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ATTORNEYS AT LAW

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APR 1 2 45 PM '03

March 17, 2003

Ms. Lynn Newlon
100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015

Re: Dearborn County Regional Sewer District

Dear Lynn:

Attached please find the revised Sewer District Petition: The Petition now includes the names and addresses of the private facilities. The libraries receiving notice were the Lawrenceburg Public Library and the Aurora Public Library.

I affirm under the penalties of perjury that I mailed the Petition to the government entities that have territory with in the proposed District.

Very truly yours,

Lisa deHart Lehner

Lisa deHart Lehner

STATE OF INDIANA, COUNTY OF DEARBORN, SS:

Subscribed and sworn to before me, a Notary Public, in and for said County and State this 24th day of March, 2003.

ARIN B. HERZOG Notary Public
Resident of: Dearborn County, Indiana
Commission Expiration: 02-06-08

LdL:abn
Enclosures
169210.1

Mr. Richard Ullrich
Aurora City Mayor
218 Third Street
Aurora, IN 47001

Aurora Public Library
414 Second Street
Aurora, IN 47001

Lawrenceburg Public Library
123 West High Street
Lawrenceburg, IN 47025

Mr. Harold Seamon
President of the Dillsboro Town Board
13088 Main Street
Dillsboro, IN 47018

Mr. Harley Heim
Center Township Assessor
10416 Millstone Drive
Aurora, IN 47001

Ms. Nancy Turner
Center Township Trustee
501 Manchester Street
Aurora, IN 47001

Dearborn County Hospital
600 Wilson Creek Road
Lawrenceburg, IN 47025

South Dearborn School District Superintendent
6109 Squire Place
Aurora, IN 47001

Mr. Jerry Caldwell
Clay Township Trustee
8948 State Road 262
Dillsboro, IN 47018

Mr. Clyde Randall
Washington Township Trustee
7357 E. Laughery Creek Road
Aurora, IN 47001

Dearborn County Commissioners
Dan Batta
215 B West High Street
Lawrenceburg, IN 47025

169536.1

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT STATE OF INDIANA

APR 1 2 45 PM '03

IN THE MATTER OF THE PETITION OF CLAY, CENTER AND WASHINGTON TOWNSHIPS, DEARBORN COUNTY, INDIANA TO ESTABLISH A REGIONAL SEWER DISTRICT PURSUANT TO SECTION IC 13-26 et seq. OF THE INDIANA CODE	)))))))	**BEFORE THE COMMISSIONER IDEM, STATE OF INDIANA**

REVISED PETITION TO ESTABLISH REGIONALSEWER DISTRICT

The Dearborn County tenders its Petition to the Commissioner, Indiana Department of Environmental Management (IDEM), pursuant to IC 13-26 et seq. of the Indiana Code, for an order directing that a regional sewer district be organized as an independent political entity of the State of Indiana, and as a body corporate and politic. In support of this Petition, petitioner alleges:

1. Proposed Name. The proposed name of the regional sewer district shall be Dearborn County Regional Sewer District.

2. Principal Office. The principal office of the district shall be located at the office of The Dearborn County, Indiana, which has a mailing address of Dearborn County Commissioners, 215 B West High Street, Lawrenceburg, Indiana 47025.

3. Approval by Townships. This Petition has been approved by the Clay, Center and Washington Townships required by IC 13-26-2-2.

4. Approved by County Council. The petition has been approved by the Dearborn County Council inasmuch as it may be an "eligible entity" within the meaning of IC 13-26-2-2 and IC 13-11-2-62 and –86. A copy of the Resolution of the Dearborn County Council approving this

formation of the District is attached as Exhibit "A" to this Petition. There are no other political subdivisions in the proposed district.

5. No State Lands in District. There is no state park or recreation area, forest land or a reservoir, nor any land owned by the Indiana Department of Natural Resources in the proposed District.

6. Need. The need for the proposed District has long been recognized by residents and business in the area and the Dearborn County Council, by the Dearborn County Commissioners, the Petitioner herein, and the public generally for the reason that sanitary sewage disposal is provided in the area by each homeowner or business through an on-site septic tank, many of which leak, have failed or will fail or by private sewer systems that have failed. The absence of public sanitary sewer service has contributed to suppression of development and environmental contamination in the proposed District.

7. Purpose. The purpose to be accomplished by the formation of the District is the reduction of pollution of the environment by elimination of inadequate septic systems and the construction of a sanitary sewer collection system and appropriate treatment of collected sewage. The proposed Board shall responsible for the management of the sewer district and the administration of sewer district facilities.

8. Establishment. Establishment of the district will be conducive to the public health, safety, convenience and welfare of the residents of the District for the following reasons:

(A) No sanitary sewer system exists in the proposed District.

(B) Sewage collection, disposal and treatment in the proposed District is currently being provided by individual septic tanks or other on-site systems at each residence or place of business. Those on-site systems which have failed or are failing are contributing to the pollution of the

environment in the proposed District and create a hazard to the health, welfare and safety of the residents of the proposed District. In many instances replacement of the failed or failing septic tanks or other on-site systems is not feasible due to the cost, condition of the soil or parcel size.

(C) There is no publicly owned treatment works in the proposed District for treatment of sanitary sewage, which situation inhibits the ability of the residents to alleviate environmental concerns created by failed and failing septic systems. There are two privately owned treatment facilities in the proposed District, consisting of High Ridge Estates, c/o Norbert and Betty Draper, Norbert Construction and Development Corp., 205 Woodlawn Avenue, Aurora, Indiana, 47001; and Walston Trailer Court, c/o Floyd Walston, Jr., 9006 U.S. 50, Aurora, Indiana, 47001, and located at 8960 U.S. 50, Aurora, Indiana, 47001. The proposed district hopes to utilize them for the benefit of the proposed District

9. Indebtedness. There is no outstanding indebtedness for the purpose proposed in the proposed District. The absence of a sanitary sewer system hinders commercial growth in the proposed District, which contains an agricultural cooperative, a retail truck sales business, a propane gas sales business, a storage and a church business. The proposed District has available all other necessary utility services for development of the real estate except sanitary sewers. The absence of sanitary sewers creates or adds to pollution or health hazards in the District. The absence of sanitary sewers has limited residential growth in the proposed District because the requirements of Dearborn County and the Indiana Department of Health, as they apply to septic tanks and other on-site systems, prohibit, in many instances, construction of economically viable residential subdivisions.

10. Territory in District. The territory to be included in the district is a part of Clay, Center and Washington Townships, Dearborn County, Indiana, and is more particularly detailed on the map attached to this Petition as Exhibit "B" detailing the District's proposed boundaries. In the

event that the proposed District seeks to expand its purpose or area in the future, the proposed Board shall give ten (10) days public notice of a hearing before the Board of Commissioners and the Board of Commissioners shall conduct such public hearing and the Board of Commissioners, or other public subdivision if in an incorporated area, must approve such expansion.

11. Board of Trustees. The number, manner of selection and terms of the Board of Trustees of the District is recommended as follows:

(A) The District Board shall be seven (7) Trustees.

(B) The initial Board shall be composed of four (4) Trustees appointed by the Dearborn County Commissioners and three (3) Trustees appointed by the Dearborn County Council.

