

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 16th day of March, 2001, between FALL CREEK REGIONAL WASTE DISTRICT ("District") and David Miller ("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 6345 WSR 38.

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 _____ day of _____, 200__.

My Commission Expires:

Signature

Printed

Notary Public

Resident of Madison County

INSPECTOR Bu DATE INSPECTED 9-6-1 APPROVED ✓ REJECTED _____

REASON FOR REJECTION _____

DATE REINSPECTED _____

APPROVED _____

REJECTED _____

NOTES:

SIZE PIPE 4" 1.5 TYPE PIPE PVC

BASEMENT YES X NO _____

SUMP PUMP YES _____ NO X

DOWNSPOUT TO GROUND YES X NO _____

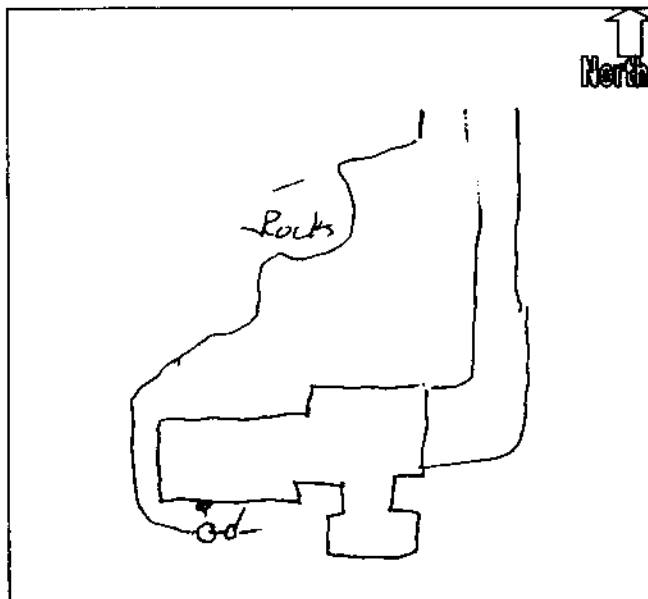
SEPTIC TANK PUMPED & FILLED YES X NO _____

CONTRACTOR Long + Koff

SPECIAL CONDITIONS _____

EXISTING HOME X

NEW CONSTRUCTION _____



DAVID W. MILLER 3-87
SUITE 2700
300 N. MERIDIAN
INDIANAPOLIS, IN 46204

20-131
740

2001

PAY TO THE
ORDER OF

Fall Creek Regional Water \$ 400 ⁰⁰/₁₀₀
Four Hundred ⁷⁵/₁₀₀ DOLLARS

Security features
included.
Details on back.

BANK ONE.

Bank One, Indiana, NA
Indianapolis, IN 46277

MEMO

7/9 - m
⑆074000010⑆

[Signature]
2001

DAVID W. MILLER 3-87
SUITE 2700
300 N. MERIDIAN
INDIANAPOLIS, IN 46204

20-131
740

2006

5/1 2001

PAY TO THE
ORDER OF

Fall Creek Varto

\$ 1,600.00

One Thousand Six Hundred — 00/100

DOLLARS

BANK ONE.

Bank One, Indiana, NA
Indianapolis, IN 46277

MEMO

Taffer



⑆074000010⑆

2006

**BOSE
McKINNEY
& EVANS LLP**

ATTORNEYS AT LAW

info - Tye SA

Ty H. Conner

Downtown Office

Direct Dial (317) 684-5101

E-Mail: TConner@boselaw.com

May 3, 2001

Mr. David W. Miller
P. O. Box 237
Pendleton, IN 46064

Re: Fall Creek Regional Waste District ("District")
Connection to Sanitary Sewer

Dear Mr. Miller:

Thank you for your payment of \$1,600 received by the District on May 2, 2001. Pursuant to my letter dated April 13, 2001, the capacity fee due from you was \$1,663.70. After application of your most recent payment, a balance is still due and outstanding of \$63.70. It is unclear whether this was an oversight on your part or whether you are disputing the amount owed. If you believe that the adjusted capacity fee of \$1,663.70 was in error, please contact me to discuss. If the insufficient payment was unintentional, please forward the additional \$63.70 to the District.

We appreciate your efforts to keep your account current, and hope that you are making arrangements to connect to the system pursuant to Indiana law. Please contact Joe Rowlett of the District to discuss the specifics of when you will connect and to obtain an Agreement for Sanitary Sewer Service. If we do not hear from you within twenty (20) days from receipt of this letter, we will assume that you are refusing to connect and will proceed with our legal remedies.

Very truly yours,

BOSE McKINNEY & EVANS LLP



Ty H. Conner

THC:mrj

cc: J. F. Rowlett
336180v1/8229-31

DAVID W. MILLER 3-87

SUITE 2700

300 N. MERIDIAN

INDIANAPOLIS, IN 46204

20-131
740

2012

May 29, 2011

PAY TO THE
ORDER OF

Fall Creek Water

\$ *65.00*

Sixty Five

00/100

DOLLARS  Security features
included
Details on back.

BANK ONE.

Bank One, Indiana, NA
Indianapolis, IN 46277

MEMO

[Signature]

⑆074000010⑆

[Redacted]

2012

DAVID W. MILLER
6345 W. State Road 38
P.O. Box 237
Pendleton, IN 46064
Home: 765/778-4480
Office: 317/237-1316

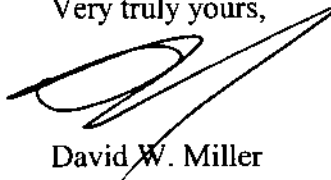
May 29, 2001

Fall Creek Regional Waste District
P.O. Box 59
Pendleton, IN 46064-0059

Gentlemen:

Enclosed is the balance on my connection fee. I will be contacting a contractor within the next 30 days to make the connection.

Very truly yours,

A handwritten signature in black ink, appearing to be 'David W. Miller', written over a horizontal line.

David W. Miller

DWM:kkg
Enclosure

LONG & KOFFER, INC.
1795 W. HUNTSVILLE RD.
PENDLETON, INDIANA 46064
765/778-5219

NATIONAL CITY BANK
INDIANAPOLIS, INDIANA 46255
20-67740

PAY TO THE
ORDER OF

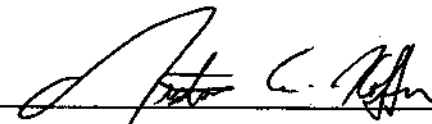
Fall Creek Regional Water District

\$1024.00

One - Thousand Twenty - Four Dollars and

80/100 DOLLARS

MEMO:



⑈001445⑈ ⑆074000065⑆

SECURITY FEATURES: MICRO PRINT TOP & BOTTOM BORDERS - COLORED PATTERN - ARTIFICIAL WATERMARK ON REVERSE SIDE - MISSING FEATURE INDICATES A COPY