

**AFFIDAVIT**

THE COUNTY OF \_\_\_\_\_

STATE OF TEXAS

**CERTIFICATION OF OSSF REQUIRING MAINTENANCE**

According to Texas Commission on Environmental Quality Rules for On-Site Sewage Facilities, this document is filed in the Deed Records of HENDERSON 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 or the Permitting Authority of the suitability of this OSSF, nor does it constitute any guarantee by the commission or the Permitting Authority 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 the following:

Lot: \_\_\_\_\_, Block: \_\_\_\_\_, Subdivision: \_\_\_\_\_, Phase: \_\_\_\_\_,  
Acreage: \_\_\_\_\_, Survey Name: \_\_\_\_\_, Abstract: \_\_\_\_\_, Deed Volume: \_\_\_\_\_, Page: \_\_\_\_\_,  
Tract: \_\_\_\_\_, Section: \_\_\_\_\_, Instrument/Document Number or GEO#: \_\_\_\_\_,

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

This OSSF shall be covered by a continuous service policy. All maintenance on this OSSF must be performed by an approved maintenance company, and a signed maintenance contract must be submitted to the Permitting Authority 30 days before the Initial Two Year Warranty Maintenance contract has expired.

The owner, upon sale or transfer of the above-described property, shall request a transfer of the permit for the OSSF to the buyer or new owner and a signed maintenance contract must be submitted to the Permitting Authority within 30 days after the property has been transferred.

WITNESS BY HAND(S) ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
(Owner signature(s))

\_\_\_\_\_  
(Owner(s)signature(s))

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
Notary Public, State of Texas  
Notary's Printed Name  
My Commission Expires:  
**NOTARY SEAL BELOW:**