1. The initial Trustees shall serve terms until January 1, 2004, or until their successors are appointed.

2. Thereafter the Board of Trustees shall be selected by appointment as follows:

a. Three (3) citizen (non-elected officials) members shall be appointed by the Dearborn County Commissioners, one (1) of such three (3) members shall serve a three (3) year term and shall own real estate in Jackson, Kelso, York or Manchester Township; one (1) of such three (3) members shall serve a two (2) year term and shall own real estate in Logan, Harrison or Miller Township; and one (1) of such three (3) members shall serve a one (1) year term and shall own real estate in Caesar Creek, Clay, Sparta or Washington Township.

b. One (1) citizen (non-elected official) member shall be appointed by the Dearborn County Council and shall serve a four (4) year term and shall reside in Hogan, Center or Lawrenceburg Township.

c. The remaining three (3) Board members shall consist of the following: One (1) Board member from the Dearborn Health Board, or such Health Board's designee, appointed by the Dearborn County Health Board beginning in January of each calendar year for a term of one (1) calendar year; one Board member from Dearborn County Council, or such Council's designee, appointed by the Dearborn County Council beginning in January of each calendar year for a term of one (1) calendar year; and one (1) Board member from the Board of Commissioners, or such Board's designee, appointed by the Board of Commissioners beginning in January of each calendar year for a term of one (1) calendar year.

12. Plan for Future. The plan for financing the cost of operations of the district until it is in receipt of revenue from its operations or proceeds from the sale of bonds includes a forgivable loan from the State Revolving Fund, a rural Utility Loan, funding from Dearborn County revenue sources, Rural Development grants and private contributions.

13. Estimate of Cost. The estimates of the cost of accomplishing the purpose of the District, of operating and maintaining the works, the source of funding of such costs and estimates of rates and charges required for the District have been prepared by GRW Engineers, Inc., 7112 Waldemar Drive , Indianapolis, Indiana, 46268, (317) 347-3650 in summary form as Exhibit "C."

14. Filing of Petition. A copy of this Petition has been filed in the office of The Board of Commissioners of Dearborn County, Indiana, the office of the Board President of the Town of Dillsboro, the office of the Mayor of the City of Aurora, the office of the Dearborn County Council, the office of the Dearborn County Auditor, who are officials of the only governmental entities having territory within the proposed district, on the date of filing herein.

15. Designated Representative. The designated representative for the petitioner is Lisa deHart Lehner, 208 Walnut Street, Lawrenceburg, Indiana, 47025, Telephone: (812) 537-2375, Fax (812) 537-2368, Attorney No. 19132-15.

WHEREFORE, Petitioners request:

1 That a public hearing be conducted on this Petition by IDEM after the giving of the proper notice thereof;

2. That the relief requested in the Petition be granted by the Commissioner; and

3. That the Commissioner issue his order creating the Clay, Center and Washington Township Regional Sewer District.

Submitted this 24th day of March, 2003.

DEARBORN COUNTY BOARD OF COMMISSIONERS
Daniel Batta, President, Karen Shell, and Vera Benning

Lisa deHart Lehner

By: Lisa deHart Lehner
Designated Representative of the Petitioners

TOWNSHIP TRUSTEE OF CLAY TOWNSHIP,
DEARBORN COUNTY, INDIANA

By:_____

TOWNSHIP TRUSTEE OF CENTER TOWNSHIP,
DEARBORN COUNTY, INDIANA

By:_____

TOWNSHIP TRUSTEE OF WASHINGTON TOWNSHIP,
DEARBORN COUNTY, INDIANA

By:_____

Counsel for Petitioner:

_____

Lisa deHart Lehner, #19132-15
208 Walnut Street
Lawrenceburg, Indiana 47025
Telephone No. (812) 537-2375
Fax No. (812) 537-2368

The above amended Petition to form a sewer district in Clay, Center and Washington Townships, Dearborn County, Indiana, as APPROVED by the _____ Township Board this _____ day of _____, 2003.

TOWNSHIP BOARD OF CLAY TOWNSHIP
DEARBORN COUNTY, INDIANA

By:_____
_____
_____

TOWNSHIP TRUSTEE OF CENTER TOWNSHIP,
DEARBORN COUNTY, INDIANA

By:_____
_____
_____

TOWNSHIP TRUSTEE OF WASHINGTON TOWNSHIP,
DEARBORN COUNTY, INDIANA

By:_____
_____
_____

EXHIBIT "A"

APR 1 2 48 PM '03

DEARBORN COUNTY COUNCIL

RESOLUTION NO. 2002-

WHEREAS, The Board of Commissioners of Dearborn County and Clay, Center and Washington Townships have petitioned the Commissioner, Indiana Department of Environmental Management, for an order directing that the Regional Sewer District be formed;

NOW THEREFORE, BE IT RESOLVED BY THE DEARBORN COUNTY COUNCIL, that it approves the formation of the Dearborn County Regional Sewer District.

ADOPTED on this 26 day of Nov, 2002.

