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STATE OF INDIANA)
COUNTY OF MARION)

SS:

STATE BOARD OF HEALTH
OFFICE OF THE HEARING COMMISSIONER
CONTROL BOARD

STATE OF INDIANA
STREAM POLLUTION CONTROL
BOARD

IN THE MATTER OF THE PETITION)
OF THE TURKEY CREEK TOWNSHIP,) PETITION FOR ORGANIZATION OF
KOSCIUSKO COUNTY, INDIANA,) A REGIONAL SEWAGE DISTRICT
FOR THE ORGANIZATION OF A)
REGIONAL SEWER DISTRICT)
PURSUANT TO IC 19-3-1.1-1, -28) CAUSE NO. B-434
(1971), AS AMENDED)

Turkey Creek Township of Kosciusko County, Indiana, respectfully petitions the Stream Pollution Control Board of the State of Indiana for an order establishing the Turkey Creek Township Regional Sewer District and for said petition alleges and says:

1. That the proposed name of the regional district petitioned for is "Turkey Creek Regional Sewer District", hereinafter referred to as "Sewage District".
2. The principal office of the Sewage District is to be located in Turkey Creek Township, Kosciusko County, Indiana.
3. There is great need for the proposed Sewage District for the reason that the district contains no municipality or political subdivision save and except that as defined by this and the Department of Natural Resources is the owner of lands within the proposed district known as the Wawasee Fish Hatcheries, said Department of Natural Resources does not provide nor does any other municipality or political subdivision provide any sewage disposal facilities for the proposed district. Additionally, there is a private sewage facility known as the Wawasee Sewer and Water Company, Inc. providing sewage treatment for a portion of the proposed district; said system is to become a part of the system of the proposed district. All other territory within the proposed district handles its sewage treatment solely and exclusively by the use of septic tanks and field disposal systems. The population of the proposed district is growing rapidly as a lake resort area. Many factors, including the high water table, soil conditions, and density of population require the creation

of a sewer district.

4. The purpose to be accomplished by the Sewage District is to provide a means in the area to be served by a sewer district for the collection, treatment and disposal of sewage so as to be beneficial to and improve the public health, safety and welfare in the area and to promote the improvement of the water quality of Lake Wawasee, Syracuse Lake and Turkey Creek.

5. The general description of the territory to be a part of the proposed district is that area set out in Exhibit "A".

6. The proposed district at this time has no outstanding indebtedness, however, it is proposed that the district would acquire the facilities and customers of the Wawasee Sewer and Water Company; the purchase price of said facilities are not expected to exceed One Hundred Fifty Thousand and No/100 (\$150,000.00) Dollars; bonds in that amount are proposed to be issued to the owners of said company and the revenues derived from the operation will be used to retire the bonded indebtedness.

Your petitioner recommends that the Sewer District be governed by a Board of Trustees of seven (7) in number and that the Board Members be appointed. Each Board Member so appointed shall own real estate within the Sewage District but need not be a registered voter nor a resident of the district.

The following duly elected executives shall appoint members to the Board of Trustees as follows:

A. Two (2) members will be appointed by the Governor of the State of Indiana by virtue of the fact that state lands will be involved in the district, one of the initial appointees will serve a term of two years and one initial appointee will serve a term of three years. Successive appointees by the Governor will serve four year terms.

B. Three members of the Board of Trustees shall be appointed by the Turkey Creek Township Advisory Board; one initial appointee shall be appointed for a term of two years, one initial appointee shall be appointed for a term of three years, and one initial appointee shall be appointed for a term of four years. All successive appointees shall serve four year terms.

C. One member of the Board of Trustees shall be appointed by the Township Trustee for a term of four years. Each successive appointee shall serve a four year term.

D. One member of the Board of Trustees shall be appointed by the County Commissioners of Kosciusko County for a term of four years. Each successive appointee shall serve a four year term.

