


Kincaid

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FILED  
3:00 P M 1 of 2

JUN 08 2009

 Clerk  
by D.C. [Name]

# DEED RESTRICTION

## NORTHWEST ARKANSAS REGIONAL SOLID WASTE MANAGEMENT DISTRICT, NABORS CLASS 4 DISPOSAL AREA EAST OF AREA 1-1, PHASE 1

This deed restriction is applicable to the Northwest Arkansas Regional Solid Waste Management District, NABORS Class 4 Disposal Area Located East of Area 1-1, Phase 1 at NABORS Landfill, Baxter County, Arkansas. The attached NABORS LANDFILL LOCATION MAP (FIGURE 1.1) shows the location of the closed Class 4 disposal area. The legal description of the closed area is as follows:

A part of the NW1/4 SE1/4 of Section 26, Township 21 North, Range 14 West, Baxter County, Arkansas, being described as follows: Commencing at the N.W. Corner of the SE1/4 SW1/4 of said Section 26 as shown on survey by Michael Huett, recorded on August 27, 1987 as Rural Survey 413-87, thence N89°53'39"E, 1285.37 feet to the S.W. Corner of the NW1/4 SE1/4 of said Section 26; thence along the South line thereof, N89°31'16"E, 653.97 feet; thence leaving said South line and running parallel with the West line of said NW1/4 SE1/4, N02°40'33"E, 732.62 feet to the POINT OF BEGINNING; thence N24°20'48"E, 379.12 feet; thence S61°25'44"E, 278.89 feet; thence S24°22'57"W, 225.20 feet; thence S88°42'58"W, 308.33 feet to the POINT OF BEGINNING, containing 1.93 acres more or less.

Arkansas State Plane Coordinates of above described land as follows:

S.W. Corner:	N 775936.15
	E 1181219.77
N.W. Corner:	N 776281.56
	E 1181376.06
N.E. Corner:	N 776148.18
	E 1181620.99
S.E. Corner:	N 775943.06
	E 1181528.02

5097-2009

In Accordance with the Arkansas Pollution Control & Ecology Commission Regulation 22, Section 22.1301 – Closure Criteria, the Class 4 disposal area, approximately 1.6 acres located directly east of the closed Class 1 disposal area, namely Area 1-1, has been closed and the Permittee (NABORS) is required to post the following notations on the deed of the landfill property affecting the closed Class 4 disposal area:

1. The closed Class 4 disposal area was used for the disposal of non-putrescible, Class 4 eligible waste. The disposal area was permitted in 1988.
2. Future land use of the closed area is restricted to pasture land.
3. In accordance with A.C.A. § 8-6-1404. It shall be unlawful for any person, partnership, company, corporation or other entity to build, erect, or construct any house, home, or building to be used for residential purpose.

The deed restriction will be filed at Baxter County Courthouse and the State of Arkansas Survey Office and will be made part of the Landfill records.

  
\_\_\_\_\_  
Jason Kinkade

Manager  
NABORS

Date: 6-8-09

Attachment: Figure 1.1

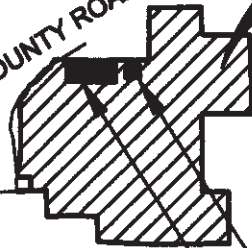
5097-2009A

MISSOURI  
ARKANSAS

# NABORS LANDFILL SITE



COUNTY ROAD 16



CLOSED CLASS 4  
AREA

CLOSED CLASS 1  
AREA 1-1

5

5 MILES

MIDWAY

5

6 MILES

JONESBORO

124 MILES

MOUNTAIN  
HOME

8 MILES

4 MILES

412

82

5

HARRISON  
43 MILES

5097-2009B

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## NABORS LANDFILL LOCATION MAP

PROJECT NO.:	456-01	REVISION:	0
PLOT DATE:	05/20/09	FIGURE:	1.1
DRAWN:			
CHECKED:			
PROJECT MGR:			

CERTIFICATE OF RECORD

STATE OF KANSAS  
COUNTY OF BAXTER

I, Rhonda J. Porter, Circuit Clerk and Ex-Officio Recorder for the County aforesaid, do hereby certify that the annexed and foregoing instrument of writing was filed for record in my office on the 8 day of JUNE A.D., 20 09 at 3:00P .M., and the same is now duly recorded with the acknowledgements and certificates thereon in Instrument # 5097-2009.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the SEAL OF SAID COURT, this 8 day of JUNE, 20 09.

Rhonda J. Porter  
Circuit Clerk and Ex-Officio Recorder

By C Jones D.C.