



DEPARTMENT OF AGRICULTURE
MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION

FISCAL YEAR _____
APPLICATION TO SELL AN EASEMENT

PART A

MALPF File Number (Provided by County if in a District or
Has previously applied for easement, otherwise by MALPF)

I/We _____, landowner(s) of the property referenced herein,
located in _____ County, Maryland, apply to the Maryland Agricultural Land
Preservation Foundation (MALPF) to sell an agricultural land preservation easement, pursuant to
Agriculture Article, Section 2-510, Annotated Code of Maryland.

This application to sell an easement and any subsequent offer to buy an easement, including any Deed
of Easement to be recorded on this property, will cover the entire acreage referenced in the application.
Acreage is not permitted to be withheld, unless it is for the permitted lot exclusions specified under
Agriculture Article, Section 2-513, Annotated Code of Maryland, or the acreage to be withheld is
approved by the Foundation (see instructions Part A). If an easement offer is extended, accepted and
approved by the Board of Public Works, payment will be based on the entire acreage (as verified by the
Department of General Services) LESS one acre for each pre-existing dwelling located on the property.

For purposes of valuation, I/we affirm the following:

- a. The total acreage of property is: _____
b. The number of Pre-Existing Dwelling(s) is (are): _____
(See instructions)
c. The Acreage to be Withheld is: _____
(Must be approved by the Foundation. If the exclusion is
not approved, you must accept an easement on the entire
property or withdraw the application – see instructions.)
d. The Easement Payment Acreage is (a. minus b and minus c.): _____

I am/We are willing to sell an easement on my/our land for \$ _____ per acre.
I/We understand that the Foundation makes offers based on the lower of: (1) the asking price,
(2) the calculated easement value, or (3) a cap set by the County (see instructions).

Elections:

- 1. In the Deed of Easement, I/we hereby elect to (check one):
[] reserve family lots, subject to density restrictions,
[] reserve one (1) unrestricted lot, or
[] waive all rights to lots.

If, in Election 1, you have elected to reserve the unrestricted lot, please respond to Election 2.

- 2. In Election 1, I/we have chosen to reserve one (1) unrestricted lot. Check one of two options:
[] I/we will, at a future date (after recordation of the easement), exclude an existing dwelling under
my/our unrestricted lot right; or
[] I/we will, at a future date (after recordation of the easement), exclude a lot for an as yet unbuilt
dwelling under my unrestricted lot right, or I/we do not wish to choose now how the unrestricted
lot right will be exercised.

I/We confirm my/our understanding that I/we may not change Elections 1 or 2 unless I/we withdraw my/our application and apply in a subsequent cycle.

I/We confirm my/our understanding that if the property contains at least 25 acres of contiguous woodland, I/we must submit evidence of a complete Forest Stewardship Plan performed by a forester certified in the State of Maryland prior to settlement and that delay in providing such evidence to the Foundation will delay settlement of the easement. I/we also confirm our understanding that the plan must include methods of management and a schedule of implementation. I/we also understand that the plan must have been created and/or updated for sufficiency within the last ten years, and I/we confirm our understanding that the Forest Stewardship Plan must be followed according to its schedule for implementation. If an easement is purchased on this property, I/we confirm our understanding of the responsibility for implementing the plan as outlined according to the schedule of implementation.

I/We confirm my/our understanding that the Department of General Services shall be reviewing title to the property and may request additional documentation, require certain actions by me/ us to clear title to the property, or may require me/us to provide a modern boundary survey of the property, at my/our expense, prior to settlement and that delay in providing such evidence to the Foundation will delay settlement of the easement.

I/We give MALPF permission to conduct appraisals on my/our property upon reasonable notification. I am/We are aware that any approval to obtain an option contract for the purchase of an agricultural land preservation easement made by the Foundation is subject to Board of Public Works approval and available funds.

I/We understand that there is no guarantee that an offer will be made or accepted for the purchase of a development rights easement on this property.

I/We acknowledge that the land on which I am/we are applying to sell an easement shall not be subdivided (including lot releases), altered in its configuration, or encumbered by a restriction during the application process without prior written approval of the Foundation. Failure to comply with this restriction may result in withdrawal of the application.

In addition, I/we are aware that both Parts A and B of this Application to Sell an Easement must be completed and submitted to the County's Program Administrator, along with all necessary documentation. I/we understand that an incomplete application will be returned.

Landowner Signature Date

Landowner Signature Date

Print Full Name

Print Full Name

Landowner Signature Date

Landowner Signature Date

Print Full Name

Print Full Name

Note: All landowners of record must sign this application. Attach a separate sheet if necessary.

PART B

- 1. **LANDOWNER INFORMATION** – necessary for all landowners of record. Attach a separate sheet, if needed. (See Instructions.) Also, enter primary contact information. The primary contact person will receive all correspondence from and is the individual to be contacted by the Foundation regarding the easement application.

MAILING ADDRESS of Owner/Trust/Business Entity:

PRIMARY CONTACT PERSON:

Name

Name

Address

Mailing Address

City, State, Zip Code

City, State, Zip Code

Phone # (H) (W)

Phone # (H) (W)

- 2. **CHILDREN:** Please list child(ren)'s name(s). Please state family relationship to applicant owner(s). (See Instructions.) NOTE: This is not a statement of intention to create child(ren)'s lots. If you wish to state your intention for child(ren)'s lots, please follow the procedure outlined in the instructions.

