

**AFFIDAVIT  
FOR ON SITE SEWAGE FACILITIES (OSSFs)  
REQUIRING A MAINTENANCE CONTRACT**

**STATE OF TEXAS § COUNTY  
OF GUADALUPE §**

The undersigned, \_\_\_\_\_, being the owner of property the subject of an Application for a development Authorization with Guadalupe County, 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 Guadalupe County, Texas, and described herein.
2. According to the Texas Commission on Environmental Quality (TCEQ) Rules for On-site Sewage Facilities (OSSFs), this document is filed in the Deed Records of Guadalupe County, Texas.
3. The Texas Health and Safety Code, Chapter 366 authorizes the TCEQ to regulate 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 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 the 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 §258.91(12), will be installed on the property described as follows:

911 street address for the Subject Property, if established: \_\_\_\_\_

Acreage: \_\_\_\_\_

*Legal description:*

Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_

Sec: \_\_\_\_\_ Phase: \_\_\_\_\_

If not located in a subdivision:

Date Recorded: \_\_\_\_\_ Survey: \_\_\_\_\_

Recorded (Vol/Page): \_\_\_\_\_ Abstract: \_\_\_\_\_

5. The Property is owned by: \_\_\_\_\_

6. **This OSSF must be covered by a maintenance contract 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 of current contract or complete a TCEQ approved course for purposes of homeowner maintenance. An approved maintenance company must perform all maintenance on this system, and a signed maintenance contract must be submitted to the Guadalupe County Environmental Health Department within thirty 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 of the OSSF can be obtained from Guadalupe County Environmental Health Department.

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

Signature: **X** \_\_\_\_\_

Print Name: \_\_\_\_\_

**STATE OF TEXAS § COUNTY  
OF GUADALUPE**

I hereby certify that \_\_\_\_\_, known to me to be the affiant in the forgoing affidavit, personally appeared before me this day 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:**  
Guadalupe County Environmental Health  
310 IH 10 W  
Seguin, Texas 78155