

Ownership:

If the applicant is one of the following, please check the appropriate box and complete the following information. If not applicable, leave blank.

Two or more persons having a joint or common interest in the land

Corporation Estate Limited Liability Company

Trust Partnership

If applicable, list the owner names and titles (for example: President, Vice President, Secretary, Treasurer; or Trustees; or Members; or Partners; or Estate Representatives).

Name: _____ Title: _____

Name: _____ Title: _____

Name: _____ Title: _____

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

Solar Panel Information:

1. Attach a clear copy of the Commercial Solar Agreement which must contain: (Note: This information may be provided in the form of a memorandum of the Commercial Solar Agreement rather than providing the entire document and/or in the form of an addendum if any of these items were not part of the original Commercial Solar Agreement.)
 - a. Address, phone number, email and name of the person designated to represent the commercial solar developer.
 - b. The term of the Commercial Solar Agreement with the landowner in years.
 - c. Commitment on the part of the solar developer that the solar panels and appurtenant structures will be removed from the property, unless the term of the lease is extended by the landowner, the local unit of government and the Michigan Department of Agriculture & Rural Development (MDARD).
 - d. Commitment on the part of the solar developer to provide surety to the State of Michigan no less than 90 days prior to the commencement of construction, to cover the cost of removal of the solar panels and appurtenant structures in the event the removal is not done by the solar developer.
 - e. Commitment to plant and maintain a ground cover crop beneath the solar panels and natural pollinator habitat in between and on the periphery of the solar panels.
 - f. Commitment to maintain existing farm drainage volume as part of the project.
 - g. The legal description of the property upon which the commercial solar facility is to be located.
2. Attach a clear copy of the site plan showing where the solar facility is to be located and indicating the land which is under P.A. 116. If the solar development is on a portion of the P.A. 116 land, complete Split Request Forms and attach to this application.

By your signature below, you agree that your Farmland Development Rights Agreement (P.A. 116 Agreement) will be amended to include the following provisions:

- a. The landowner agrees to provide notification to MDARD within 90 days of an ownership change of the property.
- b. The landowner agrees not to claim Farmland Preservation tax credits on the subject property beginning in the year of construction of the solar facility and until the first cropping year after the solar facility has been removed from the property and the land restored to agricultural use.
- c. The term (number of years) of the commercial solar agreement will be added to the existing term of the prior Agreement when the Farmland Development Rights Solar Panel Agreement (Amended Agreement) is created.
- d. A surety bond or irrevocable letter of credit is to be provided, naming the State of Michigan as beneficiary, to cover the costs of the removal of the solar facility structures and the restoration of the land to agricultural use. If MDARD learns that a surety is not in place for the land the solar facility and appurtenant structures will be removed by MDARD and the landowner will be billed for the costs.
- e. The landowner agrees to remove the solar panels and appurtenant structures and to restore the land to agricultural use.
- f. The landowner agrees to provide notice to MDARD and the local government within 90 days of a change in ownership of the solar facility.
- g. The landowner agrees to plant a ground cover crop under the solar panels and natural pollinator habitat in between and on the periphery of the solar panels and to maintain these plantings.
- h. The landowner agrees to maintain existing drainage volume of the parcel throughout the life of the project.
- i. The landowner agrees to inform any new owners about the Amended Agreement.
- j. The landowner agrees to obtain approval from the local governing body for any period that the property is used as a commercial solar facility.

Signature(s):

The undersigned declare that this application, including any accompanying informational material, has been examined by them and to the best of their knowledge and belief is true and correct.

Primary Applicant Signature

Title (If Applicable)

Co-Owner (If Applicable)

Title (If Applicable)

Date

Corporate Name (If Applicable)

Before forwarding to the Local Government, the final application should include copies of:

Farmland Development Rights Agreement
Commercial Solar Agreement
Split Request forms (if applicable)

Site Plan for Solar Panels
Legal Description
Any other applicable documents

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

I. Date Application Received: _____

Action by Local Governing Body: Jurisdiction Name: _____
County Township City Village

This application is: Approved Denied

Date of Application Decision: _____

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

Clerk's Name (printed): _____

Clerk's Signature: _____

II. Please verify the following:

____ Upon filing an application, clerk issued receipt to the landowner indicating date received.

____ 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.

____ If approved, applicant is notified and the original application, all supportive materials/attachments, and letters (if provided) are mailed to:

MDARD-Farmland
P.O. Box 30449
Lansing, MI 48909

NOTE: Please do not send multiple copies of applications and/or send additional attachments in separate mailings without first contacting the Farmland and Open Space Preservation Office.

