



Farmland Development Rights New Agreement Application Checklist

April 2024

To ensure your application is reviewed in a timely manner, all items listed below must be included with the new application packet, prior to submitting to your local governing body for review. Applications must be approved by the local governing body on or before November 1 to be effective for the current tax year. Incomplete applications will be returned to the local governing body and landowner.

- ☐ **All sections of application complete. Page 3, “Reserved for Local Government Use” must be completed by the local governing body.**
- ☐ **Copy of recorded deed(s) or land contract(s), including signature page(s). Copies must contain all pages of the documents and sufficiently document the chain of title from the previous owner.**
 - If providing more than one deed/land contract, current ownership must be in the same name to be combined under one agreement. If ownership is different, separate applications must be completed or obtain a Quit Claim Deed in same ownership.
 - If a current owner named on the deed/land contract is deceased, a copy of the death certificate must be provided.
 - All vendors/sellers listed on a land contract must sign and date bottom of Page 1, acknowledging enrollment.
- ☐ **Copy of most recent property tax assessment notice or tax bill with complete legal description of property and State Equalized Value (SEV), along with a statement by the applicant certifying the name of the owner of record, the legal description of the property and all liens, covenants, and other encumbrances affecting the title to the land.**
- ☐ **Map of the farm with structures and natural features. See instructions on Page 4 of application.**
- ☐ **Copy of current appraisal record. If a current appraisal record is not available, the most recent tax bill must include the SEV. The local assessor must provide property appraisal value on Page 3, in section “Reserved for Local Government Use”.**
- ☐ **Submit complete application and checklist to the clerk of the local governing body. *(See below.) Maintain a copy of your application until you have received a new agreement.**

The clerk will issue a receipt indicating the date the application was received and send copies of the application to the reviewing agencies.

The clerk will present the application to the local governing body at their next scheduled meeting. The local governing body has 45 days from the date the application is presented to approve or reject the application.

- If the application is approved, the applicant is notified by the local governing body. The local governing body will forward the entire application packet to the Michigan Department of Agriculture and Rural Development (MDARD), Farmland and Open Space Preservation Office.
- If the application is rejected by the local governing body, the applicant is notified within 10 days, stating the reason for rejection. The original application and all supporting documentation are returned to the applicant. The applicant has 30 days to appeal to MDARD.

MDARD has 60 days from date of receipt to approve or reject the application.

The applicant will be notified within 15 days of the date of approval or rejection by MDARD.

***Local governing body means 1 of the following:**

- i. *Farmland located in a city or village, the legislative body of the city or village.*
- ii. *Farmland not located in a city or village, but in a township having a zoning ordinance in effect as provided by law, the township board of the township.*
- iii. *Farmland not described in i or ii above, the county board of commissioners.*

New applications, eligibility requirements, and instructions for completing a new application can be found online at www.Michigan.gov/Farmland.

The local governing body can send completed applications to:

Email: MDARD-PA116@Michigan.gov

Fax: 517-335-3131

Mail: MDARD – Farmland, P.O. Box 30449, Lansing, MI 48909



**FARMLAND AND OPEN SPACE
PRESERVATION PROGRAM**

**Application for Farmland Development
Rights Agreement**

Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, more commonly known as PA 116. Please print or type. Attach additional sheets as needed. **Refer to the Eligibility and Instructions document before filling out this form.**

OFFICIAL USE ONLY

Local Governing Body: _____

Date Received _____

Application No: _____

State: _____

Date Received _____

Application No: _____

Approved: _____ Rejected _____

**ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY
ON OR BEFORE NOVEMBER 1 TO BE EFFECTIVE FOR THE CURRENT TAX YEAR**

I. Personal Information:

1. Name(s) of Applicant: _____
Last First Initial

(If more than two see #15)

_____ Last First Initial

2. Mailing Address: _____
Street City State Zip Code

3. Phone Number: (Area Code) () _____

4. Alternative Telephone Number (cell, work, etc.): (Area Code) () _____

5. E-mail address: _____

II. Property Location (Can be taken from the Deed/Land Contract)

6. County: _____ 7. Township, City or Village: _____

8. Section No. _____ Town No. _____ Range No. _____

Parcel # (Tax ID): _____

III. Legal Information:

9. Attach a clear copy of the deed, land contract or memorandum of land contract. (See #14)

10. Attach a clear copy of the most recent tax assessment or tax bill with complete tax description of property.

11. Is there a tax lien against the land described above? ☐ Yes ☐ No

If "Yes", please explain circumstances: _____

12. Does the applicant own the mineral rights? ☐ Yes ☐ No

If owned by the applicant, are the mineral rights leased? ☐ Yes ☐ No

Indicate who owns or is leasing rights if other than the applicant: _____

Name the types of mineral(s) involved: _____

13. Is land cited in the application subject to a lease agreement (other than for mineral rights) permitting a use for something other than agricultural purposes: ☐ Yes ☐ No If "Yes", indicate to whom, for what purpose and the number of acres involved: _____

14. Is land being purchased under land contract ☐ Yes ☐ No: If "Yes", indicate vendor (seller):

Name: _____

Address: _____

Street City State Zip Code

14a. Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, states that the vendor (seller) must agree to allow the land cited in the application to be enrolled in the program. Please have the land contract sellers sign below. (All sellers must sign).

Land Contract Vendor(s): I, the undersigned, understand and agree to permit the land cited in this application into the Farmland and Open Space Preservation Program.

