



Farmland and Open Space Preservation Program

APPLICATION FOR TERMINATION OF A FARMLAND DEVELOPMENT RIGHTS AGREEMENT

(Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, more commonly known as P. A. 116. Please read the Requirements and Instructions before filling out this form. Please print or type. Attach additional sheets as needed.)

OFFICIAL USE ONLY	
Local Governing Body:	_____
Date Received:	_____
Application No.:	_____
.....	
State Agency:	_____
Date Received:	_____ Application No.: _____
Approved:	_____ Rejected: _____

I. Personal Information:

- 1) Name(s) of Applicant: _____
 (Owner of Record) **Last** **First** **Initial**
 Spouse's Name: _____
Last **First** **Initial**
- 2) Mailing address: _____
Street Address
- 3) Mailing address(cont.): _____
City **State** **Zip Code**
- 4) Telephone Number: (Area Code) () _____
- 5) Federal Employer Identification Number (if applicable): _____
- 6) Farmland Development Rights Agreement # _____

II. Property Location: (Can be taken from the deed.)

- 7) County: _____ 8) Township, City or Village: _____
- 9) Section No.: _____; Town #: _____; Range #: _____

III. Legal Information:

- 10) Attach a copy of the deed or land contract (may be a photo copy).
- 11) Attach a copy of the most recent property tax assessment notice or tax bill.
- 12) Is there a tax lien against the land described above? (may be photo copy) Yes No

If "Yes," please explain circumstances:

13) Is land being purchased under land contract? Yes No

a) If "Yes," indicate vendor (seller):

Name: _____

Mailing Address: _____

Street City State Zip Code

b) 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 released from the program. Please have the land contract *seller* sign below.

I, the undersigned, understand and agree to permit the land cited in this application to be released from the Farmland and Open Space Preservation Act.

(Date) (Land Contract Seller Signature)

14) If you meet one of the following, please check the appropriate box and complete the following information.

(If the applicant does not meet 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 and Treasurer; or Trustee(s); or Members; or Partners; or Representatives; or present income beneficiaries:

Name: _____ Title: _____

Mailing Address: _____
Street City State Zip

Name: _____ Title: _____

Mailing Address: _____
Street City State Zip

Name: _____ Title: _____

Mailing Address: _____
Street City State Zip

Name: _____ Title: _____

Mailing Address: _____
Street City State Zip

Name: _____ Title: _____

Mailing Address: _____
Street City State Zip

(Additional Names may be attached on separate sheet.)

IV. Reasons for Withdrawal of Land From Program:

MCL 324.36111a indicates the requirements in order to receive approval to withdraw land from the program earlier than the specified expiration date in the agreement contract. Please complete the Full Termination Checklist on page 4 and select the appropriate requirement category for the request.

15) Please provide a *detailed* explanation of why the land should be released from the agreement contract. (Supporting documentation should be attached to this form.)

(Continued explanations may be attached.)

V. Please draw a map (sketch) of the property, showing boundaries, structures and natural or man-made features such as lakes, ponds, swamps, streams, rivers, woodlots, roads, or gravel pits. (Use space provided on page 4 or attach separate sheet.)

VI. Signatures:

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

(Signature of Applicant – Landowner)

(Date)

(Signature of Co-Owner, if applicable)

(Date)

Corporate Acknowledgement (if applicable):

(Corporation Name)

(Signature of Corporate Officer)

(Date)

(Corporate Officer Title)



Farmland Development Rights Full Termination Checklist

Find the type of request that best fits your situation, gather the required documentation, and submit all documents, along with the complete Full Termination Request form to the Farmland Preservation Program Office.

Request for Termination of ENTIRE AGREEMENT Prior to Expiration

- Death of a Named Person on the Agreement:**
- Include items 1 & 2 from list below.
- Disability of a Named Person on the Agreement:**
- Include items 1 & 3 from list below.
- Public Interest:**
- Include item 4 from list below.
- Farmland is No Longer Economically Viable:**
- Include item 4 from list below.
- Surrounding Land Uses Restrict Farming:**
- Include item 4 from list below.
- Natural, Irreversible Change Occurred to the Land that Restricts Farming:**
- Include item 4 from list below.
- Court Order Restricts Farming:**
- Include item 4 from list below.

LIST OF ITEMS THAT MAY BE REQUIRED WITH REQUEST

1. A copy of the Farmland Development Rights Agreement or **Agreement Number**.
2. Copy of the **death certificate**. (Request must be within 3 years of date of death.)
3. **Signed statement from a physician** stating the type and severity of the disability. The physician statement must certify the condition represents a total and permanent disability.
4. A completed **Application for Termination** of a Farmland Development Rights Agreement approved by the Local Governing Body.

If this Request is approved and tax credits have been received, a pro-rated amount of the tax credits will be required to be re-paid before the land is relinquished from the Farmland Development Rights Agreement.

