



771 East Main St., Suite 100 ~ Newark, OH 43055
(740) 670-5330 ~ www.LickingSWCD.com

Landowner Pre-Application
for the Ohio Department of Agriculture's (ODA)
2019 Clean Ohio Local Agricultural EASEMENT PURCHASE Program (LAEPP) DEADLINE:
Monday, February 4, 2019

I. CONTACT INFORMATION

- A. Contact Name: _____
- B. Mailing Address: _____
(address, city, state, zip code)
- C. Email: _____
- D. Phone: Daytime: _____ Cell: _____

II. FARM INFORMATION

- A. Farm Name (if applicable): _____
- B. Farm Address: _____
(address, city, state, zip code)
- C. County: _____ D. Township: _____

E. List farm parcel numbers (all contiguous parcels under the same legal name) and acreage:
If unsure, visit <http://www.lcounty.com/OnTrac/> and/or contact the Licking County Auditor's CAUV
Office at 740-670-5050.

Parcel Number:	Acreage:	CAUV (Yes/No)	Agricultural District (Yes/No)
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
(Attach a separate sheet if more space is needed.)			
Total Acreage:		_____	_____

F. Legal name of farm ownership entity (if applicable): _____

G. List the names of all individual owners, members or trustees of the corporation, trust, or other legal entity:

<u>Name:</u>	<u>Signing Authority (check Yes or No):</u>
_____	Yes _____ No _____
_____	Yes _____ No _____
_____	Yes _____ No _____
_____	Yes _____ No _____

(Attach a separate sheet if more space is needed.)

H. List all mortgages, lines of credit and other liens or encumbrances against the farm:

(Note: Your list of encumbrances may not be complete without a title search.)

<u>Name of Bank/Mortgage Company:</u>	<u>Parcel(s) Covered</u> (use Part II E. #s 1 - 4 above)
_____	_____

(Attach a separate sheet if more space is needed.)

I. List all active oil & gas leases on the farm: (Note: Your list of encumbrances may not be complete without a title search.)

<u>Name of Oil & Gas Company:</u>	<u>Acres Covered:</u>	<u>Parcel(s) Covered</u> (use Part II E. #s 1 - 4 above)
_____	_____	_____
_____	_____	_____

(Attach a separate sheet if more space is needed.)

J. List approximate acres for each land use for the entire farm in 2017:

Grain: _____ Acres: _____	Livestock: _____ #: _____	Pasture Acres: _____
Grain: _____ Acres: _____	Livestock: _____ #: _____	Hay Acres: _____
Grain: _____ Acres: _____	Livestock: _____ #: _____	Woodlot/Forested Acres: _____
Homestead Acres: _____	CRP, Stream Buffer, Pond Acres: _____	
Other: _____ Acres: _____	Other: _____ Acres: _____	Other: _____ Acres: _____
Number of Homes: _____	Forestry Management Plan: Yes _____ No _____	Whole-Farm Conservation Plan: Yes _____ No _____

K. Does the farm have any historical designations (buildings or archeological sites) from the National Register of Historic Places _____, Ohio Historic Inventory _____, or ODA Historical Farm _____? Check all that apply and attach documentation.

III. LANDOWNER ACKNOWLEDGMENT

By signing this **Pre-Application**, I understand and acknowledge the following:

A. Licking County Soil & Water Conservation District (Licking SWCD) is the Licking County 2019 Certified Local Sponsor for the Ohio Department of Agriculture's (ODA) 2019 Clean Ohio Local Agricultural Easement Purchase Program (LAEPP). All available ODA documents, including program requirements and draft easement deeds (subject to revisions), are available to me at: <https://agri.ohio.gov>. (Scroll to bottom of page and click on "Farmland Preservation Office", under "Our Programs").

B. If an agricultural easement is placed on my land, I understand that I will still own my land and may sell, gift or otherwise convey it to others. I also understand that **the farm cannot be subdivided after the agricultural easement is placed on it**. Once my application is submitted, and if selected, I understand that ownership changes or new encumbrances may delay the easement acquisition process.

C. I have reviewed and understand the ODA *2019 Policies and Guidelines for Landowner Application* requirements, from ODA's website (noted above), and my farm meets ODA's minimum requirements:

1. My farm is at least 40 acres (or 10-39 acres if it shares a substantial border to existing protected land; see ODA *Small Farm Policy*).
2. My farm is enrolled in the Current Agricultural Use Valuation (CAUV) program.
3. My farm is enrolled in an Agricultural District. If not, I will enroll it by Friday, March 1, 2019 and provide a copy of the approved application. Go to <https://agri.ohio.gov> (Scroll to bottom of page and click on "Farmland Preservation Office", under "Our Programs", then click on "Forms" on right side of screen).
4. My farm consists of all contiguous parcels with the same legal ownership.

D. I understand ODA's Farmstead/Homestead Policy which "*permits one homestead to be reserved if no housing currently exists on the applicant property. The reservation allows for one-single family home to be built in the future. If housing exists on the property at the time of application, then no additional residences may be built. Any future or existing house on the preserved farm may not be subdivided from the farm.*"

E. Funding for this Program is not guaranteed. Funding for my farm is not guaranteed. This Pre-Application is non-binding. If I receive an offer, I will be asked several times to confirm my willingness to proceed with the agricultural easement purchase process.

