

Guide for Individual Well Restrictive Covenants

When you drill an individual well, the siting or placement of the well may affect neighboring properties. Each individual well has a Sanitary Control Area (SCA)—a 100-foot non-pollution radius surrounding the well. If the SCA overlaps a property line and affects a neighboring property, you must get a Restrictive Covenant. This document, signed by the neighboring property owner, gives you permission to place your well where the SCA may overlap onto their property.

You must:

1. Send a certified letter to the property owner requesting they sign the Restrictive Covenant document.
 - If they refuse, you can request a variance.
 - We recommend you consult with us before you submit a variance or hire any contractors.
2. Complete the entire [Restrictive Covenant form](#).
3. Submit the form to us to review prior to recording to ensure it is accurate.
4. Get the Restrictive Covenant form notarized.
5. Record to the Title of the impacted property.

Restrictive Well Covenant document requirements

- Complete this entire [document](#).
- Print document on legal sized paper for recording.
- Each property description must include:
 - Address.
 - Parcel number.
 - Legal description. You can find this on the [Assessor-Treasurer's website](#).
 - You can attach documents as exhibits. (Usually for a legal description that will not fit on the form).
- All legal Grantor property owners must sign this document.
 - Grantor is the impacted property (usually the neighboring property).
 - Grantee is the property where the well is located.
- Include a site plan on that shows:
 - The well location.
 - Sanitary control area.
 - Area impacted by the sanitary control area.
- Document must be notarized, confirming the signatures of the Grantor(s).
- We recommend you ask us to review your documents before recording to title.
 - Email a draft copy to ehsepticstystems@tpchd.org.
 - Indicate in your email you would like a review prior to recording the document.
- The applicant will record the restrictive covenant to the property title of the grantor.

Questions?

Call Environmental Health general line (253) 649-1420.