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Doc # 1011341 Oct 26, 2010 10:45 AM  
Book 2671 Page 0135 Page 1 of 3  
Register of Deeds, Belknap County

*Barbara R. Luther*

**PUBLIC WATER SUPPLY WELL PROTECTIVE  
RADIUS AREA RESTRICTIVE COVENANT/EASEMENT**

Declaration made as of October 11, 2010, by **R. J. Moreau Communities, LLC**, a New Hampshire Limited Liability Company having a business address of 22 Eastman Drive, Bedford New Hampshire (hereinafter the "Declarant").

**WITNESSETH:**

WHEREAS, the Declarant is the owner of certain property located in Tilton, Merrimack County, New Hampshire, known as **Winnisquam Village Condominiums Community Water System**, as shown on the plan entitled Water Distribution Plan, Winnisquam Village Condominium, Tilton, New Hampshire, September 29, 2005, and prepared by Holden Engineering & Surveying, Inc, recorded in the Belknap County Registry of Deeds in Drawer L 54, Plan No. 6 through 12 (the "Plan"), containing a total of 86 condominium units, together with roadways and other common areas:

WHEREAS, it is contemplated that water service to the subdivision will be supplied by a series of 2 bedrock wells, NH DES # 996082, located therein and the common area of the subdivision as shown on the Plan to be owned and operated by **Pennichuck East Utility, Inc.**, or another "municipal" water supplier; and

WHEREAS, it is necessary for the protection of the water quality of such wells to provide a protective well radius area around such wells.

NOW THEREFORE, for value received, Declarant hereby declares a protective well radius area around each well from the head of the well as built, and as shown on the Plan. This protective radius is 200 feet from Well "1", and 200 feet from Well "2".

The purpose of this easement is to establish a protective area to prevent contamination of the aforementioned water supply well(s). Hereafter, and for so long as the well(s) is (are) used for a source of public water supply, the area of the above-described easement shall be kept in a natural state. No use of the area shall be permitted which could directly or indirectly degrade the

quality of the aforementioned well(s) water. Uses that would be prohibited include:

Transportation corridors.

Underground utilities or structures, except those that are associated with portable water, electricity or communication.

The storage, handling, transport, treatment, or disposal of the following:

Domestic or industrial wastewater.

Hazardous or regulated substances such as pesticides, gas and oil, and other chemicals.

Hazardous or solid wastes.

Fertilizers.

Any other use that the New Hampshire Department of Environmental Services determines would be detrimental to water quality.

No change in use of the area of the protective easement may be undertaken without approval from the New Hampshire Department of Environmental Services, which approval shall not be unreasonably withheld.

The Declarant and their successors in interest shall retain full ownership interests in the area of the protective easement and reserve all rights and uses therein except as may be contrary or detrimental to the purposes of this Declaration.

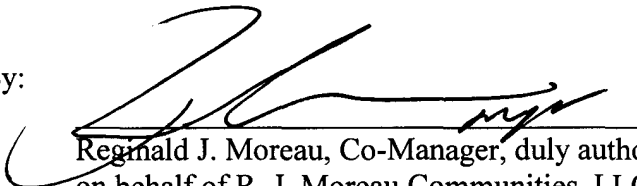
The easement declared herein is for the benefit of the public and as such may be enforced by the **Pennichuck East Utility, Inc., Pennichuck Water Works, Inc., Pittsfield Aqueduct Company, Inc.**, or (other owner of the water system), Declarant, and the Winnisquam Village Condominiums, if any, on behalf of the residents of the homes.

Subject to all easements, liens, restrictions and other matters of record.

**EXECUTED**, this 11 day of October, 2010.

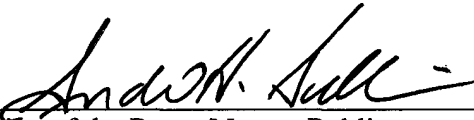
**R. J. Moreau Communities, LLC**

By:

  
Reginald J. Moreau, Co-Manager, duly authorized  
on behalf of R. J. Moreau Communities, LLC

STATE OF NEW HAMPSHIRE  
COUNTY OF HILLSBOROUGH

On this the 1 day of October, 2010, before me, the undersigned personally appeared Reginald J. Moreau, who acknowledged himself to be the Co-Manager of **R. J. Moreau Communities, LLC**, and acknowledged that he being authorized so to do, executed the same on behalf of said Limited Liability Company for the purposes therein contained.

  
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~~Justice of the Peace~~/Notary Public  
My commission expires:

