



DEPARTMENT OF AGRICULTURE
MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION

APPLICATION TO SELL AN EASEMENT

PART A

_____ MALPF File Number

I/We _____, landowner(s) of agricultural land, which has been established by recorded agreement and ordinance as an agricultural land preservation district in _____ County, Maryland, apply to the Maryland Agricultural Land Preservation Foundation (MALPF) to sell a development rights 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 District Agreement. 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. If an easement offer is extended, accepted and approved by the Board of Public Works, payment will be based on the entire acreage referenced in the District Agreement (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 that there are _____ district acres and _____ pre-existing dwellings located on this property as of the date I/we sign this application. The district acres less pre-existing dwellings equal _____ easement acres. (See note regarding pre-existing dwellings in Calculation of Easement Acreage in Part B, #5, of this Application.)

I am/We are willing to sell an easement on my/our land to the Maryland Agricultural Land Preservation Foundation for \$ _____ per acre.

Elections:

1. In the Deed of Easement, I 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. If, in Election 1, you have elected the family lot option or waived lot rights, please skip 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.

NOTE: The Foundation will not process requests for lot releases or amendments to districts while a property is subject to a pending easement application.

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.

If my/our property contains at least 25 acres of contiguous woodland, I/we understand that I/we must submit a complete Forest Stewardship Plan performed by a forester certified in the State of Maryland prior to settlement.

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.

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

Landowner Signature

Date

Landowner Signature

Date

Note: All landowners of record must sign this application.

PART B

1. **LANDOWNER INFORMATION** – necessary for all landowners of record. Attach a separate sheet, if needed. (See Instructions.)

MAILING ADDRESS of Owner/Trust/Business Entity:

CONTACT PERSON (if applicable):

Name

Name

Address

Address

City, State, Zip Code

City, State, Zip Code

Phone # (H) (W)

Phone # (H) (W)

Federal I.D. Number (if applicant is a Trust or business entity): _____

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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5. **CALCULATION OF EASEMENT ACREAGE** (see Instructions):

- a. Total District Acreage as shown on District Agreement: _____
- b. Less Pre-Existing Dwelling(s): _____
- c. Easement Acreage (a. minus b.): _____
(These numbers should also be entered on Part A, Paragraph #2.)

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

Please state whether there are any existing restrictive easements or covenants on your property and, if so, please explain:

7. **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 #

8. **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?

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

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

Tillable Cropland: _____ acres

Pasture: _____ acres

Woodland:† _____ acres

Wetland(s): _____ acres

Orchard; Nursery: _____ acres

Other: _____ acres

TOTAL ACRES: _____ acres

(Total Acres should be the same acreage as reflected on the District Agreement.)

† If your property contains 25 acres or more of contiguous woodland, you must have a Forest Stewardship Plan, completed by a forester certified in the State of Maryland, prior to settlement. The plan must include methods of management and a schedule of implementation. The plan must have been created and/or updated for sufficiency within the last ten years, and the landowner must be following the plan according to its schedule for implementation. If an easement is purchased on this property, the landowner will be responsible for implementing the plan as outlined according to the schedule of implementation.

10. **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.)

<u>Structure</u>	<u>Approximate Dimensions or Capacity</u>
a. _____	_____
b. _____	_____
c. _____	_____
d. _____	_____
e. _____	_____
f. _____	_____
g. _____	_____
h. _____	_____
i. _____	_____
j. _____	_____
k. _____	_____

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

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

12. **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. **The most recent property tax assessment notice** (not tax bill) dated within the last three years.

c. **Aerial map with all structures on the property located**, as instructed in Part B #10.

d. **A recent appraisal** (optional, not required).