AFFIDAVIT

FOR ON-SITE SEWAGE FACILITIES (OSSFs) REQUIRING A MAINTENANCE CONTRACT FOR TWO ADJACENT LOTS – SINGLE FAMILY RESIDENCE

STATE OF TEXAS §
THE COUNTY OF TRAVIS §

According to Texas Commission on Environmental Quality Rules for On-Site Sewage Facilities (OSSFs), this document is filed in the Deed Records of Travis County, Texas.

I

The Texas Health and Safety Code, Chapter 366 authorizes the Texas Commission on Environmental Quality (commission) to regulate on-site sewage facilities (OSSFs). Additionally, the Texas Water Code (TWC), §5.012 and §5.013, gives the commission primary responsibility for implementing the laws of the State of Texas relating to water and adopting rules necessary to carry out its powers and duties under the TWC. The commission, under the authority of the TWC and the Texas Health and Safety Code, requires owners to provide notice to the public that certain types of OSSFs are located on specific pieces of property. To achieve this notice, the commission requires a recorded affidavit. Additionally, the owner must provide proof of the recording to the OSSF permitting authority. This recorded affidavit is not a representation or warranty by the commission of the suitability of this OSSF, nor does it constitute any guarantee by the commission that the appropriate OSSF was installed.

II

An OSSF requiring a maintenance contract, according to 30 Texas Administrative Code §285.91(12) will be installed on the property described as:

Street Address: _____

Legal Description: _____

The property is owned by [Owner(s)'s Printed Full Name(s)]: _____

This OSSF shall be covered by a continuous service policy for the first two years. After the initial two-year service policy, the owner of an aerobic treatment system for **a single family residence** shall either obtain a maintenance contract within 30 days or maintain the system personally.

Upon sale or transfer of the above-described property, the permit for the OSSF shall be transferred to the buyer or new owner. **So long as any portion of an OSSF is located on both the Property and the Adjacent Property, which properties share the same OSSF, <u>the Property and Adjacent Property cannot be sold separately.</u> If the OSSF located on both properties is decommissioned in accordance with applicable state and local regulations or the OSSF is reconfigured in accordance with applicable state and local regulations such that the Property and Adjacent Property no longer share any portion of an OSSF, then either the Property or Adjacent Property may be sold separately.**

WITNESS BY HAND(S) ON THIS _____ DAY OF _____, 201_.

_____

_____
[Owner(s)'s Signature(s)]

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS _____DAY OF _____, 201_.

_____
Notary Public, State of [State]

_____
Notary's Printed Name

My Commission Expires: _____

After Recording, Please Return to:

_____

_____

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