

ORDINANCE NO. 2005 - 2

AN ORDINANCE AUTHORIZING BOARD OF TRUSTEES TO FILE
PETITION WITH THE INDIANA DEPARTMENT OF ENVIRONMENTAL
MANAGEMENT REQUESTING REMOVAL OF TERRITORY FROM
JENNINGS NORTHWEST REGIONAL UTILITIES' SERVICE AREA

WHEREAS, the Jennings Northwest Regional Utilities ("JNRU") was duly organized under Indiana Code 13-26, et seq., as a regional water and sewer district by Order of the Indiana Department of Environmental Management dated November 4, 1996, and includes territory in Geneva, Sand Creek, Center and Spencer Townships in Jennings County, Indiana; and,

WHEREAS, JNRU has undertaken a professional engineering study of the feasibility of JNRU providing sewer service to the Hayden community in Spencer Township, Jennings County, Indiana; and,

WHEREAS, said engineering feasibility study was presented to the residents and property owners of the Hayden community, Spencer Township, Jennings County, Indiana; and,

WHEREAS, the residents and property owners of the Hayden Community have expressed the desire that JNRU NOT provide sewer service in the community of Hayden and have filed petitions with Jennings Northwest Regional Utilities requesting that said area of Spencer Township, Jennings County, Indiana, be removed from JNRU's service area; and,

WHEREAS, JNRU, by its Board of Trustees, has determined that it is not currently economically feasible to provide sewer service to the Hayden community in Spencer Township, Jennings County, Indiana, and that it is in the best interests of JNRU and its current customers that the community of Hayden and most of Spencer Township be removed from the territorial limits of JNRU's service area.

BE IT, THEREFORE, ORDAINED that the Board of Trustees of JNRU be and hereby is authorized to petition the Indiana Department of Environmental Management to remove and delete the following described territory from the territorial service area of JNRU, to-wit:

Starting at the northwest corner of Spencer Township (intersection of Jackson/Jennings County Line and County Road 300N) proceed east along County Road 300 North to County Road 500 West; then turn south along County Road 500 West to County Road 175 North; then turn east along County Road 175 North to a point which would be County Road 450 West projected; then turn south along County Road 450 West projected and actual to the Muscatatuck River; then southwesterly along the river to County Road 400 West; then westerly along County Road 400 West to the County Line and then north to the point of beginning, the entire area containing 33 square miles, plus or minus, all in Spencer Township.

SO ORDAINED this ____ day of July, 2005.

JENNINGS NORTHWEST REGIONAL UTILITIES,

By: *Edwin Whitaker*
EDWIN WHITAKER, President

ATTEST

Delbert Vincent
DELBERT VINCENT, Secretary

Thomas H. Trulock
THOMAS TRULOCK, Member

David Brinkman
DAVID BRINKMAN, Member

MARY KUNTZ, Member
Mary Kuntz
KENT CARDINAL, Member

WILLIAM COLLINS, Member
Delbert Vincent
DELBERT VINCENT, Member