STATE OF INDIANA)
) SS:
)

ALLEN COUNTY
SEWER DISTRICT

APPLICATION FOR INCLUSION

Comes now the Allen County Commissioners and comes now the Wells County Commissioners, and in accordance with IC 13-3-2-8, states as follows:

1. The unincorporated Town of Zanesville, hereinafter referred to as "Zanesville," desires to be included in the Allen County Sewer District;

2. The Allen County Commissioners and the Wells County Commissioners, hereinafter collectively referred to as "Commissioners," are the "eligible entity" applying for the inclusion of "Zanesville" as "Zanesville" lies within both Allen and Wells Counties;

3. The legal description of the territory to be included in said district is as follows: (See Attached Exhibit "A");

4. The inclusion of the above-described territory into the Allen County Sewer District will be conducive to the public health, safety, convenience, and welfare of "Zanesville";

5. The inclusion of the above-described territory into the Allen County Sewer District is practical and feasible for "Zanesville";

6. The inclusion of the above-described territory into the Allen County Sewer District is necessary in order for "Zanesville" to practically and financially meet existing and future health regulations, and to resolve a current problem regarding the disposal and treatment of residential, industrial, and commercial sewage.

Wherefore, the "Commissioners" hereby apply for inclusion of the above described territory known as "Zanesville" into the Allen County Sewer District.

Respectfully submitted,

Allen County Commissioners

Dated: FEB 15 1989

Edwin J. Rousseau

Jack R. Worthman

Donald J. Yoder

Allen County Auditor

Linda K. Bloom

Wells County Commissioners

Dated: 3 April 1989

Albert W. Meyer

Adrian L. Sprunger

John F. Studebaker

Wells County Auditor

Guy A. Stewart

EXHIBIT "A"

Part of the Southeast Quarter of Section 33 and part of the South One Half of Section 34, all within Township 29 North, Range 11 East of the Second Principal Meridian Allen County, Indiana, described as follows:

Starting at the Southwest corner of the Southwest Quarter of said Section 34, which shall be the place of beginning; thence Easterly on the South line of the Southwest Quarter of said Section 34 to the Southwest corner of the Southeast Quarter of said Section 34; thence Easterly 277.0 feet on the South line of said Southeast Quarter to the Southeast corner of a tract described to "LaMaster", document number 87-022830 of the records of Allen County, Indiana; thence Northerly 420.8 feet on the East line of said "LaMaster" tract to the Northeast corner thereof; thence Westerly 277.0 feet on the North line of said "LaMaster" tract to the East line of said Southwest Quarter; thence Northerly on the East line of said Southwest Quarter to the Northeast corner of the South One Half of said Southwest Quarter; thence Westerly on the North line of the South One Half of said Southwest Quarter to the Southeast corner of a tract described to "Habegger", doument number 84-029827 of the records of Allen County, Indiana; thence Northerly 295.0 feet on the East line of said "Habegger" tract to the Northeast corner thereof; thence Westerly 330.5 feet on the North line of said "Habegger" tract to the Southeast Corner of a tract described to "Eash" document number 84-027531 of the records of Allen County, Indiana, thence Northerly 340.0 feet on the East line of said "Eash" tract to the Northeast corner thereof; thence Westerly 200.0 feet on the North line of said "Eash" tract to the center of the Indianapolis Road (former Indiana State Road Number 3); thence Southwesterly 406.0 feet on the center of said Road to the West line of said Southwest Quarter; thence Northerly on the West line of said Southwest Quarter to the Westerly right-of-way line of said Road, being also the East line of a tract described to "Sheley" deed record book 469 page 2 of the records of Allen County, Indiana; thence Northeasterly 172.5 feet on the Westerly right-of-way line of said Road; thence North 32 degrees 51 minutes West (an assumed bearing from said "Sheley" deed) 99.5 feet; thence North 80 degrees 39 minutes West 34.3 feet to the East line of the Southeast Quarter of said Section 33; thence South 41 degrees 15 minutes West 528.5 feet; thence South 52 degrees 27 minutes West 341.5 feet to the North line of the South One Half of said Southeast Quarter being also the North line of a tract described to "Frick" document number 71-17010 of the records of Allen County, Indiana; thence Westerly on the North line of the South One Half of said Southeast Quarter to the Northwest Corner of said "Frick" tract; thence Southerly on the West line of said "Frick" tract to the South line of said Southeast Quarter; thence Easterly on the South line of said Southeast Quarter to the place of beginning.

Subject to the right-of-way of the County Line Road, the Feichner Road, and the Indianapolis Road.