Date

Signature of Land Contract Vendor(s) (Seller)

15. If the applicant is one of the following, please check the appropriate box and complete the following information (if the applicant is not one of the following – please leave blank):

☐ 2 or more persons having a joint or common interest in the land
☐ Corporation Limited Liability Company Partnership
☐ Estate Trust Association

If applicable, list the following: Individual Names if more than 2 Persons; or President, Vice President, Secretary, Treasurer; or Trustee(s); or Members; or Partners; or Estate Representative(s):

Name: _____ Title: _____

Name: _____ Title: _____

Name: _____ Title: _____

Name: _____ Title: _____

(Additional names may be attached on a separate sheet.)

IV. Land Eligibility Qualifications: Check one and fill out correct section(s)

This application is for:

- ☐ a. 40 acres or more ► complete only Section 16 (a thru g);
☐ b. 5 acres or more but less than 40 acres ► complete only Sections 16 and 17; or
☐ c. a specialty farm ► complete only Sections 16 and 18.

16. a. Type of agricultural enterprise (e.g. livestock, cash crops, fruit, etc):

- b. Total number of acres on this farm: _____
 c. Total number of acres being applied for (if different than above): _____
 d. Acreage in cultivation: _____
 e. Acreage in cleared, fenced, improved pasture, or harvested grassland: _____
 f. All other acres (swamp, woods, etc.) _____
 g. Indicate any structures on the property: (If more than one building, indicate the number of buildings):

No. of Buildings _____ Residence: _____ Barn: _____ Tool Shed: _____

Silo: _____ Grain Storage Facility: _____ Grain Drying Facility: _____

Poultry House: _____ Milking Parlor: _____ Milk House: _____

Other: (Indicate) _____

17. To qualify as agricultural land of 5 acres or more but less than 40 acres, the land must produce a minimum average gross annual income of \$200.00 per acre from the sale of agricultural products.

Please provide the average gross annual income per acre of cleared and tillable land during 2 of the last 3 years immediately preceding this application **from the sale of agricultural products (not from rental income):**

\$ _____ / _____ = \$ _____ (per acre)
 total income total acres of tillable land

18. To qualify as a specialty farm, the land must be designated by MDARD, be 15 acres or more in size, and produce a gross annual income from an agricultural use of \$2,000.00 or more. If a specialty farm, indicate average gross annual income during 2 of the last 3 years immediately preceding application from the sale of agricultural products: \$ _____

Please note: specialty farm designation may require an on-the-farm site visit by an MDARD staff person.

19. What is the number of years you wish the agreement to run? (Minimum 10 years, maximum 90 years); _____

V. Signature(s):

20. The undersigned certifies that this application identifies the owner of record, legal description of property, and all liens, covenants, and other encumbrances affecting the title to the land.

(Signature of Applicant)

(Corporate Name, If Applicable)

(Co-owner, If Applicable)

(Signature of Corporate Officer)

(Date)

(Title)

**ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY
ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR.**

RESERVED FOR LOCAL GOVERNMENT USE: CLERK PLEASE COMPLETE SECTIONS I & II

I. Date Application Received: _____ (Note: Local Governing Body has 45 days to take action)

Action by Local Governing Body: Jurisdiction: _____

☐ County ☐ Township ☐ City ☐ Village

This application is ☐ approved, ☐ rejected

Date of approval or rejection: _____

(If rejected, please attach statement from Local Governing Body indicating reason(s) for rejection.)

Clerk's Signature: _____

Property Appraisal: \$_____ is the current fair market value of the real property in this application.

Parcel Number (Tax ID): _____

II. Please verify the following:

_____ Upon filing an application, clerk issues receipt to the landowner indicating date received.

_____ Clerk notifies reviewing agencies by forwarding a copy of the application and attachments

_____ If rejected, applicant is notified in writing within 10 days stating reason for rejection and the original application, attachments, etc. are returned to the applicant. Applicant then has 30 days to appeal to State Agency.

_____ If approved, applicant is notified and the original application, all supportive materials/attachments, and letters of review/comment from reviewing agencies (if provided) are sent to:

MDARD-Farmland and Open Space Preservation Program, P.O. Box 30449, Lansing, MI 48909

***Please do not send multiple copies of applications and/or send additional attachments in separate mailings without first contacting the Farmland Preservation office.**

Please verify the following regarding Reviewing Agencies (Sending a copy to reviewing agencies is required):

COPY SENT TO:

_____ County or Regional Planning Commission

_____ Conservation District

_____ Township (if county has zoning authority)

**Before forwarding to State Agency,
FINAL APPLICATION SHOULD INCLUDE:**

_____ Copy of Deed or Land Contract (most recent showing current ownership)

_____ Copy of most recent Tax Bill (must include tax description of property)

_____ Map of Farm

_____ Copy of most recent appraisal record

_____ Copy of letters from review agencies (if available)

_____ Any other applicable documents

Questions? Please call Farmland Preservation at 517-284-5663

Map of Farm with Structures and Natural Features:

- A. Show boundary of land cited in application. (Grid below is designed to represent a 5280 ft² (1 mile²) Section)
- B. Show all buildings (house(s), barn(s), etc.); also label roads and other avenues of travel (i.e. utility access, etc.).
- C. Outline and designate the current uses of the property (crops, pasture, forest, swamp, etc.).
- D. Clear copies of map(s) provided by USDA Farm Service Agency are acceptable, but please label any roads visible on map, structures and their use, etc.

Note: Any residential structures housing persons not directly associated with the farm operation must be excluded from the application. Please indicate if a building falls in this category and provide the appropriate property description for its exclusion. Unless the appropriate description is included, your application cannot be processed.

.....
County _____

Township _____

T _____ R _____ Section _____

↑ North

