

Example Declaration of Covenant for a Private Well

To be used for a private well when the entire Sanitary Control Area (SCA) having a radius of 100' is located on legal lot(s) of record owned by the well owner.

DECLARATION OF COVENANT

I (we) the undersigned, owner(s) in fee simple of the land described herein hereby declare this covenant and place same on record.

I (we) the grantor(s) herein, am (are the owner(s) in fee simple of (an interest to) the following described real estate situated in _____ County, State of Washington; to wit:

(In this section provide the legal description of the property on which the well and SCA are located. Be specific. You can provide a long or complex legal description as an attachment filed with the covenant. If you do, refer to the attachment here.)

on which the grantor(s) owns and operates a well and waterworks supplying water for domestic use located on said real estate, at:

(In this section describe the precise location of the well and SCA on the property described above. Prepare a map showing the location of the well and SCA and attach it to the Covenant when you record it.)-

and grantor(s) is (are) required to keep the water supplied from said well free from impurities which might be injurious to the public health.

It is the purpose of these grants and covenants to prevent certain practices hereinafter enumerated in the use of the land that is subject to this covenant to protect the domestic water supply located as described above from contaminants.

NOW, THEREFORE, the grantor(s) agree(s) and covenant(s) that said grantor(s,) his (her) (their) heirs, successor(s) and assigns will not construct, maintain, or suffer to be constructed or maintained upon the said land of the grantor(s) and within 50 (fifty) feet of the well herein described, so long as the same is operated to furnish water for domestic consumption, any potential source of contamination. such as septic tanks and drain fields, sewer lines, underground storage tanks, roads, railroad tracks, vehicles, structures, barns, feed stations, grazing animals, enclosures for maintaining fowl or animal manure, liquid or dry chemical storage, herbicides, insecticides, hazardous waste, or garbage of any kind or description.

These covenants shall run with the land and shall be binding to all parties having or acquiring any right, title, or interest in the land described herein or any part thereof, and shall inure to the benefit of each owner thereof.

WITNESS _____ hand _____ this _____ day of _____, 20 _____

_____ (Seal)

_____ (Seal)

Grantor(s)

State of Washington)

County of _____)

I, the undersigned, a Notary Public in and for the above named County and State, do hereby certify that on this _____ day of _____, 20_____, personally appeared before me _____ to me known to be the individual described in and who executed the within instrument, and acknowledge that he (they) signed and sealed the same as free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year last above written.

Notary Public in and for the State of Washington, residing at _____

My Commission Expires: _____

Example Restrictive Covenant for a Private Well.

To be used for a private well when the entire Sanitary Control Area (SCA) having a radius of 100' is not located on the legal lot(s) of record owned by the well owner.

RESTRICTIVE COVENANT

The grantor(s) herein is (are) the owner(s) of (an interest in) the following described real estate situated in _____ County, State of Washington.

(In this section, provide the legal description of the property of the owner who is granting the restrictive covenant - that is, the property next to the parcel on which the well is located. Be specific. You can provide a long or complex legal description as an attachment filed with the covenant. If you do, refer to the attachment here.)

The grantee(s) herein, own(s) and operate(s) a well and waterworks supplying water for domestic use, located upon the following described real estate situated in _____ County State of Washington

(This section references the property where the well is actually located. Both the description of the property and the well's location should be written here. Prepare a map showing the location of the well and SCA and attach it to the Covenant when recorded)

which well and waterworks are in close proximity to the land of the grantor(s), and said grantee(s) is (are) required to keep the water supplied from said well free from impurities which might be injurious to the public health.

It is the purpose of these grants and covenants to prevent practices hereinafter enumerated in the use of the said grantor(s) land, which might contaminate said water supply.

NOW, THEREFORE, the grantor(s) agree(s) and covenant(s) that grantor(s) his (her)heirs, successors and assigns will not construct, maintain, or suffer to be constructed or maintained upon the said land of the grantor(s) and within 50(fifty) feet of the well herein described, so long as the same is operated to furnish water for domestic consumption, any potential source of contamination, such as septic tanks and drain fields, sewer lines, underground storage tanks, roads, railroad tracks, vehicles, structures, barns, feed stations, grazing animals, enclosures for maintaining fowl or animal manure, liquid or dry chemical storage, herbicides, insecticides, hazardous waste, or garbage of any kind or description.

These covenants shall run with the land and shall be binding to all parties having or acquiring any right, title, or interest in the land described herein or any part thereof, and shall inure to the benefit of each owner thereof.

WITNESS _____ hand _____ this _____ day of _____, 20_____.

(Seal)

(Seal)

Grantor(s)

State of Washington
County of _____)

I, the undersigned, a Notary Public in and for the above named County and State, do hereby certify that on This _____ day of _____, 20_____, personally appeared before me

_____ to me known to be the individual described

in and who executed the within instrument, and acknowledge that he (they) signed and sealed the same as free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year last above written.

Notary Public in and for the State of Washington, residing at _____
My Commission Expires: _____