- 3. **LOCATION OF PROPERTY** (see Instructions):

Tax Map _____ Grid _____ Parcel # _____

Tax ID# _____ (List all if more than one)

Tax Map _____ Grid _____ Parcel # _____

Tax ID# _____ (List all if more than one)

Tax Map _____ Grid _____ Parcel # _____

Tax ID# _____ (List all if more than one)

Property Address: (if different from mailing address)

- 4. **DEED REFERENCE(S)** (see Instructions):

_____/_____, _____/_____, _____/_____
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If acreage reflected in deed is different from acreage of proposed easement, please explain:

5. **EXISTING PROPERTY RESTRICTION(S):**

Please state whether there are any existing restrictive easements or covenants (such as Forest Conservation Easements, Open Space Easements, etc.) on your property and, if so, please explain:

6. **MORTGAGES OR LIENS** (see Instructions):

Is there a mortgage or other lien on this property, including equity line of credit?

YES NO

If yes, signatures and addresses of such holders will be required on the Option Contract and Deed of Easement, if the Foundation extends an easement offer to you.

Name of Mortgage or Lien Holder

Name of Mortgage or Lien Holder

Address

Address

City, State, Zip Code

City, State, Zip Code

Phone #

Phone #

7. **OTHER THIRD PARTY INTERESTS** (see Instructions):

a. Does anyone own or lease surface or subsurface rights on this property?

YES NO If yes, please explain: _____

b. Does anyone hold a lease, right of first refusal, or option to purchase for this property?

YES NO If yes, please explain: _____

c. Has any mining been done on the property?

YES NO If yes, please explain: _____

d. Are there any other third party interests in this property? (For example, life estate, right-of-ways, etc.)

YES NO If yes, please explain: _____

If you answered yes to any of the questions a. through d., please provide name and contact information for the third party interest; signatures of such parties will be required on the Option Contract and Deed of Easement if the Foundation extends you an easement offer.

Name of Other Third Party Interest

Name of Other Third Party Interest

Address

Address

City, State, Zip Code

City, State, Zip Code

Phone #

Phone #

Nature of Third Party Interest

Nature of Third Party Interest

8. **LAND USE** (see Instructions):

Tillable Cropland: _____ acres

Pasture: _____ acres

Woodland: _____ acres

Wetland(s): _____ acres

Orchard; Nursery: _____ acres

Other: _____ acres

TOTAL ACRES: _____ acres

9. **STRUCTURES** List and briefly describe all buildings and structures, including residential and farm structures. On a current aerial map, locate and label by corresponding letter (a, b, c, d, etc.) all structures listed here. A current aerial map may be obtained through the county program administrator. Use separate page if necessary. (See Instructions.)

Structure

Approximate Dimensions or Capacity

a. _____

b. _____

c. _____

d. _____

e. _____

f. _____

g. _____

h. _____

i. _____

j. _____

k. _____

10. **FARM OPERATION:**

Describe the farming operation: _____

Owner operated: Leased Part of larger operation: Yes No

11. **QUALIFYING SOILS: (To be completed by the County Program Administrator)**

	<u>CLASS I</u>	<u>CLASS II</u>	<u>CLASS III</u>	<u>GROUP 1</u>	<u>GROUP 2</u>	<u>= TOTAL</u>
ACRES:	_____	_____	_____	_____	_____	_____
PERCENT OF TOTAL:	_____	_____	_____	_____	_____	_____
Other information	_____					

12. **ZONING (To be completed by the County Program Administrator)**

Current Zoning of Property: _____ Allowable Density: _____

Development Pressure: Low Moderate High

Does the property lie within the boundaries of a planned 10-year water and sewer service district? Yes No

If yes, please describe _____

Is the encumbrance of this property by an agricultural land preservation easement consistent with county plans? (Master Plan, Comprehensive Land-Use Plan, Growth Management Plan, etc.) Yes No

If there is withheld acreage, how many development rights are associated with this (withheld) acreage under zoning _____?

What is the reason for the withheld acreage? _____

13. **CERTIFICATION OF SOIL CONSERVATION & WATER QUALITY PLAN** (see Instructions):

Property Owners: _____ Phone number: _____

Property Address: _____

Tax Map _____ Parcel: _____ Conservation Tract No. _____ Farm No. _____

The _____ County Soil Conservation District hereby certifies that the landowner(s) listed on the front of this Application to Sell an Easement has had a complete soil conservation and water quality plan prepared for the subject property.

Signature and Title of Soil Conservation District Official Date

14. Is a Forest Stewardship Plan in effect: Yes No
(If yes and the property has 25 acres of woodland, submit copy of Plan)

15. Is a Nutrient Management Plan in compliance: Yes No Do not know
(If available, submit copy of Annual Implementation Review.)

16. **REQUIRED DOCUMENTATION** to be included with this Application to Sell an Easement (see Instructions):

- a. All deeds, surveys, and/or plats that describe the property.

Md. Ann. Code Agriculture Article, § 2-510(b)(3) requires that an Application to Sell An Easement be accompanied by a complete description of the property to be encumbered by an Easement. Failure to submit a complete description with the Application to Sell an Easement may result in rejection of the Application.

- b. Assessments and Taxation Data sheet from website (County administrator can provide)
- c. A tax map outlining property boundaries, and clearly indicating withheld acreage, if any, and legal access to the withheld acreage.
- d. Aerial map with all structures on the property located, as instructed in Part B #10.
- e. Forest Stewardship Plan, if one is required and completed
- f. Annual Implementation Review Sheet for the Nutrient Management Plan, if one is available.
- g. A recent appraisal (optional, not required).