

**WHEN RECORDED, MAIL TO:**

Utah County Health Department, Utah  
County Government  
151 South Univ. Ave. Suite 2600  
Provo, Utah 84601

ENT 65663:2022 PG 1 of 4  
ANDREA ALLEN  
UTAH COUNTY RECORDER  
2022 May 31 4:39 pm FEE 40.00 BY TM  
RECORDED FOR TRUSCOTT, BRANDON

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**NOTICE OF DRINKING WATER CONTAMINATION AND FILTRATION SYSTEM**

This NOTICE OF DRINKING WATER CONTAMINATION AND FILTRATION SYSTEM (this "*Notice*") is made as of the 31st day of May, 2022 by Brandon Truscott, an individual ("*Owner*"), as the owner of the real property described herein.

**RECITALS**

A. Owner is the owner of certain real property located in Utah County, Utah, which real property is described more particularly on the attached Exhibit A ("*Property*").

B. At the time of development, a primary drinking water contaminant(s) was found in the primary drinking water source. This contaminant was found to be at a concentration exceeding the established Maximum Contaminant Level ("*MCL*") as established by the United States Environmental Protection Agency ("*EPA*") and by Utah County Health Department ("*UCHD*") Health Regulation 16-01 (the "*Regulation*").

C. As required by Subsection 11.4 of the Regulation, Owner is executing and recording this Notice and shall cause the same to be recorded in the real property records of the Utah County Recorder.

**NOTICE**

Now, therefore, as required by Subsection 11.4 of the Regulation, Owner hereby gives notice to all third parties of the following:

1. Existence of Contamination of Primary Drinking Water Source. The drinking water source approved to provide drinking water to the Property does not meet primary drinking water standards derived from the EPA and the Regulation. The contaminant(s) found in the drinking water source approved to provide water to the Property is as follows (name and amount): Arsenic, Total 0.0128

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2. Installation of Filtration System. The Property requires a functional filtration/treatment system to meet safe drinking water standards. Adequate systems will be installed on all potable water connections that will remove the contaminant(s) in question to a level which meets UCHD's MCL requirement as set forth in the Regulation. The Property

owner shall to submit proof that the water meets the standards of this regulation to UCHD after the system is functional. Proof shall conform to the requirements for sampling and testing as contained the Regulation. This sampling requirement only applies to the contaminants that failed to meet the water quality standards in the Regulation. Water quality standards shall be met prior to a signature of the pre-final approval form or equivalent.

3. **Maintenance.** The Property owner(s) are responsible for all filtration system maintenance and to immediately correct, repair, add to or replace a portion of or the entire system if needed upon malfunction of the system; or, at the direction of the Utah County Health Department. The Property owner shall enter into a maintenance agreement for the filtration system for a minimum of three years with a maintenance company that complies with the manufacturers' recommended maintenance schedule.

4. **Sampling of a Business Supplied by a Nonpublic Drinking Water Source.** If drinking water for a business is supplied by a nonpublic drinking water source, the Property owner must agree to annual sampling of the drinking water system. The sample results must indicate that water quality standards as stated in the Regulation are being met. Sampling will be performed at the owner's expense and in compliance with the sampling and testing standards of the Regulation. Complete records of all maintenance and sampling related to the filtration/treatment system shall be made available to UCHD upon request.

5. **Inspection.** Representatives from UCHD shall be allowed to enter upon this Property, if it is maintained as a private residence, and if the entry is for the purpose of inspecting the individual water treatment system for compliance with relevant laws, (i) upon seven days' notice to the owner; or, (ii) immediately upon the event of a health related emergency; or, (iii) during regular 8 a.m. to 5 p.m. business hours upon reasonable suspicion of non-compliance with laws related to the property's individual water treatment system. If the Property is not maintained as a private residence, UCHD shall be allowed to enter upon this Property for the purpose of inspecting the individual water treatment system for compliance with relevant laws during regular 8 a.m. to 5 p.m. business hours.

6. **Malfunction and Notice.** The Property owner(s) shall immediately notify UCHD upon malfunction of the water treatment system. The notification shall be given to:

Utah County Health Department 151  
South Univ. Ave. Suite 2600  
Provo, Utah 84601  
Phone: (801) 851-7525

7. **Duration.** This Notice shall remain in effect until the Property is connected to a public water system or other non-contaminated source.

8. **Covenant Runs with Land.** The obligations of the owner of the Property set forth in this Notice (a) shall constitute a covenant running with the Property; (b) shall benefit and bind every person having any fee, leasehold or other interest in any portion of the Property; and (c) shall benefit and be binding upon any person whose title is acquired by judicial foreclosure, trustee's sale, deed in lieu of foreclosure or otherwise. Every person who owns, occupies or acquires any right, title, estate or interest in the Property shall be conclusively

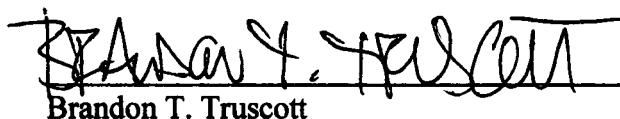
deemed to have received notice of the existence of the System and the requirements imposed by the Rule and other applicable laws and regulations with respect thereto, whether or not any reference to this Notice or the System is contained in the instrument by which such person acquired an interest in the Property.

9. Miscellaneous.

9.1 The section and other headings contained in this Notice are for reference purposes only and shall not in any way affect the meaning or interpretation of this Notice.

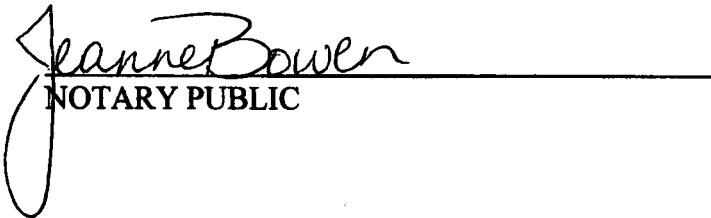
9.2 This Notice may be amended only by a written document executed and acknowledged by the holder(s) of fee simple title to the Property; provided that such amendment must first be approved in writing by UCHD. Such amendment shall be effective upon the recording of such amendment in the Utah County Recorder's Office.

IN WITNESS WHEREOF, Owner has executed this Notice of Drinking Water Contamination and Filtration System the day and year first above written.

  
Brandon T. Truscott

STATE OF UTAH )  
:ss.  
COUNTY OF Utah )

The foregoing instrument was acknowledged before me this 31 May 2022 day of [DATE] by [NAME]. Brandon T Truscott

  
Jeanne Bowen  
NOTARY PUBLIC



**EXHIBIT A**

**LEGAL DESCRIPTION OF THE PROPERTY**

The following described parcel of real property located in Utah County, Utah:

Lot 8, Plat C, Sunridge View Subdivision

Area: 5.250 Acres