The executive officer and/or elected officials required to make appointments to the Board of Trustees shall do so within fifteen days after the expiration of the term of their respective appointees. In the event that any executive officer, elected official or governing body shall fail an appointment within the times specified herein the Trustee holding said appointment shall hold over after the expiration of their terms until their respective successors have been duly appointed and have qualified. In the event any person appointed as a member of the Board of Trustees shall fail to qualify or if any member of the Board of Trustees after qualifying shall die, resign or vacate such office, or be removed, a new member shall be selected and appointed to fill such vacancy in the same manner as the member of the Board in respect to whom such vacancy occurs, and the member so appointed shall serve for the remainder of the vacated term.

The plan for financing the cost of operation of the sewer district until it is in receipt of revenues and other funds is to use donated legal and engineering services and to accept donations from prospective sewer system users, and to receive grants from federal or state sources, and after the acquisition

of the Wawasee Sewer and Water Company facilities to use the revenues derived from said operation; until the receipt of revenue from its other operations or proceeds from the sale of bonds.

7. The total estimated project costs for the initial phase of the project is \$_____ for both construction and non-construction costs. The sources of funding of these costs are an Environmental Protection Agency Grant and an Indiana State Grant and the balance to be financed by the sale of sewage works revenue bonds. The annual operation and maintenance expense is set out in Exhibit "B" which is attached hereto and made a part hereof. Said exhibit includes the sources of funding all costs and the estimates of the rates and charges to be required of users.

8. The Township Advisory Board of Turkey Creek Township, Kosciusko County, Indiana, has authorized Attorney William N. Salin to file this petition and to represent it before the Indiana Stream Pollution Control Board.

9. At any time after the creation of the district, any area contiguous to the district may file an application with the district setting forth a general description of the territory to be included in the district, the necessity for inclusion of such territory within the district, that it will be conducive to the public health, safety, convenience or welfare. If said application is approved by a majority of the Board of Trustee of the District, the territory described in said application shall thereupon become a part of the district.

WHEREFORE, this petitioner prays of the Stream Pollution Control Board of the State of Indiana:

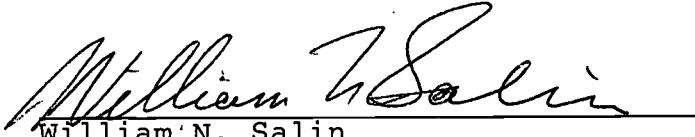
1. Determine that said petition complies with the requirements of I.C. § 19-3-1.1-1 through and including § 19-3-1.1-28 as to form and content.

2. After proper notice conduct a hearing in said proposed district.

3. Prepare an order creating said district and directing the organization of said district as an independent political entity of the State of Indiana and as a body corporate and political. That said order also provide for the selection and appointment and terms of offices of a Board of Trustees, and authorize the District to proceed.

4. And for any and all other relief being suitable and proper by the State's Stream Pollution Control Board.

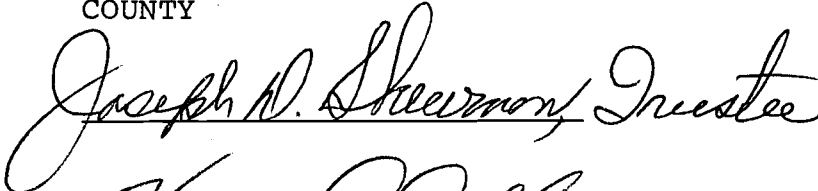
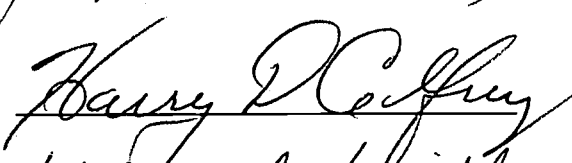

