

MCLEOD COUNTY

PROPERTY TRANSFER AGREEMENT FORM

Environmental Services Department

1065 5th Ave SE Hutchinson, MN 55350

Telephone: (320) 484-4343

**AGREEMENT CONCERNING COMPLIANCE INSPECTIONS AND/OR
UPGRADE REQUIREMENTS OF A SUBSURFACE SEWAGE TREATMENT
SYSTEM PRIOR TO TRANSFER OWNERSHIP OF PROPERTY**

WHEREAS, _____, hereinafter “Seller”,
whether one or more, is transferring to _____, hereinafter
“Buyer”, whether one or more, the follow described property located in the County of
McLeod, State of Minnesota:

, and

WHEREAS, in conformance with the McLeod County Subsurface Sewage
Treatment System Ordinance; Article VIII Section 2.04; a compliance inspection shall be
conducted or a valid Certificate of Compliance or Notice of Noncompliance shall be
presented at the time of closing to transfer ownership of property in McLeod County, and

WHEREAS, in conformance with the McLeod County Subsurface Sewage
Treatment System Ordinance; Article VIII Section 2.04 Sale or Transfer of Property; in
the event that a compliance inspection cannot be completed due to ground conditions
between November 1st and April 30th the transfer of ownership of property in McLeod
County may occur if both parties have signed an agreement stating who will be
responsible for the compliance inspection and who will be responsible for the
replacement or upgrade if a Notice of Noncompliance is issued.

WHEREAS, in conformance with the McLeod County Subsurface Sewage
Treatment System Ordinance; Article VIII Section 2.04 Sale or Transfer of Property; in
the event that a compliance inspection indicated an Subsurface Sewage Treatment
System is not in compliance and Notice of Noncompliance is issued the transfer of
property in McLeod County may occur if both parties have signed an agreement stating
who is responsible for the replacement or upgrade of the system within the required time
frames in McLeod County Subsurface Sewage Treatment System Ordinance; Article IV
General Requirements.

NOW, THEREFORE, IN CONSIDERATION OF THE TRANSFER OF SAID PROPERTY IT IS AGREED AS FOLLOWS:

1. That **“Seller” or “Buyer” (must circle one)** shall be responsible for having the Subsurface Sewage Treatment System, on the property described herein, having a compliance inspection completed by **June 1st** following the closing date. (This is used if property transfer occurs between November 1st and April 30th.)
2. If as a result of said compliance inspection it is that a Notice of Noncompliance is issued then **“Seller” or “Buyer” (must circle one)** will be responsible for replacement or upgrade of the Subsurface Sewage Treatment System so that it complies with the requirements of said Ordinance and a Certificate of Compliance can be issued.

Both parties understand that in the event the Subsurface Sewage Treatment System is not upgraded within the time frames outlined in McLeod County Subsurface Sewage Treatment System Ordinance; Article IV General Requirements; allowing a Certificated of Compliance to be issued, the Ordinance referred to herein may be enforced in accordance with the McLeod County Subsurface Sewage Treatment System Ordinance; Article III General Provisions Sec 3.0 Administration; and Article IX Enforcement.

The parties hereto have signed this agreement.

Seller Signature

Seller Signature

Buyer Signature

Buyer Signature

STATE OF MINNESOTA

COUNTY OF _____

This instrument was acknowledged before me on this ____day of _____, 20____
by:

Seller (Please Print or Type)

Seller (Please Print or Type)

(Signature of notarial officer)

(Notarial Seal)

My Commission Expires: _____

STATE OF MINNESOTA

COUNTY OF _____

This instrument was acknowledged before me on this ____day of _____, 20____
by:

Buyer (Please Print or Type)

Buyer (Please Print or Type)

(Signature of notarial officer)

(Notarial Seal)

My Commission Expires: _____