

RESOLUTION 29

WHEREAS, the Town of Oak Grove, Arkansas, is in the process of planning, building and constructing a public water supply system; and

WHEREAS, the town water well is going to be drilled on real property now owned by the Town of Oak Grove; and

WHEREAS, the Arkansas Department of Health is requiring that a protection zone with a 100-foot radius be established around the proposed water well; and

WHEREAS, certain Protective Covenants have been prepared, a copy of which is attached hereto marked "Exhibit A" and incorporated into this resolution by reference;

NOW, THEREFORE, the Town Council of Oak Grove, Arkansas, hereby approves the Protective Covenants that are attached hereto marked "Exhibit A", and the Mayor and City Recorder are hereby directed and authorized to execute the said Protective Covenants and to file same with the Circuit Clerk and Ex-Officio Recorder in and for the Eastern District, Carroll County, Arkansas.

PASSED AND APPROVED this 6th day of November, 1990.

TOWN OF OAK GROVE

ATTEST:

Nelma Allen
City Recorder

BY:

Jean L. Morgan
Mayor



Exhibit A

PROTECTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, the Town of Oak Grove, Arkansas, is the owner of the following described real property located in the Eastern District of Carroll County, Arkansas, to-wit:

A part of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 28, Township 21 North, Range 23 West of the Fifth Principal Meridian in Arkansas, described as follows: Commencing at the Southwest corner of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, and run North 12 rods for a place of beginning; thence East 40 rods; thence North 28 rods; thence West 40 rods; thence South 28 rods to place of beginning, containing 7 acres, being the same tract of land deeded by W. C. Blissit and W. A. Blissit, his wife, to School District #23, on May 27, 1919, now appearing of record in Deed Record Book 43, Page 373, in the office of the Circuit Clerk and Ex-Officio Recorder in the Eastern District of Carroll County, Arkansas.

WHEREAS, the Town of Oak Grove, Arkansas, is in the process of planning, building and installing a public water system; and

WHEREAS, the town water well is going to be drilled on a portion of the above described real property; and

WHEREAS, the Arkansas Department of Health is requiring that said water well be protected from potential contaminants;

AND WHEREAS, the Town Council of the Town of Oak Grove, by Resolution No. 29, agreed to the following protective covenants and authorized the Mayor and City Recorder in and for the Town of Oak Grove to execute these protective covenants;

NOW, THEREFORE, the following protective covenants are hereby placed on a portion of the above described real property as follows:

1. No pesticides or fertilizers shall be stored on, used or applied to any portion of the above described real property that is located within the hereinafter described protected zone.

2. The protected zone is hereby defined as the real property located within a 100-foot radius around the water well as actually located and drilled on the above described real property.

3. No building or structure intended for human habitation shall be erected within the protected zone; no septic sewage system or other type of sewage disposal system shall be constructed or allowed within the protected zone.

4. Pesticides are herein defined as any chemical used for killing insects, weeds or any other types of vegetation.

5. Fertilizer is herein defined as any material that is put on or into the soil to improve the quality or quantity of plant growth.

6. These protective covenants shall run with the land and remain in full force and effect as long as the above referenced water well is used as a source for a public water supply.

7. Enforcement shall be by proceeding at law or in equity against the Town of Oak Grove or any person or persons violating or attempting to violate any covenant, either to restrain violations and/or to recover damages.

DATED this 6th day of November, 1990.

TOWN OF OAK GROVE

ATTEST:

Delma Allen
City Recorder

BY:

Mayor

Jean L. Morgan



ACKNOWLEDGMENT

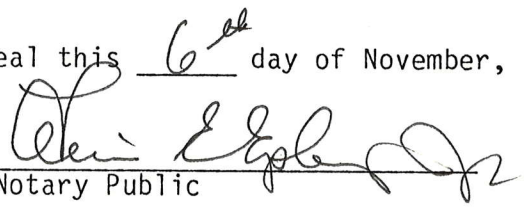
STATE OF ARKANSAS

COUNTY OF Crawell

On this day, before me personally appeared Jean L. Morgan and Delma Allen, to me personally well known, who acknowledged that they were the Mayor and City Recorder, respectively, of the Town of Oak Grove, and that they, as such officials, being authorized so to do, had executed the foregoing instrument for the purposes therein contained, by signing the name of the Town of Oak Grove by themselves as such officials.

WITNESS my hand and official seal this 6th day of November, 1990.

My Commission Expires:

April 2, 2000
Notary Public