

County of Polk
State of Texas

ACTUAL WATER USAGE AFFIDAVIT TO THE PUBLIC

According to the Texas Commission on Environmental Quality Rules for On-Site Sewage Facilities, this document is filed in the Deed Records of Polk County, Texas.

I

Before me, the undersigned authority, on this day personally appeared _____ who, after being duly sworn upon oath states that he/she is the owner of record of that certain tract or parcel of land lying and being situated in Polk County, Texas, and being more particularly described as follows:

II

The Texas Health and Safety Code, Chapter 366 authorizes the Texas Commission on Environmental Quality (TCEQ) to regulate On-Site Sewage Facilities (OSSF). Additionally, the Texas Water Code (TWC) gives the TCEQ primary responsibility for implementing the laws of the State of Texas relating to water quality 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 OSSF's 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 Polk County Permitting Office. This deed certification is not a representation or warranty by the TCEQ or Polk County Permitting Office of the suitability of the OSSF, nor does it constitute any guarantee by the TCEQ or Polk County Permitting Office the appropriate OSSF was installed.

III

The undersigned states that an OSSF has been or will be installed on this property in accordance with the permitting provisions of 30 Texas Administrative Code, Chapter 285. Further, the undersigned states the OSSF installed or to be installed contains design criteria based on actual water usage data that is accurate and acceptable to the TCEQ and Polk County Permitting Office. The undersigned states that the daily water usage for this property will be designed and licensed based on that usage, and that water usages exceeding this amount will be considered a violation of this license. Further, the undersigned states that he/she will, upon sale or transfer of the above-described property, notify any buyer or transferee of this condition and the requirement that actual water usage data be made available to Polk County Permitting Office upon request.

WITNESS MY HAND on this the _____ day of _____, _____

Name of Owner (Printed/Typed)

Owner's Signature

SWORN TO AND SUBSCRIBED BEFORE ME on this the _____ day of _____, _____.

(NOTARY SEAL)

Notary Public, State of Texas

Notary's Printed/Typed Name

My Commission Expires _____