

COTTONWOOD COUNTY

PROPERTY TRANSFER SEPTIC SYSTEM DISCLOSURE/AGREEMENT FORM

Cottonwood Soil and Water Conservation District (SWCD)
339 9th St. Windom, MN 56101 • Telephone: (507) 831-1153 Ext. 102 • Fax: (507)-831-2928

Instructions for Seller: Complete the name, address, and property information. Determine which *one* of the following statements applies to the septic system and check the appropriate box. Follow specific instructions for the statement. Statements 1, 2, 4, and 5 require supporting documentation, which **MUST** be attached to this form. Statement 3 requires that the exemption, if any, be listed where indicated. ***This completed form and the supporting documentation are required to be presented to the Cottonwood County Recorder at or prior to the closing date. A completed form with the appropriate signatures is then required to be presented to the Cottonwood SWCD Water Resource Technician if applicable.***

Please Print and Complete All Information:

Seller's Printed Name: _____

Buyer's Printed Name: _____

Property Address: _____ City: _____ Zip: _____

Parcel #: _____ Legal Description: _____

Township: _____ Range: _____ Section: _____ Quarters: _____

Please check the appropriate box: (Choose only one response)

- 1. The septic system has been updated within the last five (5) years and a Certificate of Compliance was issued by the Cottonwood SWCD. **Attach Copy.**
- 2. The MPCA Compliance Inspection Form indicates that the septic system is in compliance. A licensed inspector has issued a Certificate of Compliance within the last three (3) years. **Attach Copy.**
- 3. No inspection is necessary because:
 - The tract of land is without buildings or contains no dwelling or other building which would require an SSTS.
 - The sale or transfer completes a contract for deed entered into prior to June 15, 2006. This applies only to the original vendor and vendee on such a contract.
 - Any dwellings or other buildings with plumbing fixtures are connected to a municipal wastewater treatment system.
- 4. The MPCA Compliance Inspection Form indicates that the septic system is FAILING and/or IMMINENT THREAT to public health or safety and shall be replaced or upgraded according to Cottonwood County Ordinance #38 and MN Rules Chapter 7080 within 10 months or the time allowed by the Ordinance as determined by the County Septic System Official. The property sale/transfer may occur with the stipulation that the Seller and Buyer have a signed agreement as to who is responsible for the replacement or upgrade of the septic system. **Attach Copy of Agreement.**
- 5. The MPCA Compliance Inspection Form cannot be completed due to ground conditions occurring between November 1 and April 30. The property sale/transfer may occur with the stipulation that the Seller and Buyer have a signed agreement as to who is responsible for the Compliance Inspection, which inspection must be completed by June 1st, and who is responsible for the replacement or upgrade of the septic system if it is Failing or an Imminent Threat. When the inspection indicates that the septic system is FAILING and/or is an IMMINENT THREAT, replacement of the system shall be within ten (10) months of the inspection. **Attach Copy of Agreement.**
- 6. The present system is not a compliant system. The Seller and the Buyer agree to replace the system within ten (10) months of the property transfer, and have signed an agreement stating responsible person for the replacement of the system. **Attach Copy of Agreement.**
- 7. The property about to be transacted does contain a septic system, however, the system has been disconnected from the plumbing in the house and the Cottonwood County Planning and Zoning Office has been or will be contacted to complete an inspection to verify that. The septic system will either be properly abandoned or a permit will be obtained if the septic system is reconnected to the house.

PLEASE NOTE: THIS FORM WILL BE RETURNED UNLESS FULLY COMPLETED WITH ALL REQUIRED DOCUMENTATION ATTACHED.

SIGNATURES: (Required by both parties in all cases)

We have read and acknowledge the contents of all sections above that are applicable to the septic system on the property. We understand the compliance requirements that are necessary for the replacement or upgrade of the septic system, present or future; we also understand that the transfer of real property in Cottonwood County shall be responsible to bring the Sewage System into compliance with the requirements of Cottonwood County Subsurface Sewage Treatment System (SSTS) Ordinance #38.

Seller's Signature: _____ **Date:** _____

STATE OF MINNESOTA)
)ss.
COUNTY OF COTTONWOOD)

The foregoing instrument was acknowledged before me on: _____

By _____
NOTARY PUBLIC

Buyer's Signature: _____ **Date:** _____

STATE OF MINNESOTA)
)ss.
COUNTY OF COTTONWOOD)

The foregoing instrument was acknowledged before me on: _____

By _____
NOTARY PUBLIC

If completed by a Third Party (i.e., realtor, attorney, auction company), please complete the following:

Printed Name of Third Party: _____

Address of Third Party: _____

City/State: _____ Zip: _____ Phone: _____

Signature/Date: _____

This form has been reviewed and approved by the Cottonwood SWCD Water Resource Tech.
Date _____ Signature _____

This form has been reviewed and approved by the Environmental/Zoning Administrator.
Date _____ Signature _____

Cottonwood County Zoning Ordinance and forms are available at *the Cottonwood SWCD and the Environmental Office.*
The MPCA Licensed Business List is available at <http://www.pca.state.mn.us/programs/ists>.