DEARBORN COUNTY COUNCIL

BY _____
Charles Fehrman, Councilman

_____
Thomas P. Cheek, Councilman

_____
Bryan Messmore, Councilman

_____
George Lansing II, Councilman

_____
Bill Ullrich, Councilman

_____
Dennis Kraus, Councilman

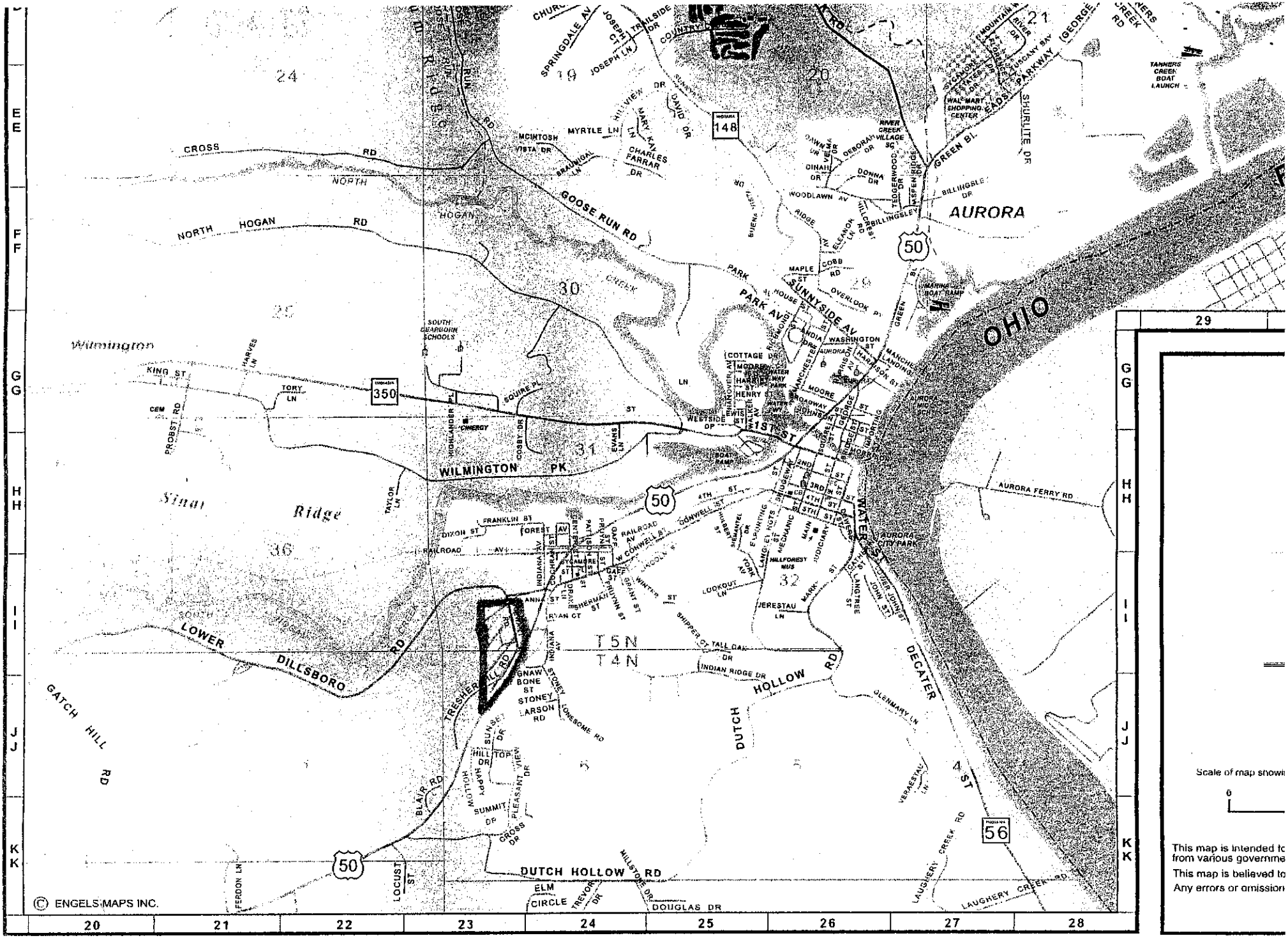
_____
Terry Kreinhop, Councilman

ATTEST: _____
CARY B. PICKENS

EXHIBIT "B"

PROPOSED REGIONAL SEWER DISTRICT

BOUNDARY AND STUDY AREA


AURORA
OHIO
RIVER
Wilmington
Sinai
Ridge
T5N
T4N
WILMINGTON PK
LOWER DILLSBORO RD
DUTCH HOLLOW RD
GOOSE RUN RD
NORTH HOGAN RD
CROSS RD
GATCH HILL RD
DECATER
AURORA FERRY RD
1ST ST
WATER ST
PARK AV
SUNNYSIDE AV
AURORA CITY PARK
SOUTH DEARBORN SCHOOLS
TANNERS CREEK BOAT LAUNCH
WAL-MART SHOPPING CENTER
MARINA BOAT RAMP
BOAT RAMP
WESTSIDE DP
HENRY ST
MOORE ST
BROADWAY
WASHINGTON ST
COTTAGE DR
RAILROAD AV
W CONWELL ST
4TH ST
FRANKLIN ST
DIXON ST
LOOKOUT LN
INDIAN RIDGE DR
SHIPPER OF TALL OAK DR
GNAW BONE ST
STONEY LONESOME RD
LARSON RD
TRESHER HILL RD
HILL TOP DR
SUNSET DR
PLEASANT VIEW DR
SUMMIT DR
CROSS DR
BLAIR RD
LOCUST ST
FERDON LN
ELM CIRCLE
TREVOR DR
DOUGLAS DR
HILLSTONE DR
LAUGHERY CREEK RD
LAUGHERY CREEK
GLENMARY LN
VERAESTAU LN
MYRTLE LN
MCINTOSH VISTA DR
CHARLES FARRAR DR
MARY KAY LN
DAVID DR
DONNA DR
DEBORAH DR
DAWN VIEW DR
TEDDERWOOD DR
ASPEN RIDGE DR
WOODLAWN AV
BILLINGSLEY DR
HILLCREST RD
ELEANOR LN
COBB RD
OVERLOOK PL
MAPLE ST
KING ST
TORY LN
SQUIRE PL
COBBY DR
HIGHLANDER PL
EVANS LN
TAYLOR LN
PROBST RD
CEM RD
HARVES LN
SPRINGDALE AV
TRAILSIDE DR
COUNTRY DR
JOSEPH LN
BRAUNIGAL LN
HILLVIEW DR
SCENIC VIEW DR
MOUNTAIN RIVER DR
SYCAMORE TRACE DR
TUSCANY BAY PARKWAY
GEORGETOWN
SHURLITE DR
GREEN BL
RIVER CREEK VILLAGE SC
INDIANA 148
INDIANA 350
US 50
US 56
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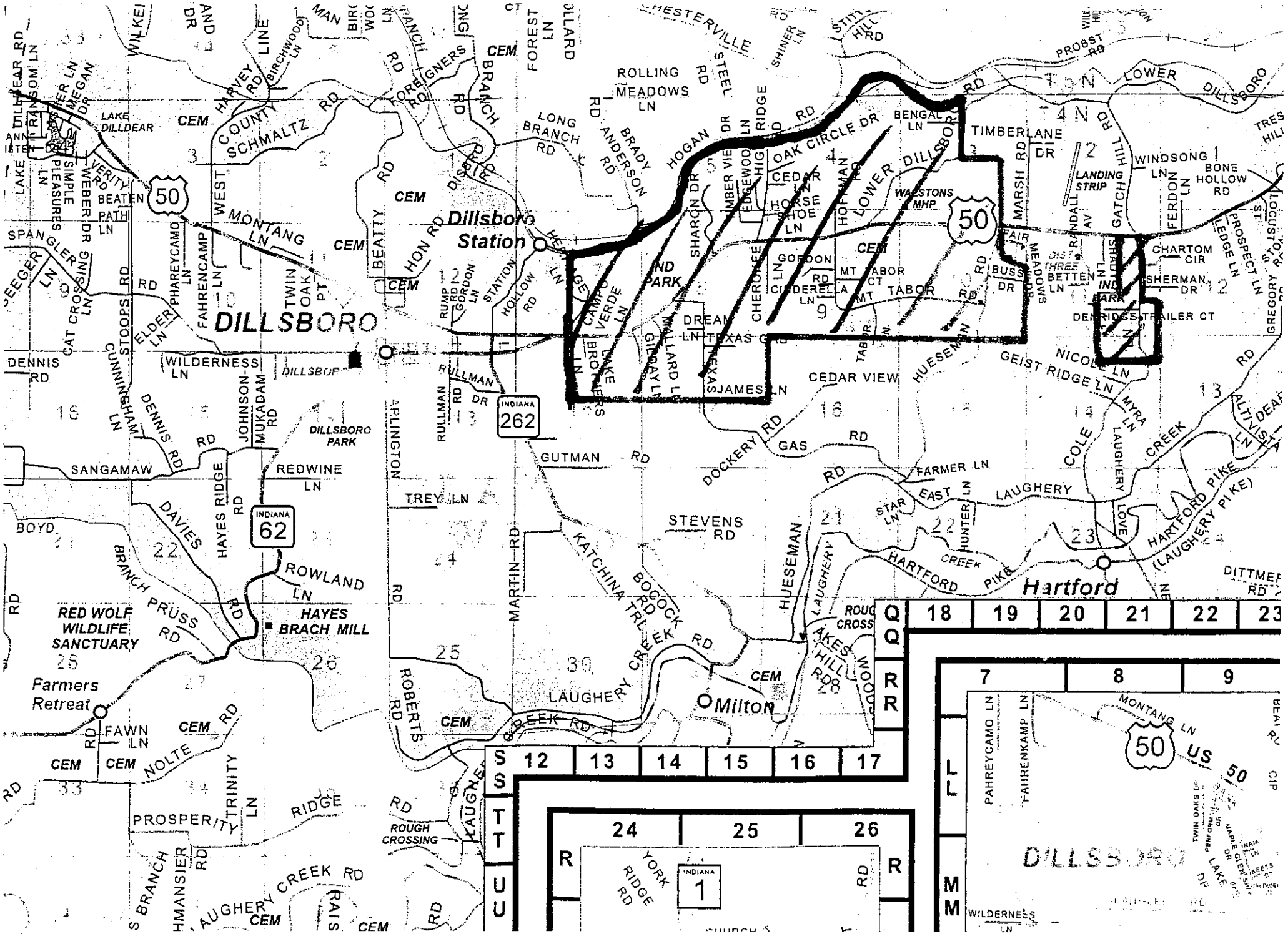
EE
FF
GG
HH
II
JJ
KK
© ENGELS MAPS INC.