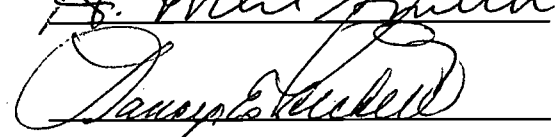
Respectfully submitted,



William N. Salin
Attorney for Petitioner
2120 Fort Wayne Bank Building
Fort Wayne, Indiana 46802
Telephone: (219) 743-0171

APPROVED BY:

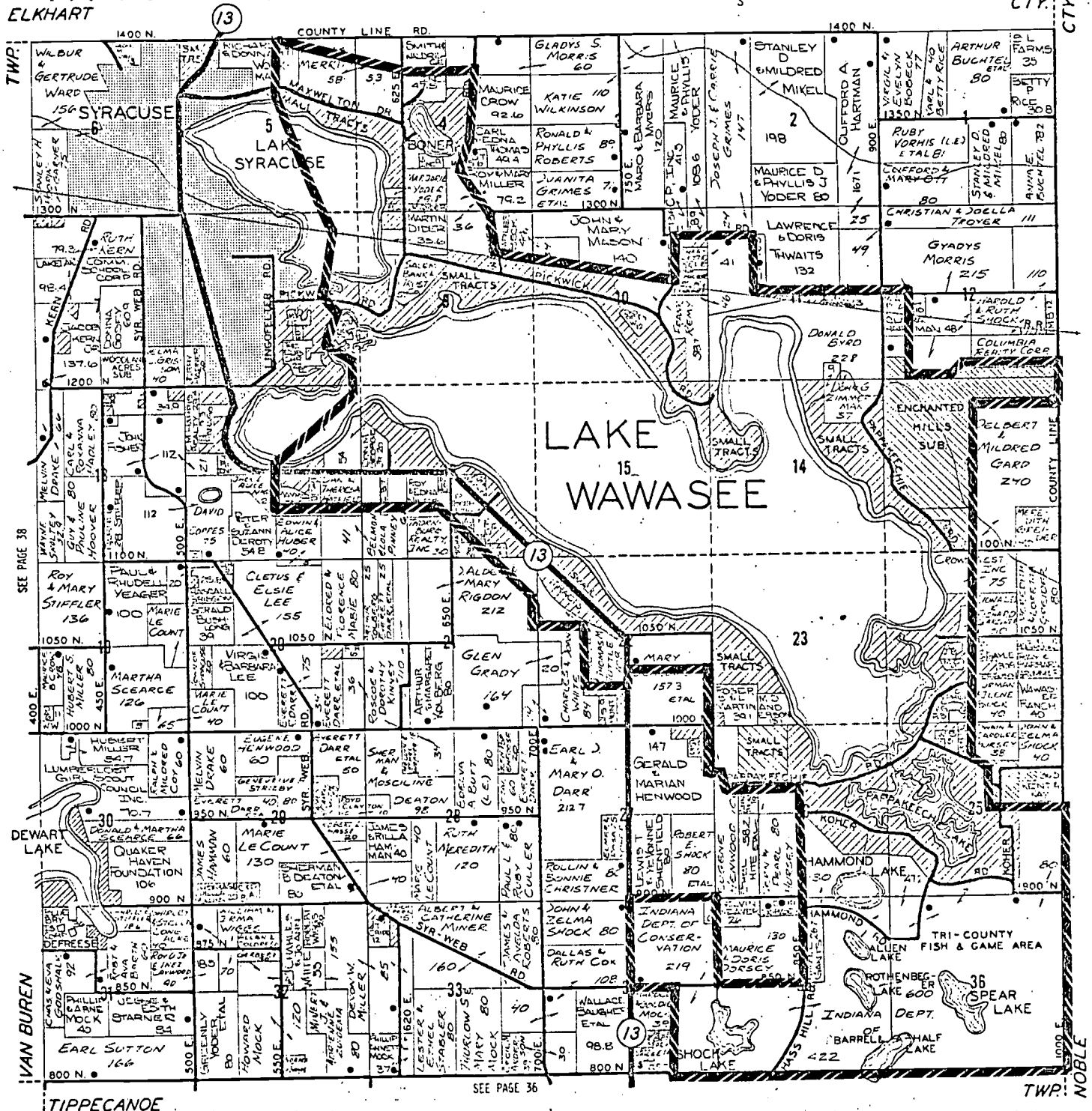
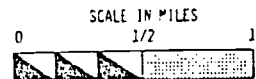
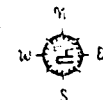
TURKEY CREEK TOWNSHIP
ADVISORY BOARD, KOSCIUSKO
COUNTY

