

**WATONWAN COUNTY**

**PROPERTY TRANSFER SEPTIC SYSTEM DISCLOSURE/AGREEMENT FORM**

Watonwan County Land Management Office

108 8<sup>th</sup> ST S, St James, MN 56081 • Telephone: (507) 375-1225 • Fax: (507) 375-1260

**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, 5 and 6 **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 should be presented to the Watonwan County Recorder at or prior to the time of recording property transfer documents. It will then be forwarded to the Watonwan County Land Management Office for filing.***

**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 Watonwan County. **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 transfer is a foreclosure, tax forfeiture, or court ordered.
  - The transfer does not require filing of a Certificate of Real Estate Value, as described in Minnesota Statutes, Section 272.115, subdivision 1.
  - The sale or transfer completes a contract for deed entered into where a valid Certificate of Compliance was in place at signing or within 12 months after the date of contract signing. This applies only to the original vendor and vendee on such a contract.
  - The transfer is to a spouse or ex-spouse, or at least one current living title holder retains title to the property, or is named as a trustee if the property is placed in trust.
  - Any dwellings or other buildings with plumbing fixtures are connected to a municipal or community 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 the Watonwan County Subsurface Sewage Treatment Systems Ordinance and MN Rules Chapter 7080 within 12 months, or 10 months if Imminent Threat to Public Health or safety. 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 must be completed by the following June 1<sup>st</sup>, and who is responsible for the replacement or upgrade of the septic system if it is Failing or an Imminent Threat To Public Health. When the inspection indicates that the septic system is FAILING and is an IMMINENT THREAT TO PUBLIC HEALTH, replacement of the system shall be within ten (10) months of the inspection. **Attach Copy of Agreement.**