DILLSBORO
Dillsboro Station
Hartford
Milton
Farmers Retreat
HAYES BRACH MILL
RED WOLF WILDLIFE SANCTUARY
LAKE DILLDEAR
DILLSBORO PARK
WALSTONS MHP
LANDING STRIP
TIMBERLANE DR
LOWER DILLSBORO RD
OAK CIRCLE DR
ROLLING MEADOWS LN
LONG BRANCH RD
SCHMALTZ RD
WEST MONTANG LN
TWIN OAK PT
FAHRENCAMP LN
PHAREYCAMO LN
BEATTY RD
HON RD
DISBRO RD
FOREIGNERS RD
HARVEY LINE RD
BIRCHWOOD LN
FOREST LN
CHESTERVILLE STEEL RD
STITT HILL RD
PROBST RD
BRADY ANDERSON RD
HOGAN DR
SHARON DR
CHEROKEE LN
EDGEWOOD HIGH RIDGE RD
CEDAR LN
HORSE SHOE LN
HOFFMAN RD
BENGAL LN
MARSH RD
WINDSONG LN
BONE HOLLOW RD
FERDON LN
PROSPECT LEDGE LN
CHARTOM CIR
SHERMAN DR
GREGORY RD
DEER RIDGE TRAILER CT
MEADOWS DR
BUSS DR
FAIR
GORDON RD
MT ABOR CT
MT TABOR RD
CAMPO VERDE LN
LAKE BROTHERS
GIDDAY LN
WALLARD LN
DREAM LN
TEXAS JAMES LN
CEDAR VIEW
HUESEMAN RD
GEIST RIDGE LN
NICOLE LN
MYRA LN
ALTIVISTA LN
CREEK
COLE
LAUGHERY
EAST LAUGHERY
FARMER LN
STAR LN
HUNTER LN
LOVE
HARTFORD PIKE (LAUGHERY PIKE)
DOCKERY RD
GAS RD
GUTMAN RD
STEVENS RD
KATCHINA TRL
BOCOCK RD
CREEK RD
MARTIN RD
ROBERTS RD
ROUGH CROSSING
LAKES OF THE WOODS
HILL RD
RULLMAN RD
RULLMAN DR
ARLINGTON RD
TREY LN
REDWINE LN
ROWLAND LN
HAYES RIDGE RD
DAVIES BRANCH
PRUSS RD
JOHNSON-MUKADAM RD
DENNIS RD
CUNNINGHAM LN
ELDER LN
STOOPS RD
CAT CROSSING RD
SPANGLER RD
WEEGER LN
WILDERNESS LN
SANGAMAW
BOYD
FAWN LN
NOLTE RD
TRINITY RIDGE RD
PROSPERITY
S BRANCH
LAUGHERY CREEK RD
RAISOR
HMANSIER RD
YORK RIDGE RD
MONTANG LN
PAHRENKAMP LN
PAHREYCAMO LN
WILDERNESS LN
US 50
INDIANA 262
INDIANA 62
INDIANA 1
CEM
Q Q
R R
S S
T T
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Dearborn County Regional Sewer District Boundaries

AREA I

Starting with the northwest corner of Section 7, T4N, R2W within Clay township, at the Clay township line and going south along the western line of Section 7, T4N, R2W, then along the western section line of Section 18, T4N, R2W, to the north half (½) section line of Section 18, T4N, R2W and following said half (½) section line to include the northern half of Section 18, T4N, R2W, then east along the half (½) section line to include the northern half of Section 17, T7N, R2W.

At the Northeast corner of Section 17, T7N, R2W, east into Washington township along the south section line of Section 9, T4N, R2W, and east along said line to the south line of Section 10, T4N, R2W, to the south east corner of Section 10, T4N, R2W. From the Southeast Corner of Section 10, T4N, R2W, north along the eastern section line to the intersection of the section line with Fair Meadows Subdivision. From the intersection of the eastern section line of Section 10, T4N, R2W and the southeast corner of Fair Meadows Subdivision, west along the southern boundary of Fair Meadows Subdivision, and following the subdivision boundary to the point of intersection with Hueseman. Then north along Hueseman Road to the intersection of Hueseman Road and U. S. 50. Then directly north of the intersection of Hueseman Road and U.S. 50 into Section 3, T4N, R2W, then to the south half (½) section line of Section 3. Along the south half (½) section line of Section 3, T4N, R2W to the west half (½) section line, north along the west half section line to the Washington township line, and west to the Northeast corner of Section 4, T4N, R2W.

Continuing at the Northeast corner of Section 4, T4N, R2W, and going west along the north section line to the Washington township line, following the township line to Section 5, T4N, R2W, Clay Township. Continuing west following the Clay township line to Section 8, T4N, R2W, and going west along the Clay township line to Section 7, T4N, R2W, west along the Clay township line to the point of beginning.

This area includes portions of Sections 5, 7, 8, 17, & 18, T4N, R2W, Clay Township. The area also includes portions of Sections 3, 4, 9 & 10, T4N, R2W, Washington Township.

AREA II

At the intersection of Lower Dillsboro Road and Stewart Street, south along the western Section Line of Section 31, T5N, R1W, Center Township, continuing south along the western section line into Section 6, T4N, R1W, Center Township, south along the western section line of Section 6, T4N, R1W, to the intersection of the section line with Stewart Street, then east to the Corporate Boundary line of the City of Aurora. North along the Corporate Boundary line of the City of Aurora to Section 31, T5N, R1W, following the Corporate Boundary line of the City of Aurora north to the south half (½) section line of Section 31, T5N, R1W, then west along the half (½) section line to Stoney Lonesome Creek. North along the eastern portion of Stoney Lonesome Creek to Lower Dillsboro Road, then west along Lower Dillsboro Road to the point of beginning.

