

Cottonwood County Property Transfers

Cottonwood County SSTS Ordinance #38 Section 18. Transfer of Property Part 1:

Property Transfer: The act of a party by which the title to property is conveyed from one party or entity to another. The sale and every other method, direct or indirect, of disposing or parting with property, or with an interest therein, or with the possession thereof, absolutely, or conditionally, voluntarily or individually, by or without judicial proceedings, as a conveyance, sale, mortgage, gift, or otherwise.

1. Before a conveyance of (a) land upon which a dwelling is located or (b) a tract of land upon which an SSTS is located the following requirements shall be met:
 - A. A Property Transfer Septic System Disclosure/Agreement form has been properly completed and presented including but not limited to a Certificate of Compliance if required and an agreement between the buyer and seller which indicated who is responsible for bringing the septic system into compliance.
 - B. Certificate of Compliance
 1. A Certificate of Compliance for new construction or replacement systems remain valid for five (5) years from the date of issuance unless the local unit of government finds evidence of noncompliance.
 2. A Certificate of Compliance for an existing system inspection is valid for three years from the date of issuance unless the local unit of government finds evidence of noncompliance.
 - C. Whenever the property being conveyed requires an SSTS and does not have a system that complies with MN Rules Chapters 7080, 7081, or 7082 and this Ordinance, the property owner and prospective buyer must sign an agreement to install a complying system within 10 months of property transfer, except where Section 17 of this ordinance applies. A copy of the agreement shall be attached to the Property Transfer Septic System Disclosure/Agreement Form. (See *Property Transfer Septic System Disclosure/Agreement Form, appendix 1*)

Type of transfer	Yes – Property Transfer	No – Not a Transfer	More Information may be needed
Warranty Deed			X
Contract for Deed	X (Initial transfer, not when CD is fulfilled)		
Trustee’s Deed or transfer to Trust	X		
Quit-claim deed			X
Life Estate	X		
Transfer to Corporation/Partnership	X		
Transfer on Death Decree (TODD)		X – Not until the transfer occurs	
Affidavit of Identity Survivorship (AFIS)			X
Summary of Real Estate Judgment			X
Decree of Distribution	X		
Limited Warranty Deed			X
Personal Representative Deed	X		
Transfer to TIC (when same individuals are grantor/grantee)	X		
Transfer to JT (when same individuals are grantor/grantee)			X