YOUNG AND YOUNG
ATTORNEYS AT LAW

40 WEST COURT STREET
SUITE D
FRANKLIN, INDIANA 46131

ROGER A. YOUNG
ROBERT W. YOUNG (1913-1989)

TELEPHONE
(317) 736-7117
FAX (317) 736-4056

September 3, 2003

SEP

INDIANA DEPT. OF ENVIRONMENTAL MANAGEMENT
100 North Senate Avenue
P.O. Box 6015
Indianapolis, IN 46206-6015

RE: ADDITIONAL TERRITORY INCLUDED WITHIN THE HELMSBURG REGIONAL SEWAGE DISTRICT

Dear IDEM:

Enclosed please find Petition and Resolution adding land to the Helmsburg Regional Sewage District.

Yours truly,

YOUNG AND YOUNG

Roger A. Young

RAY/tav
Enclosures

PETITION OF THE HELMSBURG REGIONAL SEWAGE DISTRICT TO INCLUDE ADDITIONAL TERRITORY WITHIN THE HELMSBURG REGIONAL SEWAGE DISTRICT

COMES NOW the Helmsburg Regional Sewage District, a municipal corporation and eligible entity as defined by I.C.13-26-8-1 and petitions the Helmsburg Regional Sewage District to include within the District the land described in Exhibit "A" attached hereto, and in support thereof alleges and says as follows:

1. That the Helmsburg Regional Sewage District is a regional district organized pursuant to I.C.13-26 and maintains its works of improvements within Jackson Township, Brown County, State of Indiana.

2. That not all of Jackson Township, Brown County, State of Indiana, is included within the boundaries of the Helmsburg Regional Sewage District and your petitioner requests that the district boundaries be enlarged to include the real estate set forth in Exhibit "A" attached hereto.

3. That your petitioner would represent to the District that the territory identified in the attached exhibit is situated in such a way that sewer services can be extended to the territory in a cost effective manner and, further, that the owners of the territory described in the exhibit request that said territory be included within the District and that sewer service be provided to the real estate described in the exhibit.

4. That your petitioner would further represent to the District that the territory described in the exhibit is in need of sanitary sewers because the same soil conditions exist in the territory to be added as exist in the territory which now forms a part of the sewage district and, further, to the extent that there are septic systems on the territory described in the Exhibit, said systems may be antiquated, in danger of failing, and in need of repair. Providing sanitary sewer services to the territory described in the attached Exhibit would be conducive to the public health, safety, and welfare of the residents of the existing district, as well as owners of the property described in the attached Exhibit.

WHEREFORE, your petitioner respectfully requests the Board consider the contents of this petition, and after due consideration approve this petition and that the territory described in the attached Exhibit become a part of the Helmsburg Regional Sewage District.

EXECUTED THIS 27 DAY OF Aug, 2003.

BOARD OF DIRECTORS OF THE
HELMSBURG REGIONAL SEWAGE DISTRICT

Sharon Rivenbark, President

John Johnson, Vice President

Harrietta Weddle, Secretary/Treasurer

ATTEST:

Harrietta Weddle
Harrietta Weddle,
Secretary/Treasurer

Part of the Southeast quarter of the Southeast quarter of Section 27, Township 10 North, Range 2 East, Jackson Township, Brown County, Indiana, described as follows: Commencing at a stone found marking the Southwest corner of the Southeast quarter of the Southeast quarter of said Section 27; thence North 00 degrees 35 minutes 22 seconds West (assumed bearing) with the West line of said Southeast quarter of the Southeast quarter 303.97 feet to a capped rebar set at the point of beginning for the tract herein described; thence North 00 degrees 35 minutes 22 seconds West with said West line 528.0 feet to a capped rebar set; thence South 71 degrees 30 minutes 44 seconds East 914.77 feet to a capped rebar set; thence South 10 degrees 44 minutes 01 second West 256.36 feet to a rebar found; thence North 84 degrees 51 minutes 29 seconds West 160.25 feet to an iron pipe found; thence South 89 degrees 57 minutes 57 seconds West 654.78 feet to the beginning, containing 7.49 acres, more or less.
EXCEPT THEREFROM THE REAL ESTATE DESCRIBED IN EXHIBIT A HERETO.
Also, the right of ingress and egress over a 15 foot wide easement as recorded in Easement Record 3, page 75, in the Office of the Recorder of Brown County, Indiana.

Also, the right of ingress and egress over a 15 foot wide easement for roadway lying to the left of the following described 7.49 acre tract; thence North 10 degrees 44 minutes 01 second East 288.40 feet to a capped rebar set in the terminus of said easement. The sidelines of said 15 foot wide easement are to be extended or shortened to meet at angle points and to terminate in the North line of the above described 7.49 acre tract and in the North line of the Frownfelter 3.00 acre tract.

EXHIBIT "A"

SEP 4 4 28 PM '03

RESOLUTION ACCEPTING PETITION OF THE HELMSBURG REGIONAL SEWAGE DISTRICT

WHEREAS, the Helmsburg Regional Sewage District, by and through its Board of Directors, has filed with this Board a petition to include real estate within the Helmsburg Regional Sewage District, said real estate being identified as Exhibit "A" attached to this Resolution; and,

WHEREAS, it appears to the District that said property is contiguous to the District and is so situated that the District could in a reasonably cost effective manner provide sewer services to the property described in the petition; and,

WHEREAS, it appears to the District that providing sewer services to the property described in Exhibit "A" would be conducive to the public health, safety, convenience and welfare of the residents of the District.

NOW BE IT THEREFORE RESOLVED by the Helmsburg Regional Sewage District that from and after the date of this Resolution the property described in Exhibit "A" attached hereto shall be included within and as a part of the Helmsburg Regional Sewage District.

DATED THIS 22 DAY OF Aug, 2003.

BOARD OF DIRECTORS OF THE
HELMSBURG REGIONAL SEWAGE DISTRICT

Sharon Rivenbark, President

John Johnson, Vice President

Harrietta Weddle
Harrietta Weddle, Secretary/Treasurer

ATTEST:

Harrietta Weddle
Harrietta Weddle,
Secretary/Treasurer