This area includes portions of Sections 6, T4N, R1W, Center Township, and portions of Section 31, T5N, R1W, Center Township.

AREA III

At the intersection of Cole Lane and U.S. 50, west along the south edge of U.S. 50 to a point approximately 445 feet west of Cole Lane. From this point, due south approximately 3, 055 feet to the northeastern most corner of parcel 099.002. From this intersection, west along said property boundary to the eastern portion of the ½ section line of Section 11, T4N, R2W. At the eastern portion of the ½ section line point of intersection, south along the eastern portion of the ½ section line of Section 11, T4N, R2W, to the point of intersection with Section 14, T4N, R2W. Following the eastern portion of the ½ section line of Section 14, T4N, R2W south approximately 1, 083 feet. At this point along the eastern portion of the ½ section line of Section 14, T4N, R2W, directly east to the point of intersection with the eastern Section line of Section 14, T4N, R2W. North along the eastern section line of Section 14, T4N, R2W, to Section 11, T4N, R2W. North along the eastern section line of Section 11, T4N, R2W, to the southeastern corner of Willow Acres Subdivision. At this point of intersection, west along the southern boundary of Willow Acres Subdivision to the point of intersection with Cole Lane. Following Cole Lane north to the point of beginning.

This are includes portions of Section 11, T4N, R2W, Washington Township, and portions of Section 14, T4N, R2W, Washington Township.

Exhibit "C"

Dearborn County Regional Sewer District
Revised Project Cost Estimate
For Main Project Area, Cole Lane and Stewart Avenue
May 14, 2003

1 **Project Cost for:**

Main Project Area (283 customers)

Construction Cost	
Collection System:	$2,450,000
Wastewater Treatment Plant:	$760,000
Sub-total	**$3,210,000**

Cole Lane Area (66 customers)

Construction Cost	
Collection System:	$510,000
Wastewater Treatment Plant:	$130,000*
Sub-total	**$640,000**

Stewart Avenue Area (13 customers)

Construction Cost	
Collection System:	$130,000
Wastewater Treatment Plant:	$30,000*
Sub-total	**$160,000**
Total Construction cost:	**$4,010,000**

* assumed connection fee to Aurora not yet verified

Non-Construction Cost	
Total	**$810,000**
Total Project Cost	
Total	**$4,820,000**

Total project cost is sum of Construction and Non-Construction cost

2. **Non Construction Cost Itemization**

The following is an estimate of cost for the various services that will be needed during the design and construction phases of this project. Final actual cost for each service may vary.

Engineering Design and Construction Administration services	$330,000
Preparation of Operation and Maintenance manual	$15,000
Resident Inspection services during construction	$150,000
Land and Easement Acquisition services	$110,000
Land and easement cost	$60,000
Legal, Bond Counsel, Financial and Grant administrative Services	$120,000
Miscellaneous/ Contingency	$25,000
Total	**$810,000**

Estimated Annual Operating and Maintenance Cost $127,000

Estimated Monthly User Rate $50 to $59

2. **Non Construction Cost Itemization**

The following is an estimate of cost for the various services that will be needed during the design and construction phases of this project. Final actual cost for each service may vary.

Engineering Design and Construction Administration services	$330,000
Preparation of Operation and Maintenance manual	$15,000
Resident Inspection services during construction	$150,000
Land and Easement Acquisition services	$110,000
Land and easement cost	$60,000
Legal, Bond Counsel, Financial and Grant administrative Services	$120,000
Miscellaneous/ Contingency	$25,000
Total	**$810,000**

Estimated Annual Operating and Maintenance Cost $127,000

Estimated Monthly User Rate $50 to $59

Attachment No. 2
Dearborn County Regional Sewer District
Up-front Cost estimate
For Project Area No. 4 and Stewart Avenue
April 3, 2003

The following is a preliminary estimate of the "up-front cost" needed to keep the sewer District moving. These costs are based on the assumption that the Dearborn County Regional Sewer District pursues loan and grant funding from Rural Development and IDOC. Funds from both of these programs are not actually available until after the project is bid for construction. Prior to this point there is a significant amount of work and cost expenditures associated with land acquisitions, design plan preparation and legal financial and grant administrative services.

Land and Easement acquisitions services

WWTP site

• WWTP site legal survey	$2,500
• Appraisal	$250
• Title search	$100
• Negotiations	$500
• Recording fees	$50
Total	$3,500

Pump Station sites (4)

• Pump Station site legal survey	$1000
• Appraisal	$250
• Title search	$100
• Negotiations	$750
• Recording fees	$50
Per Station site	$2,150
Total (4 stations)	$8,600

Property acquisitions/purchase (see note 1)

• WWTP site (assume 5 acres @ $5,000 per acres)	$25,000
• Pump Station sites (assume $2,500 ea)	$10,000

Easement acquisition services (see note 2)	$77,900
Easement purchase (see note 3) (assume majority of easements are donated)	$15,000

Additional Professional Services

Engineering services includes survey, geotechnical, design and bidding (see note 4)	$224,000
Income surveys	$1,500
Archaeological Reconnaissance services	$3,000
Public Hearings includes advertisements, coping cost etc	$1,000
Financial, Legal and Administrative	$25,000
Miscellaneous cost associate with formation of the District	$500
Total Cost	**$395,600**

* Note: All costs are estimated and for planning purposes only

Note 1: WWTP and Pump Station sites can be secured by purchase options prior to construction loan closings for the cost of the option only (usually about $1,000 per option)

Note 2: This item is difficult to estimate. It can be very costly and very time consuming Task for this item typically include: legal descriptions, plats, title search, appraisals, negotiations and recording fees

Note: 3 District should try to secure easements for grinder pumps through donations. If you compensate one then all may want compensation

Note 4: These services are required prior to bidding and award of contract. Remainder of engineering services will occur after start of construction

WOOD, LAMPING & LEHNER LLP
ATTORNEYS AT LAW

INDIANA OFFICE:
LEHNER PROFESSIONAL BUILDING
208 WALNUT STREET
LAWRENCEBURG, IN 47025
TELEPHONE (812) 537-2375
FAX (812) 537-2368

OHIO OFFICE:
WOOD & LAMPING LLP
600 VINE STREET, SUITE 2500
CINCINNATI, OHIO 45202-2409
TELEPHONE (513) 852-6000
FAX (513) 852-6087

JAN 15 3 34 PM '03

January 13, 2003

Ms. Lynn Newlon
100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015

Re: Dearborn County Regional Sewer District

Dear Lynn:

Enclosed please find a copy of the executed Petition with exhibits and a list of County Council Members.

Doug Baer is putting together a list of property owners for IDEM as well. The Petition has been mailed to the government entities that have territory within the proposed District. If you have any questions, then please give me a phone call.

