

FALL CREEK REGIONAL WASTE DISTRICT

No 5443

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 6th day of December, 2004, between FALL CREEK REGIONAL WASTE DISTRICT ("District") and Tri-Pac Homes ("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 HHE lot 94 6325 S Woodchuck Dr.

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 L. Wilson

APPLICANT
Signature Jeffrey J. Kears

STATE OF INDIANA)
) SS:
COUNTY OF MADISON)

SUBSCRIBED and sworn to before me this 6th day of December, 2004.

My Commission Expires:
2-20-2008

Signature Deborah L. Wilson

Printed Deborah L. Wilson

Notary Public
Resident of Madison County

INSPECTOR SN DATE INSPECTED 12/2/04 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 _____

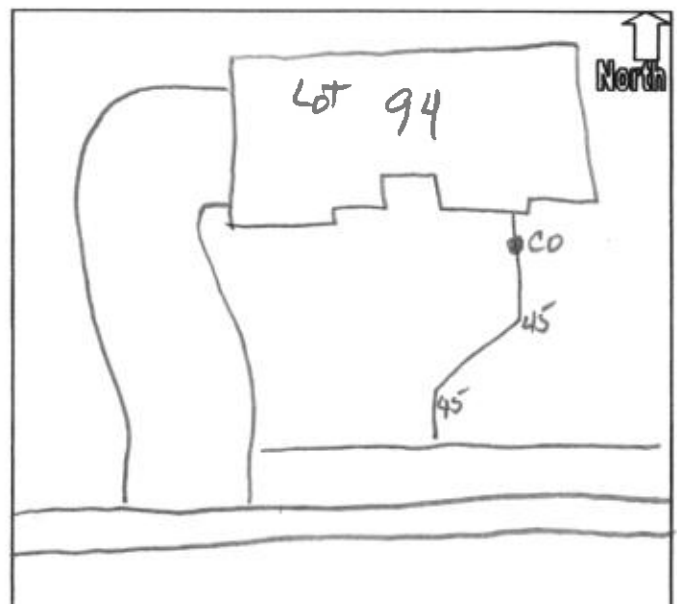
SEPTIC TANK PUMPED & FILLED YES _____ NO _____

CONTRACTOR Tom Davis

SPECIAL CONDITIONS _____

EXISTING HOME _____

NEW CONSTRUCTION ✓



JEFFERY L. KEARNS
DBA TRI-PAC HOMES
35 ORLEANS WAY
ANDERSON, IN 46013

1282

Date 12-6-04

20-104/740
57906

PAY to the
Order of

Illinois Regional Waste District \$ 475.00
four hundred seventy five and 00/100 Dollars



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For

94 6325 Woodchuck

Jeffery L. Kearns MP

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HHE 101 Jeff Kearns
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Tri-Pac Homes
617-7785

606-5141 Tom Davis