F. In order to maximize limited LAEPP funding, Licking SWCD must be able to use my farm, if eligible, to apply for USDA Natural Resources Conservation Service (NRCS) Agricultural Conservation Easement Program (ACEP) matching or reimbursement funds. These funds may be used to help purchase an easement on my farm or to purchase additional agricultural easements in Licking County. All available ACEP documents, including program requirements, are available to me at: <http://www.nrcs.usda.gov/wps/portal/nrcs/detail/oh/programs/easements/acep/?cid=nrcseprd416633>.

G. I understand that certain expenses are associated with placing an agricultural easement on my land, and that neither ODA, NRCS, nor Licking SWCD will pay for these expenses. These estimated costs to me, as the landowner, are listed in **Attachment A, Landowner Cost Estimator**, of this form.

H. I have reviewed and understand the requirements of both ODA and NRCS-ACEP Programs. Licking SWCD may submit an application to one or both Programs on my behalf. Neither Program allows me to submit an application on my own.

I. I understand that Licking SWCD cannot and does not provide legal or financial advice and encourages landowners to seek information from their own advisors.

J. The maximum amount ODA will pay is \$2,000 per acre, using ODA's points-based application. In Licking County, the amount offered has ranged from about \$400 to \$2,000 per acre. The minimum amount per acre I am willing to accept is: \$ _____. I understand that the minimum amount I have written here is not binding. Licking SWCD expects to me consider seriously the costs noted in **Attachment A**, and the minimum amount I will accept if an offer is made.

K. I understand that the information provided or referenced by Licking SWCD in this Pre-Application is current as of December 28, 2018 and all information, timelines and deadlines are subject to change. I will ask for copies of any documents referenced in this Pre-Application that I cannot locate on my own.

Landowner Signature or Authorized Representative

Date

Printed Name

Landowner Signature or Authorized Representative

Date

Printed Name

Landowner Signature or Authorized Representative

Date

Printed Name

Please print additional copies of this page if more signature lines are needed.

Please make a copy of this signed form for your records or ask for a copy when submitting this form.

This form, with original signatures, must be received at Licking SWCD by 4:30 p.m., MONDAY, February 4, 2019. Mail or drop off form to:

Pat Deering, Land Preservation Manager, Licking SWCD

771 E. Main St., Suite 100, Newark, Ohio 43055

For additional information or questions, please contact Pat Deering at pmdeering@LickingSWCD.com or 740-670-5330.

Attachment A. Landowner Cost Estimator

1. Estimated costs to me IF my farm is selected for an Agricultural Easement with ODA:		
Item:	Estimated Cost:	Notes:
Easement Closing Costs (some may be deducted from easement payment at closing)	\$5,000 - \$10,000	Standard title and closing services (title search, examination, title insurance policy, recording fees, copies, etc.) will be deducted from proceeds at closing. Title clearing costs must be paid for separately by the landowner.
Possible survey of the farm (if required by ODA, NRCS, or Licking Co. Engineer or Auditor)	\$4,000 - \$6,000	Estimate only (may vary based on several factors). The landowner is solely responsible for the survey and its cost. The survey must be completed as soon as possible.
Licking SWCD LAEPP Application Preparation Fee, if farm is selected and offer is accepted (Required)	\$750	This fee is a tax-deductible expense (confirm with your tax advisor) paid to Licking SWCD to help cover the cost of applying on behalf of the landowner. It is due after signing a Notice of Selection Letter.
Conservation Plan	\$0.0	No cost if completed by NRCS or SWCD.
Forestry Management Plan (if needed)	\$750 - \$1,500+	Needed if property is more than 20% forested or has more than 40 contiguous wooded acres.
Mortgage Subordination or Payoff	Ask Lender	Lenders may charge a fee for mortgage subordination or early payoff.
Licking SWCD Farmland Preservation Program Management Fund Fee (Required)	2% minimum of easement purchase price	This fee is a tax-deductible expense (confirm with your tax advisor) payable to Licking SWCD to help cover future costs of monitoring and enforcement. It is due after closing.
Estimate your total costs:	\$	

2. Estimated costs to me IF my farm is selected for NRCS-ACEP funding:		
Item:	Estimated Costs:	Notes:
Local Sponsor Title Insurance Policy & Landowner bankruptcy check	\$2,000 - \$4,000	This policy insures NRCS's investment in the agricultural easement. These expenses will be deducted from proceeds at closing.
NRCS-ACEP Real Estate Appraisal Fee	\$4,000 - \$6,000	The NRCS appraisal is needed to verify the value of the land and easement purchase offer. Licking SWCD will bill landowner after closing.
Oil & Gas Lease Subordinations and/or Extinguishments	\$1,000 - \$1,500 per lease	The Landowner is solely responsible for the extinguishment and/or subordination process and costs. The process must be completed as soon as possible, after the initial title search is completed.
Estimate your total costs:	\$	

3. Estimated costs if I am eligible for and choose to take advantage of federal income tax incentives for conservation easement donations (IRS Section 170, Form 8283):		
Item:	Estimated Cost:	Notes:
IRS Appraisal	\$2,500 - \$5,000+ (depending on several factors)	The IRS requires an appraisal for charitable donation purposes. The landowner is solely responsible for this cost.