Very truly yours,

Lisa

Lisa deHart Lehner

LdL:abn
Enclosures

163000.1

Dearborn County Council

At Large:

Bill Ullrich
103 Deborah Lane
Aurora, IN 47001
812-926-0575 Phone
812-537-8723 Pager
b2bullrich@earthlink.net

Charlie Fehrman
9206 SR 62
Dillsboro, IN 47018
812-432-3136 Phone
513-374-5082 Cell
cfehrman@seidata.com

1st District:

Bryan Messmore
4374 Messmore Lane
Lawrenceburg, IN 47025
812-487-2146 Phone
513-218-6143 Cell
messmore@one.net

2nd District

George "Bo" Lansing II
342 Cora Drive
Lawrenceburg, IN 47025
812-537-3920 Phone

3rd District

Thomas Cheek
8219 Fair Meadows Drive
Aurora, IN 47001
812-926-3767 Phone
513-638-2426 Cell
tomcheek@seidata.com

4th District

Dennis Kraus
24408 Graf Road
Sunman, IN 47041
812-623-2320

Mark Mitter
25627 Jacobs Road
Guilford, In 47022
812-623-3396

Dearborn County Commissioners

District 1

Karen Shell
444 Hidden Valley Drive
Lawrenceburg, IN 47025
812-537-4343 Phone

District 2

Dan Batta
10733 Batta Road
Sunman, IN 47041
812-623-2987 Phone
513-739-2030 Cell
marrich@nalu.net

District 3

Vera Benning
7997 Grelle Road
Dillsboro, IN 47018
812-667-4770 Phone
513-739-2032 Cell

Dearborn County Attorney

Lisa deHart Lehner
108 Walnut Street
Lawrenceburg, IN 47025
812-537-2375 Phone
812-537-2368 Fax

County Council meetings for 2003

Month & Date	Time	Kind of Meeting
January 28	7:30 p.m.	Organizational
February 25	7:30 p.m.	Working meeting
March 25	7:30 p.m.	Working meeting
April 22	7:30 p.m.	Additionals
May 27	7:30 p.m.	Working meeting
June 24	7:30 p.m.	Working meeting
July 22	7:30 p.m.	Additionals
August 26	7:30 p.m.	Working meeting
September 23	7:30 p.m.	Working meeting
October 28	7:30 p.m.	Additionals

Commissioner's Meetings for 2003

January 6, 2003 —— 9:30 am
January 21, 2003 —— 7:30 pm (Tues)
February 3, 2003 —— 9:30 am
February 18, 2003——7:30 pm (Tues)
March 3, 2003 ——9:30 am
March 17, 2003 ——7:30 pm
April 7, 2003 ——9:30 am
April 21, 2003 ——7:30 pm
May 5, 2003 ——9:30 am
May 19, 2003 ——7:30 pm
June 2, 2003 ——9:30 am
June 16, 2003 ——7:30 pm
July 7, 2003 ——9:30 am
July 21, 2003 ——7:30 pm
August 4, 2003 ——9:30 am
August 18, 2003 ——7:30 pm
September 2, 2003 ——9:30 am (Tues)
September 15, 2003 ——7:30 pm
October 6, 2003——9:30 am
October 20, 2003 ——7:30 pm
November 3, 2003 ——9:30 am
November 17, 2003 ——7:30 pm
December 1, 2003 ——9:30 am
December 15, 2003 ——7:30 pm

Regular Commissioner Meetings
1st Mon at 9:30 am
3rd Mon at 7:30 pm
When a meeting falls on a holiday, the meeting is moved to Tuesday.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT STATE OF INDIANA

IN THE MATTER OF THE PETITION OF CLAY, CENTER AND WASHINGTON TOWNSHIPS, DEARBORN COUNTY, INDIANA TO ESTABLISH A REGIONAL SEWER DISTRICT PURSUANT TO SECTION IC 13-26 et seq. OF THE INDIANA CODE	)))))))	**BEFORE THE COMMISSIONER IDEM, STATE OF INDIANA**

PETITION TO ESTABLISH REGIONAL SEWER DISTRICT

The Dearborn County tenders its Petition to the Commissioner, Indiana Department of Environmental Management (IDEM), pursuant to IC 13-26 et seq. of the Indiana Code, for an order directing that a regional sewer district be organized as an independent political entity of the State of Indiana, and as a body corporate and politic. In support of this Petition, petitioner alleges:

1. Proposed Name. The proposed name of the regional sewer district shall be Dearborn County Regional Sewer District.

2. Principal Office. The principal office of the district shall be located at the office of The Dearborn County, Indiana, which has a mailing address of Dearborn County Commissioners, 215 B West High Street, Lawrenceburg, Indiana 47025.

3. Approval by Townships. This Petition has been approved by the Clay, Center and Washington Townships required by IC 13-26-2-2.

4. Approved by County Council. The petition has been approved by the Dearborn County Council inasmuch as it may be an "eligible entity" within the meaning of IC 13-26-2-2 and IC 13-11-2-62 and –86. A copy of the Resolution of the Dearborn County Council approving this

formation of the District is attached as Exhibit "A" to this Petition. There are no other political subdivisions in the proposed district.

5. No State Lands in District. There is no state park or recreation area, forest land or a reservoir, nor any land owned by the Indiana Department of Natural Resources in the proposed District.

6. Need. The need for the proposed District has long been recognized by residents and business in the area and the Dearborn County Council, by the Dearborn County Commissioners, the Petitioner herein, and the public generally for the reason that sanitary sewage disposal is provided in the area by each homeowner or business through an on-site septic tank, many of which leak, have failed or will fail or by private sewer systems that have failed. The absence of public sanitary sewer service has contributed to suppression of development and environmental contamination in the proposed District.

7. Purpose. The purpose to be accomplished by the formation of the District is the reduction of pollution of the environment by elimination of inadequate septic systems and the construction of a sanitary sewer collection system and appropriate treatment of collected sewage. The proposed Board shall responsible for the management of the sewer district and the administration of sewer district facilities.

8. Establishment. Establishment of the district will be conducive to the public health, safety, convenience and welfare of the residents of the District for the following reasons:

(A) No sanitary sewer system exists in the proposed District.

(B) Sewage collection, disposal and treatment in the proposed District is currently being provided by individual septic tanks or other on-site systems at each residence or place of business. Those on-site systems which have failed or are failing are contributing to the

pollution of the environment in the proposed District and create a hazard to the health, welfare and safety of the residents of the proposed District. In many instances replacement of the failed or failing septic tanks or other on-site systems is not feasible due to the cost, condition of the soil or parcel size.

(C) There is no publicly owned treatment works in the proposed District for treatment of sanitary sewage, which situation inhibits the ability of the residents to alleviate environmental concerns created by failed and failing septic systems. There is a privately owned treatment facility in the proposed District, but the proposed district hopes to purchase it and utilize is for the benefit of the proposed District

9. Indebtedness. There is no outstanding indebtedness for the purpose proposed in the proposed District. The absence of a sanitary sewer system hinders commercial growth in the proposed District, which contains an agricultural cooperative, a retail truck sales business, a propane gas sales business, a storage and a church business. The proposed District has available all other necessary utility services for development of the real estate except sanitary sewers. The absence of sanitary sewers creates or adds to pollution or health hazards in the District. The absence of sanitary sewers has limited residential growth in the proposed District because the requirements of Dearborn County and the Indiana Department of Health, as they apply to septic tanks and other on-site systems, prohibit, in many instances, construction of economically viable residential subdivisions.