AND

Also, the Northwest Quarter of Section 3, Township 28 North, Range 11 East, of the Second Principal Meridian, Union Township, Wells County, Indiana. Also: Part of Section 4, Township 28 North, Range 11 East, of the Second Principal Meridian, Union Township, Wells County, Indiana, described as follows:

Starting at the Northeast corner of the Northeast Quarter of said Section 4, which shall be the place of beginning; thence South 00 degrees 00 minutes 47 seconds West, (an assumed bearing) 1983.78 feet on the East line of said Northeast Quarter to the center of a Legal Open Drain known as the "Eight Mile Ditch"; thence Southwesterly and Westerly 3800 feet in said Legal Open Drain to the Southeast corner of a tract described to "Martin" deed record 114 page 512 of the records of Wells County, Indiana, being also the center of the "Marzane" Road; thence North 71 degrees 17 minutes 44 seconds West 816.4 feet on the Southline of said "Martin" tract, in said Legal Open Drain to the Southwest corner of said "Martin" tract; thence North 00 degrees 18 minutes 29 seconds West 467.32 feet on the West line of said "Martin" tract to the Southwest corner of the Northwest Quarter of said Secion 4; thence South 88 degrees 47 minutes 11 seconds East 518.94 feet on the South line of said Northwest Quarter to the Southwest corner of a tract described to "Martin" deed record 102 page 902 of the records of Wells County, Indiana; thence North 00 degrees 41 minutes 47 seconds West 689 feet to the Southwest corner of a tract described to "Norris" deed record 104 page 257 of the records of Wells County, Indiana; thence North 00 degrees 16 minutes 47 seconds West, 210.9 feet on the West line of said "Norris" tract, parallel with the West line of said Northeast Quarter, to the Northwest corner thereof; thence South 86 degrees 38 minutes 47 seconds East 632 feet on the North line of said "Norris" tract to the West line of said Northeast Quarter; thence North 00 degrees 16 minutes 47 seconds West 1612.59 feet on the West line of said Northeast Quarter to the Northwest corner thereof; thence South 89 degrees 45 minutes 18 seconds East 2657.22 feet on the North line of said Northeast Quarter to the Southeast corner of Section 33, Township 29 North, Range 11 East of the Second Principal Meridian Allen County, Indiana; thence South 89 degrees 53 minutes 47 seconds East 13.66 feet on the North line of said Northeast Quarter to the place of beginning.

Subject to the right-of-way of County Roads Numbered 300 West, 1200 North and Marzane Road, also subject to the right-of-way of a Legal Open Drain known as the Eight Mile Ditch.

SNOUFFER, HALLER & COLVIN
ATTORNEYS AT LAW
2000 FORT WAYNE BANK BLDG.
FORT WAYNE, INDIANA 46802

RICHARD I. SNOUFFER
ROBERT W. HALLER
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PERRY D. SHILTS
MARK E. GIA QUINTA
GEORGE SISTEVARIS

TELEPHONE
(219) 424-2000

TELEFAX
(219) 422-0274

April 21, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Commissioner of the Indiana Department
of Environmental Management
105 South Meridian Street
P.O. Box 6015
Indianapolis, Indiana 46206-6015

Re: Allen County Regional Sewer District

I am the attorney for the Allen County Regional Sewer District. At its regularly held Board of Trustees meeting on April 19, 1989, the Board approved the application of the unincorporated town of Zanesville to be included within the district and territory of the Allen County Regional Sewer District. Enclosed is a photocopy of the Application for Inclusion which was filed with the Allen County Regional Sewer District. Pursuant to Indiana Code 13-3-2-8(b), the Allen County Regional Sewer District is required to notify you of the inclusion of this additional territory in its district.

Very truly yours,

SNOUFFER, HALLER & COLVIN

Vincent J. Heiny

VJH/sm

Enclosure

cc: Mr. Orrin R. Sessions

W3697.12

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
NANCY A. MANNING, Commissioner

105 South Meridian Street
P.O. Box 6015
Indianapolis 46206-6015
Telephone 317-232-8603

May 15, 1989

Mr. Vincent J. Heiny
Attorney at Law
Snouffer, Haller & Colvin
2000 Fort Wayne Building
Fort Wayne, Indiana 46802

RE: Allen County Regional Sewer District
Cause No. B-422

Dear Mr. Heiny:

This is to acknwoledge receipt of your letter dated April 21, 1989, in which you advise, pursuant to IC 13-3-2-8(b), that additional territory has been included in the Allen County Regional Sewer District.

Please be advised that the information you submitted will be placed in the existing files of the Department pertaining to the Allen County Regional Sewer District under Cause No. B-422.

Thank you for submitting this information to the Department.

Sincerely,

Thomas W. Rarick
Acting Commissioner

cc: Office of Water Management
Office of Legal Counsel

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

105 South Meridian Street
P.O. Box 6015
Indianapolis 46206-6015
Telephone 317-232-8603

August 2, 1989

Mr. Michael W. Lautzenheiser, Sr.
Lautzenheiser & Myers
180 Morse Street
P.O. Box 372
Markle, Indiana 46770

Re: Allen County Regional Sewer District

Dear Mr. Lautzenheiser:

This letter is to confirm our telephone conversation of July 31. The only action necessary by the Regional Sanitary District Board relative to including additional territory was satisfied by the April 21, 1989, submittal to this agency. The appropriate submittals were received, filed, and acknowledged by this agency by letter dated May 15, 1989, to Mr. Vincent J. Heiny. This agency considers the additional area a part of the Allen County Regional Sewer District.

Sincerely,

Charles B. Bardonner
Assistant Commissioner
Office of Water Management

CBB/vs
cc: Ihor Boyko, Office of Legal Counsel
IDEM