

ATTACHMENT C

DECLARATION OF RESTRICTIONS

AND COVENANTS

THIS DECLARATION, made this 20th day of September 19 95, by Isanti and Chisago Counties, (hereinafter referred to as "Declarant"):

WITNESSETH:

WHEREAS, Declarant is the fee owner of the real property legally described herein; and

WHEREAS, Declarant entered into a Landfill Cleanup Agreement on 10/3/95 with the Commissioner of the Minnesota Pollution Control Agency pursuant to the Landfill Cleanup Act, Minn. Stat. §§ 115B.39-115B.46 (1994) (the "Act"), related to the Isanti/Chisago Sanitary Landfill which Declarant owns and which is located in Section 1, Township 35N, Range 23W, Isanti Township, Isanti County, Minnesota; and

WHEREAS, under the Landfill Cleanup Agreement, Declarant agreed to place a Restrictive Covenant on portions of certain parcels of property that they own and which are hereinafter described.

NOW THEREFORE, Declarant makes the following declarations as to limitations, restrictions and uses to which the subject property may be put, and specifies that such declarations shall constitute covenants to run with the land as provided by law and shall be binding on all parties and all persons claiming under them.

1. There shall be no construction of any structure within 200 feet from the footprint of the waste without the written approval of the Commissioner of the Minnesota Pollution Control Agency (MPCA) on the following described parcels of property:

E1/2, NE1/4, Section 1, T35N, R23W, Isanti County, Minnesota

a. The Declarant shall not allow construction of an occupied structure within 200 feet from the footprint of the waste if the following described parcels of property are rezoned from agriculture to residential or commercial:

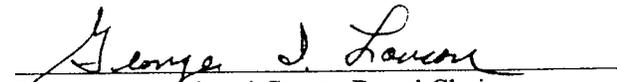
SE 1/4 of the NW1/4, Section 1, T35N, R23W, Isanti County, Minnesota
NW 1/4 of the NE 1/4, Section 1, T35N, R23W, Isanti County, Minnesota

2. Drinking water wells may only be installed in compliance with Minn. R. 4725.4450 and any amendments thereto and after the written approval of the Commissioner of the MPCA and the Minnesota Department of Health on the following described parcel of property:

E1/2, NE1/4, Section 1, T35N, R23W, Isanti County, Minnesota

3. When the MPCA Commissioner determines that a Restrictive Covenant is no longer necessary to carry out his duties or authorities under the Act or to protect public health, welfare, or the environment, the Commissioner may terminate this declaration and release all or a portion of the affected property from all or any part of the terms and conditions of this declaration.

IN WITNESS WHEREOF, the undersigned being the Declarants herein has caused this declaration to be executed on the day and year first above written.

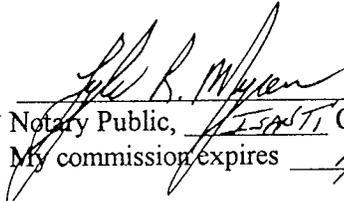

George Larson, Isanti County Board Chairman

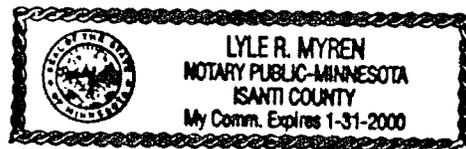
ACKNOWLEDGMENT

STATE OF MINNESOTA

COUNTY OF ISANTI

On this 27th day of SEPTEMBER, 1995, before me a notary public within and for said County and State, personally appeared George Larson, Isanti County Board Chairman to me personally known, who, being duly sworn by me on oath, did say that he is the person(s) who signed the foregoing instrument and acknowledged that he signed the same as his free act and deed for the uses and purposes therein set forth.


Notary Public, ISANTI County, MN
My commission expires 1/31/00



J. Bob Vande Kamp Jr.
Bob Vande Camp, Chisago County Board Chairman

ACKNOWLEDGMENT

STATE OF MINNESOTA

COUNTY OF Chisago

On this 08th day of September, 1995, before me a notary public within and for said County and State, personally appeared Bob Vande Camp, Chisago County Board Chairman to me personally known, who, being duly sworn by me on oath, did say that he is the person(s) who signed the foregoing instrument and acknowledged that he signed the same as his free act and deed for the uses and purposes therein set forth.



Tara M. Delaney
Notary Public, Chisago County, MN
My commission expires 1/31/2000

Accepted by the Commissioner of the Minnesota Pollution Control Agency pursuant to Minn. Stat. §§ 115B.412, subd. 3 and 115B.17, subd. 15.

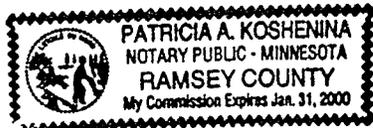
By Gary A. Pulford
Gary A. Pulford
Delegee of the Commissioner

ACKNOWLEDGMENT

STATE OF MINNESOTA

COUNTY OF RAMSEY

On this 28 day of Sept., 1995, before me a notary public within and for said County and State, personally appeared Gary A. Pulford, Delegee of the Commissioner of the Minnesota Pollution Control Agency, to me personally known, who, being duly sworn by me on oath, did say that he is the person who signed the foregoing instrument and acknowledged that he signed said instrument as the free act and deed of the State of Minnesota.



Patricia A. Koshenina
Notary Public, Ramsey County, MN
My commission expires Jan. 31, 2000