10. Territory in District. The territory to be included in the district is a part of Clay, Center and Washington Townships, Dearborn County, Indiana, and is more particularly detailed on the map attached to this Petition as Exhibit "B" detailing the District's proposed boundaries. In the event that the proposed District seeks to expand its purpose or area in the future, the proposed Board shall give ten (10) days public notice of a hearing before the Board of Commissioners and the Board

of Commissioners shall conduct such public hearing and the Board of Commissioners, or other public subdivision if in an incorporated area, must approve such expansion.

11. Board of Trustees. The number, manner of selection and terms of the Board of Trustees of the District is recommended as follows:

(A) The District Board shall be seven (7) Trustees..

(B) The initial Board shall be composed of four (4) Trustees appointed by the Dearborn County Commissioners and three (3) Trustees appointed by the Dearborn County Council.

1. The initial Trustees shall serve terms until January 1, 2004, or until their successors are appointed.

2. Thereafter the Board of Trustees shall be selected by appointment as follows:

a. Three (3) citizen (non-elected officials) members shall be appointed by the Dearborn County Commissioners, one (1) of such three (3) members shall serve a three (3) year term and shall reside in Jackson, Kelso, York or Manchester Township; one (1) of such three (3) members shall serve a two (2) year term.and shall reside in Logan, Harrison or Miller Township; and one (1) of such three (3) members shall serve a one (1) year term and shall reside in Caesar Creek, Clay, Sparta or Washington Township.

b. One (1) citizen (non-elected official) member shall be appointed by the Dearborn County Council and shall serve a four (4) year term and shall reside in Hogan, Center or Lawrenceburg Township.

c. The remaining three (3) Board members shall consist of the following: One (1) Board member from the Dearborn Health Board appointed by the Dearborn County Health Board beginning in January of each calendar year for a term of one

(1) calendar year; one Board member from Dearborn County Council appointed by the Dearborn County Council beginning in January of each calendar year for a term of one (1) calendar year; and one (1) Board member from the Board of Commissioners appointed by the Board of Commissioners beginning in January of each calendar year for a term of one (1) calendar year.

12. Plan for Future. The plan for financing the cost of operations of the district until it is in receipt of revenue from its operations or proceeds from the sale of bonds includes a forgivable loan from the State Revolving Fund, a rural Utility Loan, funding from Dearborn County revenue sources, Rural Development grants and private contributions.

13. Estimate of Cost. The estimates of the cost of accomplishing the purpose of the District, of operating and maintaining the works, the source of funding of such costs and estimates of rates and charges required for the District have been prepared by GRW Engineers, Inc., 7112 Waldemar Drive , Indianapolis, Indiana, 46268, (317) 347-3650 in summary form as Exhibit "C."

14. Filing of Petition. A copy of this Petition has been filed in the office of The Board of Commissioners of Dearborn County, Indiana, the office of the Board President of the Town of Dillsboro, the office of the Mayor of the City of Aurora, the office of the Dearborn County Council, the office of the Dearborn County Auditor, who are officials of the only governmental entities having territory within the proposed district, on the date of filing herein.

15. Designated Representative. The designated representative for the petitioner is Lisa deHart Lehner, 208 Walnut Street, Lawrenceburg, Indiana, 47025, Telephone: (812) 537-2375, Fax (812) 537-2368, Attorney No. 19132-15.

WHEREFORE, Petitioners request:

1 That a public hearing be conducted on this Petition by IDEM after the giving of the proper notice thereof;

2. That the relief requested in the Petition be granted by the Commissioner; and

3. That the Commissioner issue his order creating the Clay, Center and Washington Township Regional Sewer District.

Submitted this 26 day of Nov., 2002.

DEARBORN COUNTY BOARD OF COMMISSIONERS

Daniel Batta

Daniel Batta, President

Karen Shell

Karen Shell

Vera Benning

Vera Benning

TOWNSHIP TRUSTEE OF CLAY TOWNSHIP,
DEARBORN COUNTY, INDIANA

By:_____

TOWNSHIP TRUSTEE OF CENTER TOWNSHIP,
DEARBORN COUNTY, INDIANA

By:_____

TOWNSHIP TRUSTEE OF WASHINGTON TOWNSHIP,
DEARBORN COUNTY, INDIANA

By:_____

Counsel for Petitioner: _____
Lisa deHart Lehner, #19132-15
208 Walnut Street
Lawrenceburg, Indiana 47025
Telephone No. (812) 537-2375
Fax No. (812) 537-2368

The above amended Petition to form a sewer district in Clay, Center and Washington Townships, Dearborn County, Indiana, as APPROVED by the _____ Township Board this _____ day of _____, 2002.

TOWNSHIP BOARD OF CLAY TOWNSHIP
DEARBORN COUNTY, INDIANA

By:_____
_____
_____

TOWNSHIP TRUSTEE OF CENTER TOWNSHIP,
DEARBORN COUNTY, INDIANA

By:_____
_____
_____

TOWNSHIP TRUSTEE OF WASHINGTON TOWNSHIP,
DEARBORN COUNTY, INDIANA

By:_____
_____
_____

EXHIBIT "A"

DEARBORN COUNTY COUNCIL

RESOLUTION NO. 2002-

WHEREAS, The Board of Commissioners of Dearborn County and Clay, Center and Washington Townships have petitioned the Commissioner, Indiana Department of Environmental Management, for an order directing that the Regional Sewer District be formed;

NOW THEREFORE, BE IT RESOLVED BY THE DEARBORN COUNTY COUNCIL, that it approves the formation of the Dearborn County Regional Sewer District.

ADOPTED on this 26 day of Nov, 2002.

DEARBORN COUNTY COUNCIL

BY _____
Charles Fehrman, Councilman

Thomas P. Cheek, Councilman

Bryan Messmore, Councilman

George Lansing II, Councilman

Bill Ullrich, Councilman

Dennis Kraus, Councilman

Terry Kreinhop, Councilman

ATTEST: _____
CARY B. PICKENS

OFFICE OF WATER MANAGEMENT
Jan 2 3 41 PM '03

EXHIBIT "B"

PROPOSED REGIONAL SEWER DISTRICT

BOUNDARY AND STUDY AREA

Dearborn County Regional Sewer District Boundaries

AREA I

Starting with the northwest corner of Section 7, T4N, R2W within Clay township, at the Clay township line and going south along the western line of Section 7, T4N, R2W, then along the western section line of Section 18, T4N, R2W, to the north half (½) section line of Section 18, T4N, R2W and following said half (½) section line to include the northern half of Section 18, T4N, R2W, then east along the half (½) section line to include the northern half of Section 17, T7N, R2W.

At the Northeast corner of Section 17, T7N, R2W, east into Washington township along the south section line of Section 9, T4N, R2W, and east along said line to the south line of Section 10, T4N, R2W, to the south east corner of Section 10, T4N, R2W. From the Southeast Corner of Section 10, T4N, R2W, north along the eastern section line to the intersection of the section line with Fair Meadows Subdivision. From the intersection of the eastern section line of Section 10, T4N, R2W and the southeast corner of Fair Meadows Subdivision, west along the southern boundary of Fair Meadows Subdivision, and following the subdivision boundary to the point of intersection with Hueseman. Then north along Hueseman Road to the intersection of Hueseman Road and U. S. 50. Then directly north of the intersection of Hueseman Road and U.S. 50 into Section 3, T4N, R2W, then to the south half (½) section line of Section 3. Along the south half (½) section line of Section 3, T4N, R2W to the west half (½) section line, north along the west half section line to the Washington township line, and west to the Northeast corner of Section 4, T4N, R2W.

