

13-86204.00

FALL CREEK REGIONAL WASTE DISTRICT

No 5925

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 25th day of January, 2006, between FALL CREEK REGIONAL WASTE DISTRICT ("District") and Atlas Cold Storage ("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 Heritage Way Pioneer Trace.

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 21st day of February, 2006.

My Commission Expires:

2-20-2008

Signature

Printed

Notary Public

Resident of Madison County

INSPECTOR TimDATE INSPECTED 1-25-06

APPROVED

REJECTED ☒REASON FOR REJECTION DID NOT INSPECT Lateral.

DATE REINSPECTED

APPROVED

REJECTED

NOTES:

SIZE PIPE 6" TYPE PIPE SPR35BASEMENT YES NO ☒

SUMP PUMP YES NO ?

DOWNSPOUT TO GROUND YES NO ?

SEPTIC TANK PUMPED & FILLED YES NO

CONTRACTOR PoidexterSPECIAL CONDITIONS DID NOT INSPECT Lateral

EXISTING HOME

NEW CONSTRUCTION ☒

North

see attached drawing

GDI CONSTRUCTION CORP.
1107 N. STATE STREET
GREENFIELD, INDIANA 46140
(317) 462-8045

 **FIFTH THIRD BANK**
FIFTH THIRD BANK, INDIANA
INDIANAPOLIS, IN 46204

71-859/749

1582

Pay: *****Four thousand seven hundred ninety-five dollars and no cents

DATE

CHECK NO.

AMOUNT

2-01-06

1582

\$****4,795.00

PAY
TO THE
ORDER
OF

Fall Creek Regional Waste Dist



AUTHORIZED SIGNATURE

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

001582



CHICAGO TITLE INSURANCE COMPANY

171 NORTH CLARK, CHICAGO, ILLINOIS 60601

(312) 223-2713

FAX: (312) 223-5888

Date: DECEMBER 21, 2006

BOSE MCKINNEY & EVANS LLP
2700 FIRST INDIANA PLAZA
135 N. PENNSYLVANIA STREET
INDIANAPOLIS, IN 46204

In reply, please refer
to our Escrow Number
D1 026110691

STEPHEN C. UNGER

In accordance with the above numbered escrow trust instructions you will find enclosed the items listed below:

A CHECK IN THE AMOUNT OF \$21,600.00

12/28

TERESA -

THIS payment of
ADDL CAP FEES per
new Agreement

w/ ATLAS Local
Storage —

We are pleased to have had this opportunity to serve you. If you have any questions in this regard, kindly direct them to the attention of the undersigned.

Sincerely,

JANET JOHNSON-WEST
ESCROW TRUST DEPARTMENT

Paid to: FALL CREEK REGIONAL WASTE DISTRICT
Date: 12/21/06
Check Number: 1101128951
Check Amount: \$21,600.00

ESCROW #: 01401-026110691-001 ORDER #: 01402-020603438 CLOSER: JLW CLOSING LOC: D1
BUYER: FIRST INDUSTRIAL SELLER: SK REALTY MANAGEMENT, LLP.
PROPTY: 725 WEST PIONEER TRACE CITY: PENDLETON
PAYMENT AS DIRECTED 21,600.00

CHECK TOTAL \$21,600.00

FOR SECURITY PURPOSES THIS DOCUMENT HAS VISIBLE & FLUORESCENT FIBERS & A TRUE WATERMARK-HOLD TO LIGHT TO VIEW.



CHICAGO TITLE AND TRUST COMPANY
171 NORTH CLARK
CHICAGO IL 60601
312/223-3025

BANK ONE, NA
ILLINOIS

1101128951

70-2322/719

DECEMBER 21, 2006

PAY ONLY  SIX TWO ONE ZERO ZERO CTSCTS

FILE NO.	SUB	LOC'N	CLOSER
026110691	001	D1	JWEST

Pay ☒ TWENTY-ONE THOUSAND SIX HUNDRED AND 00/100

\$21,600.00

To the Order of ☒ FALL CREEK REGIONAL WASTE DISTRICT **

Patricia S. Javenga

Memo

11

09 2347811

Paid to:

Date

Check Number

Check Amount

FALL CREEK REGIONAL WASTE DISTRICT

12/21/06

1101128951

\$21,600.00

ESCROW #: 01401-026110691-001 ORDER #: 01402-020603438 CLOSER: JLW CLOSING LOC: D1

BUYER: FIRST INDUSTRIAL

SELLER: SK REALTY MANAGEMENT, LLP.

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CITY: PENDLETON

PAYMENT AS DIRECTED

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CHECK TOTAL

\$21,600.00