

AGREEMENT to Repair or Alter 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

Date of Most Recent Inspection: _____ Inspector: _____

RECITALS

As a condition of selling the Property, the Current Property Owner was required to obtain a Transfer of Title 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").

An inspection by an inspector certified by the National Association of Wastewater Technicians, as described above, has determined that certain components of the OWTS on the Property are not functioning in compliance with SJBPH Regulations and require repair or alteration to provide on-going protection of public health and the environment.

The closing on the transfer of title to the Property to the Purchasers is scheduled to occur prior to the completion of repairs or alterations to the OWTS.

The Purchasers are desirous of proceeding with their acquisition of the Property, subject to the terms and conditions of this Agreement. 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, and subject to the following terms and conditions.

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

1. Purchasers agree to apply for an OWTS Permit as required by SJBPH, to pay all required application fees, to submit a scope of work and site plan for the required repairs, changes, alterations, or replacement, and to complete all necessary repairs, changes, alterations or replacement within 90 days of the Closing Date.
2. Purchasers acknowledge that repairs, changes, alterations or replacements that require a permit may not be commenced until SJBPH issues the appropriate permit, following receipt of Purchasers' application.
3. 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.

SAN JUAN BASIN

public health

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

4. 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.
5. 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: _____