TURKEY CREEK

LEGEND

- FEDERAL, STATE or INTERSTATE HIGHWAYS
- COUNTY or TOWNSHIP ROADS
- RAILROADS
- CANAL
- LEVEE
- CEMETERY
- INCORPORATED CITY, VILLAGE or BURROUGHS
- SMALL TRACTS
- SUBDIVISIONS
- DWELLING or FARM UNIT



REPRODUCED FROM THE
KOSCIUSKO COUNTY PLAT BOOK

PROPOSED BOUNDARY OF THE TURKEY
CREEK REGIONAL SEWER DISTRICT

LEGEND:
PROPOSED BOUNDARY
OF THE TURKEY CREEK
REGIONAL SEWER DISTRICT

M.D. WESSLER & ASSOCIATES, INC.
CONSULTING ENGINEERS
INDIANAPOLIS, INDIANA

SCALE: NONE	DWN BY: DCM	REV: 1
DATE: 5-02-1977	APPVD BY: MDW	DWG: 4

PROPOSED BOUNDARY OF THE TURKEY CREEK
WATER & SEWAGE DISTRICT

Beginning at the high water mark of Lake Wawasee and the North-South Center-line of Section 17, T34N, R7E (Kosciusko Co., Indiana); thence South along said Center-line of Section 17, T34N, R7E, 1250'; thence East and South easterly (through Sections 17, 16, and 21), parallel to, and 1000' perpendicular to State Road 13 to the intersection with the East line of Section 21, T34N, R7E (said point approximately 1000' South of N.E. corner of Section 21, T34N, R7E.); thence South along the East line of Section 21, T34N, R7E 1000'; thence East 1150'; thence South 2000'; thence East 1450' to the North-South Center-line of Section 22, T34N, R7E (also State Road 13); thence North along half section Line 1000'; thence East 2640' to the East line of Section 22, T34N, R7E; thence South along said East line of Section 22, T34N, R7E (County Road 800E) 2240' to the S.E. corner of Section 22, T34N, R7E; thence continueing South 1000' along County Road 800E; thence Southeastly with its meanders along a county road to intersection with the Center-line of Section 26, T34N, R7E, said intersection is 1000' North of center of Section 26, T34N, R7E (County Road 850E); Thence South along County Road 850E to the Northeast corner of the Southwest quarter of Section 35 T34N, R7E; thence West along the North line of the Southwest quarter of Section 35, T34N, R7E, to the Northwest corner of the Southwest quarter of Section

35, T34N, R7E; thence North along the West line of Section 35, T34N, R7E to the Northwest corner of Section 35, T34N, R7E; thence West along the North line of Section 34, T34N, R7E (County Road 900N) to the Northwest corner of the Northeast quarter of Section 34, T34N, R7E; thence South along the West line of the Northeast quarter of Section 34, T34N, R7E (State Road 13) to the Southwest corner of the Northeast quarter of Section 34, T34N, R7E; thence East to the Northwest corner of the Northeast quarter of the Southeast quarter of Section 34, T34N, R7E; thence South to the South line of Section 34, T34N, R7E, thence East along the South line of Sections 34, 35, & 36, T34N, R7E, to the S.E. corner of Section 36, T34N, R7E; thence North along the East line of Sections 36 & 25 (County Line Road) to the half-section line of Section 25, T34N, R7E, thence West along said half-section line 2640' to a county road; thence in a Northerly direction, with the meanders of said road til said road intersects with the North-South Center-line of Section 25, T34N, R7E (said point being 1000' South of North line of said Section 25, T34N, R7E;); thence North along center of Sections 25, 24, & 13, T34N, R7E, to a point 600' South of the North Line of Section 13, T34N, R7E; thence East 2640' to the East line of Section 13, T34N, R7E; thence North 1000' (along County line Road); thence West and parallel to the South line of Section 12, T34N, R7E, approximately 2800' to a stream; thence Southwesterly with the meanders of stream to the South line of Section 12; T34N, R7E; thence West along the South line of Section 12, T34N, R7E to a

