

AFFIDAVIT TO THE PUBLIC



THE COUNTY OF NACOGDOCHES
STATE OF TEXAS

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

The property is owned by: _____

- This OSSF shall be covered by a continuous service policy for the first two years. After the initial two-year policy, the owner of an aerobic treatment system for a single family residence shall either obtain a maintenance contract within 30 days of expiration or maintain the system personally.
- This OSSF shall be covered by a continuous annual maintenance contract. All maintenance on this OSSF must be performed by an licensed maintenance provider and a signed maintenance contract must be submitted to the Nacogdoches County within 30 days of expiration. An owner may not maintain an OSSF for multifamily property or commercial. §285.7 (c)(4)(B).
- So long as any portion of an OSSF is located on both the property and adjacent property, which properties share the same OSSF, the property and adjacent property shall not be sold separately. If the OSSF located on both properties is decommissioned in accordance with applicable State and local regulations such that 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.

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 Nacogdoches County Environmental Health 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