Return completed request to the Farmland Preservation Office:

[EMAIL: MDARD-PA116@Michigan.gov](mailto:MDARD-PA116@Michigan.gov)

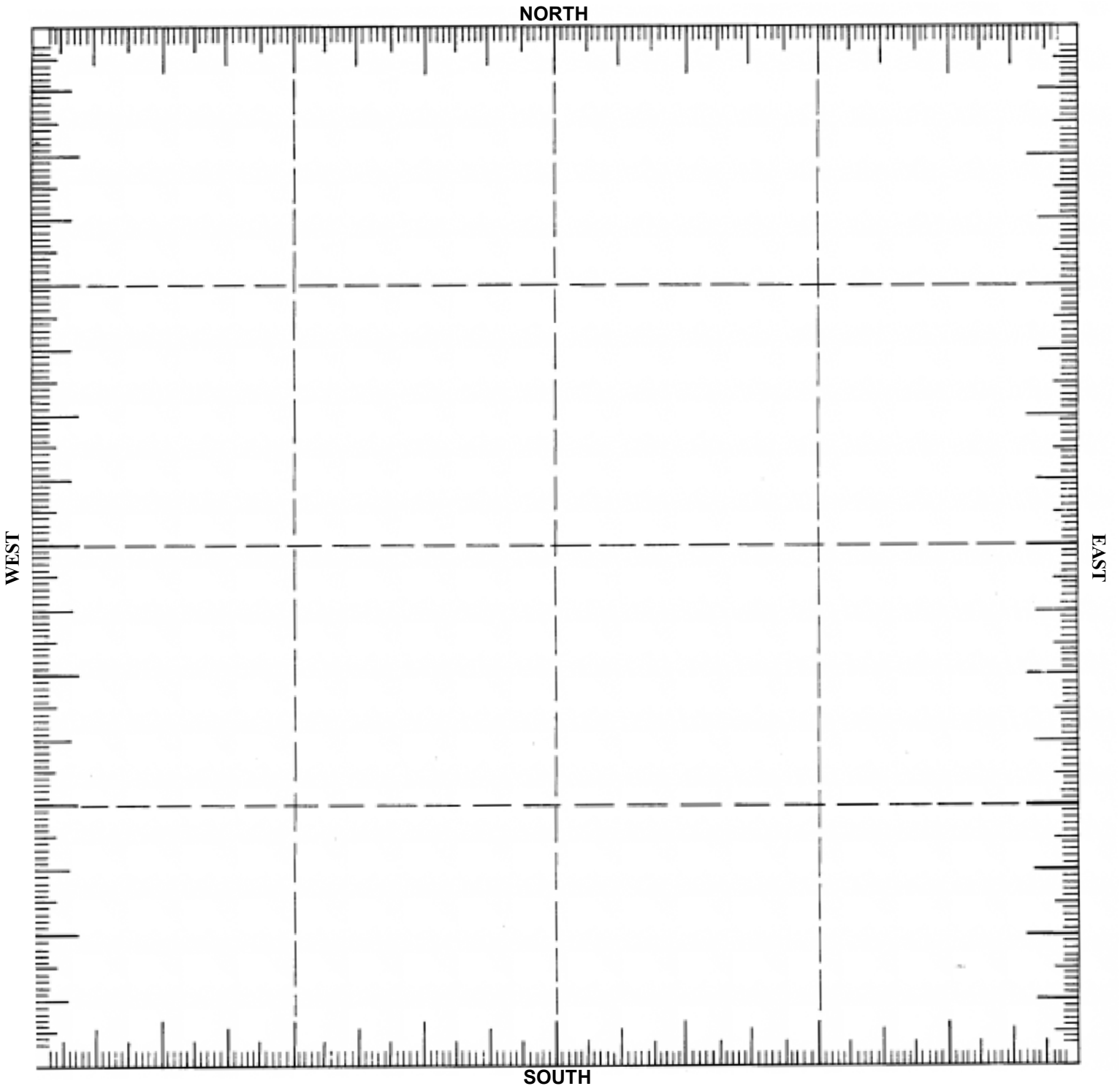
Fax: 517-335-3131

MAIL: MDARD – Farmland, PO Box 30449, Lansing MI

Map of Farmland Cited in the Application Form:

- A. Show boundary of land cited in application.
- B. Show buildings as house, barn, etc., also sketch roads and other avenues of travel.
- C. Outline and designate the current uses of the property if possible.

County _____
Township _____
T__R__ SEC_____



RESERVED FOR LOCAL GOVERNMENT USE, CLERK PLEASE COMPLETE ALL SPACES - SECTION I AND II

I. Action by Local Governing Body: _____ Jurisdiction: _____
County, Township, City or Village

Date received by clerk: _____

This application is: approved rejected

(If rejected, see attached statement by Local Governing Body.)

Date of approval or rejection: _____ Clerk's signature and seal: _____

Property Appraisal: \$ _____
Current Fair Market Value of the real property in this application.

II. Checklist:

- Receipt issued by clerk upon receipt of termination application
- Clerk notifies reviewing agencies by forwarding a copy of the application and attachment
- 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 Program, PO Box 30449, Lansing 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 Reviewing Agencies have been notified. *Sending a copy to reviewing agencies is required.

- County or Regional Planning Commission
- Conservation District
- Township (if county has zoning authority)

Before forwarding to State Agency, please verify the final application includes the following:

- Copy of Deed or Land Contract (most recent showing CURRENT OWNERSHIP)
- Copy of the most recent TAX BILL (must include tax description of property)
- Map of Farm
- Copy of most recent appraisal record
- Copy of letters from reviewing agencies (if applicable)
- Any other applicable documentation