

Commercial

AFFIDAVIT TO THE PUBLIC

THE COUNTY OF _____
STATE OF TEXAS

CERTIFICATION OF OSSF REQUIRING MAINTENANCE AND
FOR AN OSSF LOCATED ON TWO OR MORE TRACTS OF LAND

According to Texas Commission on Environmental Quality Rules for On-Site Sewage Facilities, this document is filed in the deed records of _____ County, Texas.

I

The Texas Health and Safety Code, Chapter 366 authorizes the Texas Commission on Environmental Quality (TCEQ) to regulate on-site sewage facilities (OSSFs). Additionally, the Texas Water Code (TWC), § 5.012 and § 5.013, gives the TCEQ 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 TCEQ, under the authority of the TWC and the Texas Health and Safety Code, requires owner's to provide notice to the public that certain types of OSSFs are located on specific pieces of property. To achieve this notice, the TCEQ requires a deed recording. Additionally, the owner must provide proof of the recording to the OSSF permitting authority. This deed certification is not a representation or warranty by the TCEQ of the suitability of this OSSF, nor does it constitute any guarantee by the TCEQ that the appropriate OSSF was installed.

II

An OSSF meeting the requirements of 30 Texas Administrative Code §285 will be installed on the property described as: (insert legal description):

The property is owned by: (insert owner's full name)

This OSSF must be covered by a continuous maintenance contract. All maintenance on this OSSF must be performed by an approved provider and/or maintenance company, and a signed maintenance contract must be submitted to the _____ TCEQ within 30 days after the property has been transferred.

This OSSF is located on two or more separate legal tracts of land and the tracts cannot be sold separately. This document must be recorded with each tract's property deed affected by the OSSF.

The owner will, upon any sale or transfer of the above-described property, request a transfer of the permit for the OSSF to the buyer or new owner. A copy of the planning materials for the OSSF can be obtained from the appropriate TCEQ Regional office.

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: