



Affidavit: Orphaned or Abandoned Tanks (Mergers or Acquisitions)

(Revised 1/9/2015)

A Fund applicant who is seeking to establish reimbursement eligibility for remediation costs related to petroleum contamination which originated from an orphan or abandoned tank is required to complete this affidavit and sign it before a notary public. Please provide original signatures. More information about this requirement is available in Sections 8-20.5-101 (1) and (9), 8-20.5-206 (3) (b) and 8-20.5-303 (3) (b) of the [Colorado Revised Statutes](#).

RAP #:

Orphan or Abandoned Tank Merger/Acquisition Information

I, _____, representing _____
(Legal Name of Applicant and Affiant) (Name of Company A)

a merger with
 an acquisition of _____

merged with
 which was acquired by _____ on _____, am applying for reimbursement
(Name of Company B) (Date)

property owner
 as a tank owner who bears no responsibility for the release at the following property:

- Property Address: _____
- Property Sold by: _____
(Name of Original Seller)

History of Acquisition of the Above-named Property by the Involved Companies
Provide names and dates of ownership by the involved companies.

- Date Orphan or Abandoned Petroleum Storage Tanks Were Discovered: _____
- Date of Discovery of Petroleum Release: _____
 - "Release" means any spilling, leaking, emitting, discharging, escaping, leaching or disposing of a regulated substance from a petroleum storage tank system into groundwater, surface water, surface soils or subsurface soils.

Description of How the Orphan or Abandoned Petroleum Storage Tanks and Contamination Were Discovered

Applicant Certification

I, _____ swear and affirm the following:

(Legal Name of Applicant and Affiant)

- No personnel of _____ , _____ or _____ installed or operated the orphan or abandoned petroleum storage tanks on this property.

(Name of Company A)
(Name of Company B)

(Legal Name of Applicant and Affiant)

- None of the foregoing companies:
 - Ever leased the orphan or abandoned petroleum storage tanks to any other person or entity for operation.
 - Have reason to know, by personal knowledge or observation, representations by the original seller (as identified above) or any other person, environmental assessments, reports or any other means, that the orphan or abandoned tanks existed.
 - Have reason to know, by personal knowledge or observation, representations by the original seller (as identified above) or any other person, environmental assessments, reports or any other means, that there had ever been a release of petroleum product on this site.
- The requested reimbursement costs are for remediation of petroleum contamination from the orphan or abandoned tanks only.
- There is no relationship, financial or otherwise, including relationships between and among shareholders, officers, directors or other principals, owners, operators or management personnel, between the Fund applicant and the original seller of the subject property (as identified above).
- I understand that there are severe criminal and/or civil penalties for any false statement or misrepresentation of a material fact, knowing it to be false or knowingly failing to disclose a material fact with the intent to defraud.

Applicant and Affiant Legal Name:			
Authorized Officer Name:		Title:	
Authorized Officer Signature: (same as on Signature page of application)		Date:	

Notary Public Certification

Subscribed and sworn to before me in the county of _____ , State of _____ ,
 this _____ day of _____ , _____ .

Notary Public Printed Name: _____

Signature: _____

My Commission Expires: _____