



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):

\_\_\_\_\_/\_\_\_\_\_, \_\_\_\_\_/\_\_\_\_\_, \_\_\_\_\_/\_\_\_\_\_  
liber folio liber folio liber folio

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).