

TO BE FILLED OUT BY LANDOWNERS INSTALLING TYPE III SEPTIC SYSTEMS

ASSUMPTION OF RISK

(1) Owner's Name(s) _____

(2) Parcel Number _____ Site Address _____

(3) Full Legal Description (you may attach a copy of the full legal description to this document instead of writing it)

Per Mower County Septic Ordinance: The following five statements shall become a default condition of any TYPE III septic system and shall be recorded in the Office of the Mower County Recorder, at the landowner's expense.

These five statements shall be recorded to the title of any property which will have or has a TYPE III septic system.

- a. With the granting of a permit for a TYPE III septic system; the owner(s), future owners, heirs and assigns are put on notice that the soils on this site cannot sustain a standard (Type I) septic system. This septic system allowed and prescribed for this parcel/building site will be or is a Type III septic system which will be utilized to sustain the (existing) use of the property for human habitation or other land use supported by this septic system unless another type of system is deemed acceptable by the County and/or State of Minnesota. Primary and secondary septic system sites have been identified and must be protected and preserved for sustainability of this parcel.

- b. Owners, heirs and assigns, are hereby put on notice that Type III septic systems require additional monitoring and regular maintenance to retain compliance with State & County Rules/Ordinances; to sustain the useful life of the system and also to prevent premature failure of the system. Additional monitoring and reporting to the county shall be required annually or more frequently as determined in the Operating permit. There may be additional maintenance and/or costs incurred to the homeowner to sustain this type of system over and above a standard, Type I septic system.

- c. This site has been evaluated and did not contain soils appropriate for construction of a standard Type I septic system. However, this site currently contains an existing, viable, habitable dwelling structure or land use, which without the use of a Type III system would either render the existing dwelling/building site useless or be left with its only remaining option to utilize a holding tank as a means of sewage treatment. Holding tanks which sustain dwellings and some land uses are cost prohibitive to maintain.
- d. The owner, when selling, transferring or parting with this property which contains, or will contain, a Type III septic system, shall disclose to the future owner(s), the additional requirements for maintenance and typical costs associated for maintaining this type of system to keep it in compliance. Failure to do maintain the system in accordance with the operating permit may damage the system or precipitate its premature failure and need for replacement.
- e. Mower County, by granting of this TYPE III system, shall not be held liable for premature system failure.

 Owner

STATE OF MINNESOTA _____)
) ss.
 COUNTY OF MOWER)

The foregoing instrument was acknowledged before me, this _____ day of _____
 20_____, by **owner's name**

[Notary Public Seal]

 Signature of Notary Public

 My commission expires (date above)

 Owner

STATE OF MINNESOTA _____)
) ss.
 COUNTY OF MOWER)

The foregoing instrument was acknowledged before me, this _____ day of _____
 20_____, by **owner's name**

[Notary Public Seal]

 Signature of Notary Public

 My commission expires (date above)

THIS INSTRUMENT WAS DRAFTED BY:
 Mower County Environmental Services
 In accordance with the Mower County Septic Ordinance adopted January 12, 2021, effective April 1, 2021