

**BERRIEN COUNTY
PURCHASE OF DEVELOPMENT RIGHTS PROGRAM**

PROPERTY OWNER APPLICATION FORM

Instructions

Read Step 1 – Eligibility, to determine whether your farm is eligible. If the farm is eligible, then complete the remainder of the application. Read and sign the back of the application form and return by mail to your locally participating unit of government (Bainbridge Chikaming, Lincoln, Royalton or Sodus Township only).

Step 1 – Eligibility

All applications must meet these minimum requirements in order to apply.

- The parcel(s) are located within a locally participating unit of government (Bainbridge, Chikaming, Lincoln, Royalton and Sodus Townships)
- At least 50% of the land in the nominated parcel must be devoted to an agricultural use as defined in Part 362 of NREPA.
- The owner of record must sign the application.
- Mineral rights must be either owned by the landowner or must be subordinated when the development rights are acquired.
- The nominated parcel must be at least 20 acres in size, unless the parcel is located adjacent to preserved land or is a viable agricultural entity. If the parcel is less than 20 acres in size, the landowner must provide written documentation that the land is in active agriculture. The LPB will review requests for consideration of parcels less than 20 acres in size on a case-by-case basis to determine if the development rights should be considered for purchase based on proximity to other preserved lands or the viability of the parcel for agricultural use.

Step 2 – Contact Information

Land owner:	Evening Phone:
Address:	Daytime Phone:
City & Zip:	Email:

Step 3 – Matching Funds

Emphasis will be placed on parcels that have matching funds. Matching funds may be money contributed by public, private or non-profit sources or can be via an offer of the landowner to accept less than the appraised purchase value of the development rights and donates the remaining portion of their development rights value. A letter of commitment regarding matching funds must accompany the application.

A donation may result in an income tax benefit. Discuss this with your CPA or tax attorney to confirm your eligibility. Applicant's offering to take less than the appraised value will be scored higher, but must honor that offer at time of closing.

Step 4 – Property Location Information

Property address (if different from above):

Parcel ID Number(s):

Township:

Number of acres:

Acres nominated:

Acres in Ag production:

Step 5 – Property Ownership Information

I own the nominated property by Deed Land Contract

If a land contract, the seller's signature is required in the certification section.

Are you aware of the existence of any environmental contaminants or concerns with the property? Yes No

If so, please describe:

Check one of the following:

- I own all mineral rights
- I own some mineral rights
- I do not own any mineral rights

Step 6 – Economic Impact

Mark all of the following that applies:

- Does the parcel(s) contain an "on farm" winery or directly contributed to and is owned by the owner of an "on farm" winery where at least 51% of the product used to manufacture the wine is grown on the same farm
- Does the parcel(s) on contract with a winery
- Does the parcel(s) significantly contribute to the support of a farm market (qualifying farm markets/roadside stands are those with "off road" parking for consumers)

Fill in the following:

Acres containing specialty crops processed in Berrien County:

Acres containing specialty crops processed in adjacent county:

Acres containing commodity crops processed in Berrien County:

Step 7 – Conservation Values/Practices

Is there a USDA/NRCS approved conservation plan on file for nominated parcel(s)?

Yes No

Are there significant natural resource features including natural water bodies and water courses, sand dunes, wildlife habitat (as defined by participating in the federal WHIP program), wetlands and other open space?

Yes No

If yes, please give a description and the number of acres:

Mark any of the following that applies:

- The parcel(s) fronts on a major stream that drains more than 640 acres
- The parcel(s) fronts on a minor stream that drains between 100 and 640 acres
- The parcel(s) fronts on a stream that drains less than 100 acres or has a year round spring, pond, or lake of 3 acres or more

Step 8 – Creation of Blocks of Preserved Land

Mark the following that applies:

- Land is directly adjacent to preserved land with at least 500 feet of shared boundary
- Land is directly adjacent to preserved land with less than 500 feet of shared boundary
- Land is not adjacent but within ½ mile of preserved land
- Land is not adjacent but between ½ to 2 miles of preserved land

Is the majority of the land within ½ mile of a parcel enrolled in the Farmland and Open Space Preservation Act (PA 116)? Yes No

Step 9 – Discretionary

Are there other unique historical, geological, architectural or any other significant features on the property?

Yes No

If yes, please describe:

Step 10 – Type of Agricultural Production

Please fill in the following:

Acres of land devoted to growing specialty crops (defined as a vegetable, greenhouse and/or nursery, tree fruit, grapes, or blueberries):

Acres of land devoted to growing commodity crops (defined as corn, soybeans, wheat, barley, oats, etc.) or hay crops (defined as alfalfa, timothy, grass, etc.):

Acres of land devoted to pasture:

Acres of land accessible to irrigation:

Is the land adjacent to a livestock production operation? Yes No

Is the land within ½ mile of a livestock production operation? Yes No

Step 11 – Agreement

Submission of this application to the locally participating unit of government and to the Berrien County Land Preservation Board (LPB) indicates an applicant's interest in participating in the Berrien County Purchase of Development Rights Program. Neither the applicant, the Township, the County, nor the Preservation Board is bound in any way by this expression of interest. The applicant agrees to allow a Preservation Board representative to visit the nominated property at a time convenient to the applicant in order to collect and verify information necessary to evaluate the application. The Preservation Board representative will not visit the property without permission of the applicant.

I _____ (name of applicant) am interested in applying to the Berrien County Purchase of Development Rights Program and do agree to the terms outlined above.

Signature

Date

Application Checklist

To submit this application:

- Make sure the farm(s) meet the eligibility criteria described in Step 1
- Complete the information requested in Steps 2 through 11
- Read, sign, and date the Agreement above
- Mail completed application to the Clerk of your locally participating unit of government by **Friday, July 30, 2021**

If you have any questions about the application, contact Katie Montoya, Berrien County Community Development at 983-7111 extension 8257.