

**THE COUNTY OF \_\_\_\_\_**  
**STATE OF TEXAS**

**AFFIDAVIT**

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 has expired, the owner of this OSSF, which serves a single-family residence shall;

- 1) secure a maintenance contract within thirty (30) days of the expiration date of the service policy; or
- 2) maintain the system personally. Homeowners who maintain their own OSSF must have taken a City-approved training, and must submit maintenance reports to the City at least once every four months.

Upon sale or transfer of the above-described property, the permit for the OSSF shall be transferred to the buyer or new owner. A copy of the planning materials for the OSSF may be obtained from the City of Austin, Austin Water.

**WITNESS BY HAND(S) ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_**

\_\_\_\_\_

(Owner(s) Signature(s))

**SWORN TO AND SUBSCRIBED BEFORE ME ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_**

\_\_\_\_\_  
Notary Public, State of Texas

\_\_\_\_\_  
Notary's Printed Name

My Commission Expires: \_\_\_\_\_

After filing, please return to:

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This is a legal size (8 1/2" x 14") document.  
**DO NOT WRITE IN THIS SPACE.**  
This space reserved for County Clerk's stamp