Continuing at the Northeast corner of Section 4, T4N, R2W, and going west along the north section line to the Washington township line, following the township line to Section 5, T4N, R2W, Clay Township. Continuing west following the Clay township line to Section 8, T4N, R2W, and going west along the Clay township line to Section 7, T4N, R2W, west along the Clay township line to the point of beginning.

This area includes portions of Sections 5, 7, 8, 17, & 18, T4N, R2W, Clay Township. The area also includes portions of Sections 3, 4, 9 & 10, T4N, R2W, Washington Township.

Dearborn County Regional Sewer District Boundaries

APR 2 2:40 PM '03

Area I

Starting with the northwest portion of the half (½) section line of Section 7, T4N, R2W at the Clay township line and within Clay township, then south along the west half (½) section line of Section 7, T4N, R2W, to the west half (½) section line of Section 18, T4N, R2W. South along the west half (½) section line of Section 18, T4N, R2W to the north half (½) section line of Section 18, T4N, R2W and following said half (½) section line east to include the north eastern quarter (¼) of Section 18, T4N, R2W, then east along the half (½) section line of Section 17, T4N, R2W to include the northern half of Section 17, T7N, R2W.

At the Northeast corner of Section 17, T7N, R2W, east into Washington township along the south section line of Section 9, T4N, R2W, and east along said line to the south line of Section 10, T4N, R2W, to the west side of Hueseman Road, north along the west side of Hueseman Road to the intersection of Hueseman Road and U. S. 50. Then directly north of the intersection of Hueseman Road and U.S. 50 into Section 3, T4N, R2W, then to the south half (½) section line of Section 3. Along the south half (½) section line of Section 3, T4N, R2W to the west half (½) section line, north along the west half section line to the Washington township line, and west following the northern township line to the Northeast corner of Section 4, T4N, R2W.

Continuing west at the Northeast corner of Section 4, T4N, R2W, and going west along the north section line to the intersection of the northern section line and the Washington township line, following the township line to Section 5, T4N, R2W, Clay Township. Continuing west following the Clay township line to Section 8, T4N, R2W, and going west along the Clay township line to Section 7, T4N, R2W, west along the Clay township line to the point of beginning.

This area includes portions of Sections 5, 7, 8, 17, & 18, T4N, R2W, Clay Township. The area also includes portions of Sections 3, 4, 9 & 10, T4N, R2W, Washington Township.

AREA II

At the intersection of Lower Dillsboro Road and Stewart Street, west to the western section line, south along the western Section Line of Section 31, T5N, R1W, Center Township, continuing south along the western section line into Section 6, T4N, R1W, Center Township, south along the western section line of Section 6, T4N, R1W, to the intersection of the section line with Stewart Street, then due east to the Corporate Boundary line of the City of Aurora. North along the Corporate Boundary line of the City of Aurora to Section 31, T5N, R1W, following the Corporate Boundary line of the City of Aurora north to the south half (½) section line of Section 31, T5N, R1W, then west along the half (½) section line to Stoney Lonesome Creek. North along the eastern portion of Stoney Lonesome Creek to Lower Dillsboro Road, then west along Lower Dillsboro Road to the point of beginning.

This area includes portions of Sections 6, T4N, R1W, Center Township, and portions of Section 31, T5N, R1W, Center Township.

EXHIBIT "C"

Treatment Option	**WWTP**
Collection System Construction Cost	$2,100,000
Treatment System Construction Cost	$526,000
Non-Construction Cost	$648,000
Estimated Project Cost	**$3,274,000**
Estimated Annual OM & R Cost	$102,000
Estimated Monthly User Rate	$55

82920.1

REGIONAL SEWER OR WATER DISTRICT AFFIDAVIT OF GOVERNMENTAL ENTITY NOTIFICATION

(for instructions on the use of this AFFIDAVIT, see back of page)

1. I live in Dearborn County, State of Indiana, and being of sound mind and over twenty-one (21) years of age, I am competent to give this AFFIDAVIT.
2. I hold the position of County Attorney + Designated Representative for Dearborn County Council, Board of Commissioners + Dearborn County Regional Sewer District (name of eligible entity petitioning for establishment of district).
3. By virtue of my position with the Dearborn County Regional Sewer District (petitioning entity), I am authorized to make the representation contained in this affidavit on behalf of the petitioning eligible entity.
4. On May 15, 2003, I provided, in person, a complete list of all freeholders in Dearborn County Regional Sewer District (petitioning entity). This list was provided in order that the hearing officer may comply with the requirements of Ind. Code 13-26-2-6. This list is a true and accurate representation of all freeholders in the proposed district and was assembled via a due diligent search of all available Dearborn County records.

Further Affiant Saith Not.

I affirm, under the penalties for perjury, that the foregoing representations contained in this AFFIDAVIT are true.

May 15, 2003
date

Lisa deHart Lehner
signature of affiant

Lisa deHart Lehner
printed name

Subscribed and sworn before me, a Notary Public, this 15th day of May, 2003.

State of Indiana
County of Dearborn

Linda Lee Stanker
Linda Lee Stanker
Linda Lee Stanker
Sept 2, 2006
Residence Dearborn County, State of Indiana

This signed affidavit provides IDEM with evidence that you have assisted IDEM in its efforts to comply with IC 13-26-2-6. It should be signed by the petitioning eligible entity or its representative.

REGIONAL SEWER AND/OR WATER DISTRICT AFFIDAVIT OF GOVERNMENTAL ENTITY NOTIFICATION

(for instructions on use of this affidavit, see back of page)

Lisa deHart Lehner, being first duly sworn upon oath, deposes and says:

1. I live in Dearborn County, State of Indiana, and being of sound mind and over twenty-one (21) years of age, I am competent to give this affidavit.

2. I hold the position of DESIGNATED REPRESENTATIVE for ~~Commissioners~~ Dearborn County Board of (name of the eligible entity petitioning for establishment of district).

3. By virtue of my position with Dearborn County Board of Commissioners (petitioning entity), I am authorized to make the representation contained in this affidavit on behalf of the petitioning eligible entity.

4. As required by Ind. Code § 13-26-2-1, the petitioning eligible entity will or has filed a copy of its petition with the executive of each governmental entity having territory in the district not later than ten (10) days after filing its petition with the Indiana Department of Environmental Management.

Further Affiant Saith Not.

I affirm under the penalty for perjury that the representations contained in this affidavit are true, to the best of my information and belief.

4-30-03
date

Lisa deHart Lehner
signature of affiant

Lisa deHart Lehner
printed name

STATE OF Indiana)
)
COUNTY OF Dearborn)

Before me a notary Public in and for said County and State, personally appeared Lisa deHart Lehner and being first duly sworn by me upon oath, says that the fact stated in the foregoing statements are true. Signed and sealed this 30 day of April ,2003 .

Signature: Arin B Herzog
My commission expires: 02-06-08

Printed: Arin B. Herzog
Residence of: Dearborn County

1/98

OFFICE OF ENVIRONMENTAL MANAGEMENT