

AFFIDAVIT
FOR ON-SITE SEWAGE FACILITIES (OSSF) REQUIRING A MAINTENANCE CONTRACT

STATE OF TEXAS §
COUNTY OF HAYS §

The undersigned, _____, being the owner of property the subject of an Application for a Development Authorization with Hays County, City of Dripping Springs, Texas, and being duly sworn, deposes and says as follows:

1. That (s)he is the owner, in whole or in part, of that certain tract or parcel of land lying and being situated in the City of Dripping Springs, Texas, and described herein.
2. According to the Texas Commission on Environmental Quality (TCEQ) Rules for On-Site Sewage Facilities (OSSF), this document is filed in the Deed Records of Hays County, Texas.
3. The Texas Health and Safety Code, Chapter 366 authorizes the TCEQ to regulate OSSF. 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 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 TCEQ of the suitability of this OSSF, nor does it constitute any guarantee by the TCEQ that the appropriate OSSF was installed.
4. An OSSF requiring a maintenance contract, according to 30 Texas Administrative Code §285.91, Table XII (12), will be installed on the property described as follows:

911 street address for the Subject Property, if established: _____

Legal description:

Subdivision: _____ Lot: _____ Block: _____ Sec: _____ Phase: _____

If not located in a subdivision: Survey: _____ Abstract: _____, Recorded (Vol/Page): _____/_____

Date Recorded: _____ Acreage: _____

5. The property is owned by: _____

6. 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 obtain a maintenance contract at least 30-days before the date service will cease. All maintenance on this OSSF must be performed by a licensed maintenance provider or by a homeowner who has completed an approved TCEQ OSSF homeowner maintenance course; a signed maintenance contract must be submitted to City of Dripping Springs Development Services – Health Department within 30-days after the property has been transferred.

7. 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 City of Dripping Springs Development Services – Health Department.

IN WITNESS WHEREOF (s)he has hereto set his/her hand.

Signature: X _____

Print Name: _____

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I hereby certify that _____, known to me to be the affiant in the foregoing affidavit, personally appeared before me this day and having been by me duly sworn deposes and says that the facts set forth in the above affidavit are true and correct.

WITNESS my hand and official seal this the _____ day of _____, 20____.
(SEAL)

Notary Public, State of Texas

My Commission expires: _____

Return filed copy to:

Name: _____

Mailing Address: _____

City/State/Zip Code: _____