

AGREEMENT to Inspect an On-Site Wastewater Treatment System

Existing Permit Year and Number: WWP _____ - _____ (if more than one, the most recent)
Property Address: _____ Parcel Number _____
Property Legal Description: _____
Current Property Owner(s): _____
Closing Date of Transaction: _____

PERSON(S) ACQUIRING TITLE TO THE PROPERTY (hereafter "Purchasers")

Name: _____
Mailing Address: _____
Phone: _____ Email address: _____

INSPECTION INFORMATION

Inspector: _____ Date Property Was Inaccessible: _____
Inspector Phone Number: _____ Email address: _____

INSPECTOR'S STATEMENT

I hereby certify the following:

1. I am an inspector currently certified by the National Association of Wastewater Technicians
2. I attempted to access the Property on the date specified above, but due to conditions on the Property it was inaccessible, and it is not possible to complete the inspection of the OWTS on the Property at this time.
3. The cost of the inspection has been pre-paid, and I have attached a receipt for payment.
4. I will perform the inspection when conditions allow, but no later than one year after the Closing Date, and I will submit an inspection report to SJBPH and the Purchasers or their agent upon completion.

Inspector's Signature: _____ Date: _____

RECITALS

As a condition of selling the Property, the Current Property Owner was required to obtain a Transfer of Title Acceptance Document ("Acceptance Document") for the Property under the provisions of the San Juan Basin Public Health (SJBPH) 2018 On-site Wastewater Treatment System (OWTS) Regulations ("SJBPH Regulations"). One of the requirements of issuing an Acceptance Document is that an inspection of the OWTS must have been performed within the last twelve months.

Due to conditions on the Property, the OWTS cannot be inspected at this time and compliance with SJBPH Regulations cannot be determined.

The closing on the transfer of title to the Property to the Purchasers is expected to occur prior to conditions on the Property being favorable for inspection.

The Purchasers are desirous of proceeding with their acquisition of the Property, subject to the terms and conditions of this Agreement, and SJBPH is desirous of permitting them to do so, by issuance of a Conditional Transfer of Title Acceptance Document as described in Section 8.D of the SJBPH Regulations, subject to the following terms and conditions.

SAN JUAN BASIN
public health

[DEPARTMENT USE ONLY]
EXISTING WWP # _____
TRT APPLICATION # _____
ACCEPTANCE DATE _____

Now, therefore, in consideration of the above, the Purchasers agree as follows:

1. Purchasers agree to schedule the inspection when conditions allow, but no later than one year after the Closing Date.
2. Purchasers acknowledge that the inspection report may reveal that repairs, changes or alterations are required for the OWTS to be operating in compliance with SJBPH Regulations.
3. Purchasers agree to apply for an OWTS Permit if necessary, to pay all required application fees, to submit a scope of work and site plan for the required repairs, changes or alterations, and to complete all necessary repairs, changes or alterations within 90 days of the inspection.
4. Purchasers acknowledge that repairs, changes or alterations that require a permit may not be commenced until SJBPH issues the appropriate permit, following receipt of Purchasers' application.
5. Purchasers acknowledge that repairs, changes and alterations are based on conditions observed at time of inspection and must be completed regardless of the future condition of those components.
6. Purchasers acknowledge and agree that Purchasers' failure to comply with the terms of this Agreement will cause SJBPH to initiate enforcement actions against Purchaser, in accordance with SJBPH Regulations.
7. The terms and conditions of this Agreement shall be null and void in the event that Purchasers do not complete the acquisition of title to the Property.

Print Name(s) of Purchasers _____

Purchasers:

Signature

Date

Signature

Date

State of _____

County of _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20__.
Witness my hand and official seal.

Notary Public
My Commission Expires: _____