

**CARROLL COUNTY CRITICAL FARMS PROGRAM
APPLICATION**

Applicant: _____

Owner: _____ or Contract Purchaser: _____

Mailing Address: _____

Telephone No. and e-mail address _____

Address of Property: _____

Tax Map: _____ Block: _____ Parcel: _____ Deed Reference: _____

CRITICAL FARMS PROGRAM PROCESS

Before you submit a contract to seller: Meet with the Program Manager to assure the farm property meets all qualifications for the program, that the prospective purchase price or offer is within an acceptable range, and to learn program requirements for the contract terms. If multiple applications are submitted within a short time of each other, applications will be ranked. If funding is limited, it is possible you may not receive an offer.

After contract is obtained: Submit an application along with a copy of the contract of sale to the Program Manager. You may also submit your own appraisal. Mortgage holders must be kept informed of your application. Mortgage holders will be a party to the option agreement and the deed of easement. Once it is determined the application meets all qualifications, the following process takes place:

1. The Critical Farms application is reviewed by the Carroll County Agricultural Land Preservation Advisory Board. If granted preliminary approval continue to Step 2.
2. The Critical Farms application is presented to the Board of County Commissioners in a closed (non-public) session requesting preliminary approval. If preliminary approval is granted, an appraisal by a professional appraiser is ordered, at the applicant's initial expense, to determine

fair market value of the land, excluding improvements. Cost is reimbursed after easement settlement.

3. Once the appraisal is completed, an appraisal review is ordered from an outside consultant. When the appraisal has been reviewed and approved, the offer to the contract purchaser is determined. The offer will be equal to 52.5% of the purchase price or appraised fair market value, *whichever is lower*.
4. A valuation approval is secured from the County Administrator, and an offer made to the applicant. If the applicant accepts the offer, staff then prepares an Option to Purchase, or agreement, and sends a letter to the applicant to sign, signifying acceptance of the offer.
5. A legal advertisement will appear on the County's website to announce the County Commissioners' Option to Purchase and a title certificate is ordered.
6. Fifteen days after advertisement, the Agricultural Land Preservation Program staff requests staff time during Open Session to secure final approval to acquire the Option to Purchase.
7. Once a title certificate is secured, settlement for purchase of the property is scheduled to take place at the County Attorney's office. At settlement, the County provides a check for its portion of the purchase price.
8. The County payment obligates the applicant/new owner to sell an easement to the Maryland Agricultural Land Preservation Foundation (MALPF) at a bid price that will at a minimum repay the county's contribution to the purchase price. Any amount offered by MALPF that exceeds the County contribution will be retained by the applicant. Certain restrictions concerning dwelling or lot options offered by the state program may apply. Program staff will assist in the easement application process.
9. Easement sale to MALPF must occur within five years of recordation of the option agreement; if it does not, the applicant will have 60 days to cancel the option agreement by repaying the County the full amount of the option price, plus interest. If the applicant does not cancel the option within the 60-day period, the County will exercise the option contained in the agreement and acquire the development rights easement from the applicant with no additional payment being made by the County.
10. The applicant may be required to provide a survey of the property if the metes and bounds description in the deed is not accurate enough to obtain the title insurance required by MALPF to purchase the easement.

APPLICANT SIGNATURES

I (we) have received a copy of a sample Deed of Easement. I (we) have read the Critical Farms Program Process outlined above and hereby submit the above described property for consideration.

Contract Purchaser or Landowner Signature

Date

Contract Purchaser or Landowner Signature

Date

Contract Purchaser or Landowner Signature

Date

MORTGAGE OR LIENS

Landowner applicant: Is there a mortgage or other lien on this property? Yes___ No ___
If yes, please secure signatures of such holders.

I (we) acknowledge that the above landowner has informed me (us) of their intention to sell the Commissioners of Carroll County an option to purchase a development rights easement. I (we) agree to join with the landowner in said option agreement and subsequent deed of easement providing that I (we) approve the amount of the payment offered by the County the option.

Name of Individual or Company

Name of Individual or Company

Street Address

Street Address

City, State, Zip Code

City, State, Zip Code

Signature

Date

Signature

Date