to a point 1000' East of the West line of Section 12 T34N, R7E; thence North & parallel to West line of Section 12, T34N, R7E to the half section line of Section 12, T34N, R7E; thence West along half section line (County Road 1250) of Section 12 & 11 to the intersection with the North R/W line of the B. & O.R.R.; thence in a westerly direction along the North R/W line of said B. & O. R.R. to a point 1320' East of the West line of Section 11, T34N, R7E (also a Road which bounds the Wawasee Airport); thence North 1500' to the Eli Lilly Road; thence West along the Eli Lilly Road 2100' to a County Road bounding the west side of the Wawasee Airport; thence South along said road to the North R/W line of the B. & O. R.R.; thence Northwesterly along North R/W line of the B. & O. R.W. to the intersection with County Road 675E; thence Northerly along County Road 675 E with its meanders through Sections 9 & 4 - T34N - R7E to a point 1000' South of the North line of Section 4, T34N, R7E; thence West and parallel to the North line of said Section 4, T34N, R7E, a distance of approximately 2130' to the intersection of Lake Shore Drive; thence in a Northwesterly direction to a point 3200' West of & 100' South of the N.E. Corner of Section 5, T34N, R7E; thence South (1500') to the high water mark of Syracuse Lake; thence Southeasterly (4600') to the Center-line of the B. & O. R.R.; (said point 850' west of & 700' South of the N.E. Corner of Section 8, T34N, R7E); thence in a Southwesterly direction to an intersection point of County Road 1240 N and an unnamed stream; thence Southerly

along said stream with its meanders to a point in Lake Wawasee, said point being 400' west of & 600' North of the S.E. corner of Section 8, T34N, R7E; thence South 1200' to a point 400' west of & 600' South the N.E. corner of Section 17, T34N, R7E; thence Southwesterly across Conklin Bay to the point of beginning.

It should be understood all the above measurements are approximate dimensions as scaled from U.S.G.S. quadrangle sheets.

EXHIBIT B
PRELIMINARY COST ESTIMATE
FOR
SEWAGE TREATMENT WORKS SYSTEM
FOR THE
TURKEY CREEK REGIONAL SEWER DISTRICT

1.	Division I - Sanitary Sewer System		
	A. Wawasee	\$4,207,500	
	B. Papakeeche	516,500	
	C. Syracuse-Boner	630,000	
	D. Services	<u>630,000</u>	
			\$5,984,000
2.	Division II - Sewage Treatment Plant		
	A. Advanced Waste Treatment		\$ 847,000
	(700,000 GPD)		
3.	Estimated Construction Cost	\$6,831,000	
	Construction Contingency	683,000	
	Engineering, Legal, Accounting,		
	Administrative & General	<u>1,025,000</u>	
4.	Estimated Project Cost	\$8,539,000	
5.	Estimated Local Share	\$1,707,800	
6.	Estimated Federal Grant Share	\$6,027,500	
7.	Estimated State Grant Share	\$ 803,700	
8.	Estimated Annual Operating & Maintenance Costs	\$ 98,000	
9.	Estimates Average Monthly Sewer User Charge Based Upon 2100 Connections	\$	8.00