

## DECLARATION OF RESTRICTIVE COVENANT

This Restrictive Covenant is agreed to this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_ and \_\_\_\_\_, Owner(s), (hereinafter referred to as "Owner(s)") of the following described real property:

Whereas, under the oversight of the Missouri Department of Natural Resources (MDNR) and in compliance with the provisions of Chapter 319 Revised Statutes of Missouri (RSMo.) and implementing regulations, a release of petroleum from one or more [underground storage tanks/aboveground storage tanks] at the Property described above has been addressed, and

Whereas, certain corrective actions upon the Property have been undertaken and, upon completion of such corrective actions, the MDNR determined that no additional corrective action was required and issued a Letter of No Further Action, a copy of which is attached hereto, marked Exhibit A, and made a part of the Declaration of Restrictive Covenant;

NOW THEREFORE, the Owner(s), hereby impose(s) restrictions on the Property in covenants and agree(s) that:

**1. RESTRICTIONS APPLICABLE TO THE PROPERTY** -- Owner(s) shall assure that use, occupancy, and activity of and at the Property are restricted as follows:

*(Choose applicable option(s))*

*[(a) The Property shall not be used for residential purposes.*

*(b) Groundwater at depths of \_\_\_\_\_ beneath the Property shall not be utilized for a drinking water well.*

*(c) Groundwater at depths of \_\_\_\_\_ beneath the Property shall not be used for any purpose, except that monitoring wells for investigative purposes may be installed.*

*(d) Any future building constructed on the Property shall be built with a vapor barrier to further mitigate the possible migration of vapors into an enclosed dwelling].*

