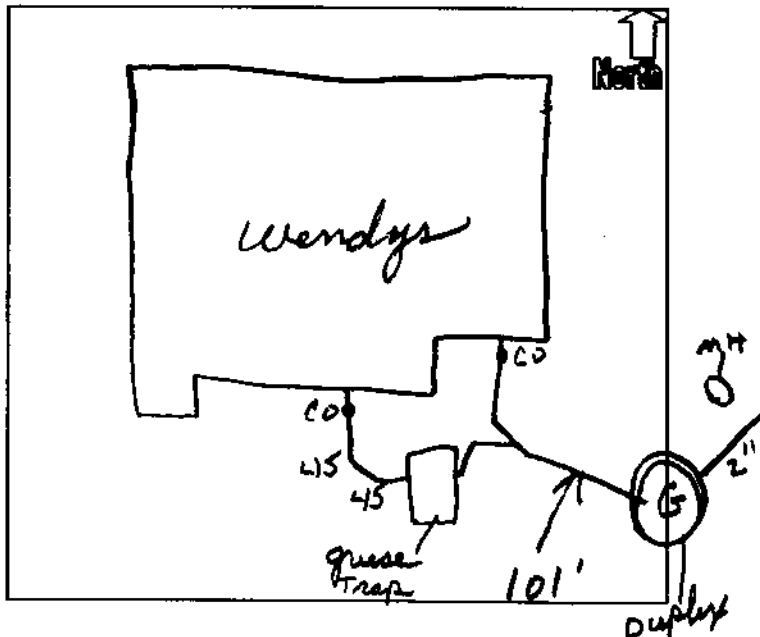
NOTES:

SIZE PIPE 6" 2" TYPE PIPE 35' 160BASEMENT YES NOSUMP PUMP YES NODOWNSPOUT TO GROUND YES NOSEPTIC TANK PUMPED & FILLED YES NO

CONTRACTOR _____

SPECIAL CONDITIONS _____

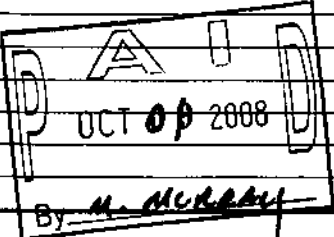
EXISTING HOME _____

NEW CONSTRUCTION ✓

9378 S. CR 650 W.
P.O. Box 59
Pendleton, IN 46064
Phone: 765-778-7544

INVOICE

Customer		Project Area #	
Name	Wendy's	Acct #	15-00017.00
Address	3280 W. SR 38	W.O. #	
City	Pendleton	State	IN
Phone		Date	

QTY	DESCRIPTION	UNIT PRICE	TOTAL
	Additional Capacity Fee per Agreement, dated June 16, 2005 (1.5 edu's)	2,160.00	3,240.00
			
		Sub-Total	3,240.00

DATE	PAYMENT	CHECK NUMBER	AMOUNT
10/1/08	WEN Enterprises Corp	325	3,240.00
		Sub-Total	3,240.00

TOTAL	2 240.00
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Detach bottom portion and return with payment

VENTURE MANAGEMENT CORP.

(317) 841-0909
8939 TECHNOLOGY DRIVE
FISHERS, IN 46038-2801


REMITTANCE ADVICE					

20-104/740

3057

PAY *Six Thousand Nine Hundred Fifty Five and xx/100*

TO THE ORDER OF	DATE	DESCRIPTION	CHECK NO.	ACCOUNT NO.		DOLLARS
				SUB	GEN	NET AMOUNT
<i>Fall Creek Regional Waste District</i>	<i>6/22/05</i>		<i>3057</i>			<i>6955.00</i>

 KeyBank National Association
PrivateBank Anderson, Indiana 46015

VENTURE MANAGEMENT CORP.
BY: *Michael Smay*

⑈003057⑈ ⑆074001048⑆

71-553749

10.2.08

WEN ENTERPRISES CORP.
(317) 841-0909
8939 TECHNOLOGY DRIVE
FISHERS, IN 46038-2801

325

PAY

Three Thousand Two Hundred Forty and no/100

TO THE ORDER OF	DATE	DESCRIPTION	CHECK NO.	ACCOUNT NO. SUB GEN	NET AMOUNT	DOLLARS
Fall Creek Regional Water	10-1-08	Sewers-land	325	- -	3240.00	



BY: *Nicole Smay*

MP

⑈000325⑈ ⑈074905539⑈ ⑈00007153⑈

1.5 additional Cap fee - Wendy's