

POPE MINNESOTA COUNTY

SEPTIC SYSTEM DISCLOSURE & TRANSFER AGREEMENT

L&RM FORM 3

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SEPTIC SYSTEM DISCLOSURE

Pope County Subsurface Sewage Treatment System Ordinance Subdivision 5, subpart 5.41.A. requires a compliance inspection of Subsurface Sewage Treatment Systems (SSTS) for properties located in the unincorporated county or municipalities without public sewer systems prior to property transfer (Point of Sale) by a MPCA licensed Inspector. The status of the SSTS must be disclosed by the property owner(s) ("Seller") before the sale or transfer of that property to another individual(s) ("Buyer"). This form must be completed, the original returned to the Land and Resource Management Department (Department) and be subsequently approved by the Department prior to the property transfer being recorded by the Pope County Recorder as is required under Subdivision 3, subpart 3.21 of the Pope County Subsurface Sewage Treatment System Ordinance. The following are conditions of which the Buyer needs to be aware.

Today's Date:										Property Transfer Date:													
Parcel No.										Associated Parcel No.													
Property Address										City										Zip		Township Name	

SSTS Information

Check	To the best of my knowledge, this transfer is EXEMPT for the following reason(s):
	The affected tract of land is without buildings or contains no dwellings or other buildings with plumbing fixtures.
	The transfer does not require the filing of a Certificate of Real Estate Value, as described in Minnesota Statutes, Section 272.115, Subd. 1.
	Any dwellings or other buildings that are connected exclusively to a municipal wastewater treatment system; any dwellings or other buildings that are located within the jurisdiction of a County approved agreement requiring exclusive connection to the wastewater treatment system of any municipality; or, any dwellings or other buildings that are connected exclusively to an approved wastewater treatment facility other than an individual SSTS.

SSTS Status

Check	Status of the SSTS is determined to be:
	COMPLIANT: The SSTS meets all current standards. The Seller must provide the Department and the Buyer a Certificate of Compliance issued by the Department for a SSTS built within 5 years or a valid Certificate of Compliance issued within 3 years for existing SSTS (if existing SSTS, <u>please provide SSTS Compliance Inspection as well as valid Certificate of Compliance</u>).
	OPERATING PERMIT REQUIREMENTS: Upon transfer of ownership a new operating permit must be issued in the name of the new owner. At time of property transfer, the buyer shall complete and submit to the Department an application for transfer of an SSTS operating permit.
	NONCOMPLIANT: The SSTS does not meet the current standards and must be replaced either, within 10 months if it is an IMMINENT THREAT TO PUBLIC HEALTH, or 12 months if it is FAILING TO PROTECT GROUNDWATER. The Seller must provide to the buyer the Notice of Noncompliance issued by the Department. Buyer and Seller must complete the Transfer Agreement on the back of this form and submit to the Department an application, permit fee and design within twenty (20) days of receipt of Notice of Noncompliance by the Department.
	UNKNOWN: Buyer and Seller must complete the Transfer Agreement on the back of this form and submit to the Department.

*******REMINDER******* Please complete second page for signatures!AND....

If the SSTS has NOT been inspected and marked as UNKNOWN, or if the SSTS is classified as NONCOMPLIANT, the Buyer and Seller **must complete the back of this form and submit it to the Department** within the respective time lines identified above.

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TRANSFER AGREEMENT

Financial Responsibility

Check	Seller and Buyer have agreed to accept responsibility to finance necessary improvements as follows: (please indicate <u>escrow</u> amount & financial trustee)		
	The Seller(s) agrees to <u>pay the entire cost</u> to upgrade or replace the failing SSTS: Escrow \$	Financial Trustee:	
	The Buyer(s) agrees to <u>pay the entire cost</u> to upgrade or replace the failing SSTS: Escrow \$	Financial Trustee:	
	Seller and Buyer agree to <u>share the cost</u> of upgrading or replacing the failing SSTS as follows:		Financial Trustee:
	Seller's Portion: \$	Buyer's Portion: \$	

Compliance Inspection CANNOT be performed PRIOR to Property Transfer due to Frozen Soil Conditions

If a Compliance Inspection cannot be performed prior to the property transfer, as is required per Subdivision 5, subpart 5.41.A. of the Pope County SSTS Ordinance, then submittal of this **Transfer Agreement** may suffice if responsibility, as is required per Subdivision 10, subpart 10.60 of the Pope County SSTS Ordinance, has been identified and accepted, that financial assurance, if necessary, has been secured.

Agreement Date:				Property Transfer Date:			
Parcel No.		-		Associated Parcel No.		-	
Property Address				City	Zip	Township Name	
<input type="checkbox"/> Seller	<input type="checkbox"/> Buyer	Takes responsibility for assuring the compliance inspection is performed and submitted to the Department.					
In the event a Compliance Inspection cannot be performed due to Frozen Soil Conditions, I, the <u>Director of the Department</u> , acknowledge this as the Winter Agreement to require completion of an inspection by June 1 st .							
Director's Name			Signature			Date	

Signatures and Contact Information Required (please print names)

Seller Name:		Buyer Name:	
Signature:	Date	Signature:	Date
Seller Name:		Buyer Name:	
Signature:	Date	Signature:	Date
Mailing Address:		Mailing Address:	
City, State, Zip:		City, State, Zip:	
Phone #:		Phone #:	
Email:		Email:	

Approval by the Land & Resource Management Department

I, a Land Use Specialist, acknowledge the Seller & Buyer's are in compliance with the Pope County SSTS Ordinance, Subd, 3, subp. 3.21.		
Name	Signature	Date