

# AFFIDAVIT

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

## **CERTIFICATION OF OSSF REQUIRING MAINTENANCE**

According to the Texas Commission of 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 (Commission) to regulate on-site sewage facilities (OSSFs). Additionally, the Texas Water Code (TWC) Sec. 5.012 and Sec. 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 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 commission 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 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 Sec. 285.91 (12) 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 maintenance company, and a signed maintenance contract must be submitted to (insert name of permitting authority) within thirty (30) days after the property has been transferred.

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 (insert name of permitting authority).

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

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

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

**(Seal)**

\_\_\_\_\_  
Notary Public State of Texas  
My Commission Expires \_\_\_\_\_