

**WELLHEAD PROTECTION DEED RESTRICTION**

THIS WELLHEAD PROTECTION DEED RESTRICTION (hereinafter called "Deed Restriction") made this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_, by and between \_\_\_\_\_, a \_\_\_\_\_, located at \_\_\_\_\_, \_\_\_\_\_ County, Pennsylvania (hereinafter called "Grantor") and a \_\_\_\_\_ with its principal offices located at \_\_\_\_\_ (hereinafter called "Grantee").

WITNESSETH that Grantor, for and in consideration of the sum of \_\_\_\_\_ lawful money of the United States of America, and other good and valuable consideration, unto it well and truly paid by Grantee at or before delivery hereof, the receipt whereof is hereby acknowledged, does hereby covenant, grant and convey to Grantee, its successors and assigns, which covenanting, granting and conveyancing shall become effective and legally binding upon Grantor only if Grantee shall acquire record title to a perpetual wellhead protection area and negative easement ("Protective Zone I").

The purposes of the Protective Zone I are (1) to prohibit any improvement, facility or other matter from interfering with Grantee's operation of utility facilities at/on \_\_\_\_\_; and (2) to comply with all applicable environmental rules and regulations. The Protective Zone I is shown on the drawing attached hereto and made a part hereof as Exhibit 1.

UNDER AND SUBJECT NEVERTHELESS, that the Protective Zone I shall be and remain subject to the following conditions and restrictions:

- (1) Grantor shall prohibit activities within Protective Zone I that may have a potential adverse impact on source quality or quantity; and

- (2) Grantor shall prohibit the storage, use or disposal of a potential contaminant within the Protective Zone I wellhead protection area unless the chemical or material is used in the production or treatment, or both, of drinking water; and
- (3) Grantor shall prohibit the storage of liquid fossil fuel within the Protective Zone I wellhead protection area except for providing auxiliary power to the public water system.
- (4) Construct any new and replacement liquid fossil fuel tanks that are within the Zone I wellhead protection area aboveground within the pump house or an enclosed, locked structure using an impermeable secondary containment structure of greater capacity than the fuel storage tank.

The parties agree that this Deed Restriction shall be recorded to become effective as provided herein as the parties intend that the rights and duties concerned herein shall run with the land.

IN WITNESS WHEREOF, the parties hereto have caused this Wellhead Protection Deed Restriction to be duly executed the day and year cited above.

Grantor:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print name and title

Grantee:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print name and title

COMMONWEALTH OF PENNSYLVANIA )

: ss.

COUNTY OF )

On this, the \_\_\_\_\_ day of \_\_\_\_\_, 1996, before me, the undersigned officer, personally appeared \_\_\_\_\_, who acknowledged himself to be \_\_\_\_\_, a corporation and that as such, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as \_\_\_\_\_, and desired the same might be recorded as such.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

\_\_\_\_\_