Questions? Please call the Farmland and Open Space Preservation Office at 517-284-5663.



FARMLAND DEVELOPMENT RIGHTS AGREEMENT (P.A. 116)

SPLIT REQUEST

Complete this form and return with all required documentation to:

MDARD-FARMLAND
 P.O. BOX 30449
 LANSING, MI 48909
 MDARD-PA116@michigan.gov

PHONE: 517-284-5663
 FAX: 517-335-3131

Name of Person Making Request:		
Mailing Address:		
City:	State:	Zip Code:
Email Address:	Phone:	
1. Farmland Development Rights Agreement Number:		
2. Name(s) as they appear on current Agreement:		

Complete a separate split request form for each new parcel that will be created.

PROPOSED SPLIT PARCEL ____ of ____

3. Size of split parcel in acres (5 acres minimum):
4. Legal Description and Parcel Number of split parcel (attach recent survey and tax bill):
Parcel Number(s):
<u>Legal Description:</u>

To qualify for a split of 5 acres or more but less than 40 acres, the land must be at least 51% in agricultural use and must produce a minimum average gross annual income of \$200 per acre from the sale of agricultural products during 2 of the last 3 years. Rental income is not included.

To qualify for a split of 40 acres or more, the land must be at least 51% in agricultural use.

5. Number of acres in agricultural use (see instructions for definition of agricultural use):	
6. Commodity grown:	
7. Yield per acre:	
Determine the gross annual income per acre by dividing the gross annual income (8) by the number of acres in agricultural use (5).	
8. Gross annual income:	9. Gross annual income per tillable acre:

Signature of Landowner/*Representative (print name next to signature):	Date:
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**If you are signing on behalf of the landowner, please attach a copy of the legal document granting authority.*

**INSTRUCTIONS AND INFORMATION NEEDED TO COMPLETE SPLIT REQUEST FORM
Farmland Development Rights Agreements (P.A. 116)**

Persons making a split request must complete all blank fields on the Split Request Form. A minimum of two (2) Split Request Forms must be submitted.

#1 and #2: Information for these sections can be found on the current Farmland Development Rights Agreement.

#3: Indicate the size of the parcel you are wanting to be split in acres. The parcel must be a minimum of 5 acres to qualify.

#4: Provide the legal description and parcel number (property tax ID number) here for the parcel to be split. If there isn't enough room, please attach an additional sheet and attach the recent survey with description and most recent property tax bills.

#5: Indicate the number of acres of the proposed split parcel that is in agricultural use.

"Agricultural use" means the production of plants and animals useful to humans, including forages and sod crops; grains, feed crops, and field crops; dairy and dairy products; poultry and poultry products; livestock, including breeding and grazing of cattle, swine, captive cervidae, and similar animals; berries; herbs; flowers; seeds; grasses; nursery stock; fruits; vegetables; maple syrup production; Christmas trees; and other similar uses and activities. Agricultural use includes use in a federal acreage set-aside program or a federal conservation reserve program. Agricultural use does not include the management and harvesting of a woodlot. [MCL 324.36101\(b\)](#).

#6: Indicate the commodity grown, such as: field crops, harvested grassland, *livestock and/or any of the other agricultural uses as listed in above definition.

#7: Indicate the yield per acre, such as: bushels, bales, or livestock.

#8: Indicate the gross annual income of the proposed split that is in agricultural use.

#9: Divide item #8 by item #5 to calculate the gross annual income per acre in agricultural use.

*If you indicated livestock in #6: For #7 indicate how many animals you sell per year; for #8 indicate the gross annual income from the sale of those animals; and for #9 calculate the same as stated in above instructions.

Send the required information along with the Split Request Form by email, fax, or mail.

MDARD-PA116@Michigan.gov

Fax: 517-335-3131

MDARD-Farmland
P.O. BOX 30449
Lansing, MI 48909

If you have questions, visit our website at www.Michigan.gov/Farmland, or call the Farmland and Open Space Preservation Program at 517-284-5663.