

**SAMPLE**  
RESOLUTION  
FOR A PARTIAL TERMINATION  
of a Farmland Development Rights Agreement  
**-FOR A PERSON ESSENTIAL TO THE FARM-**

At a regular meeting of the \_\_\_\_\_ Township/County Board, \_\_\_\_\_ County, Michigan, held at the Township hall/County seat of said Township/County on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock P.M. Eastern Standard Time.

PRESENT: \_\_\_\_\_

ABSENT: \_\_\_\_\_

The following resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_.

WHEREAS, on \_\_\_\_\_, 20\_\_\_\_ the Township/County Board received a request from \_\_\_\_\_ for approval to have a certain parcel released from Farmland Development Rights Agreement number \_\_\_\_\_, which was executed in accordance with the provisions of PA 116 of 1974, commonly known as the Farmland and Open Space Preservation Act ("The Act"); and

**WHEREAS, the township board has reviewed this request and DETERMINED that THE RELEASE IS FOR A PERSON ESSENTIAL TO THE FARM OPERATION according to the definition in The Act; and**

WHEREAS, the parcel proposed for release from the agreement is \_\_\_\_\_ acres in size (cannot exceed two acres); and

WHEREAS, the Name of Person: \_\_\_\_\_ meets all of the requirements of INDIVIDUAL ESSENTIAL TO THE FARM under MCL 324.36110(5); "individual essential to the operation of the farm" means a co-owner, partner, shareholder, farm manager, or family member, who, to a material extent, cultivates, operates, or manages farmland under this part. An individual is considered involved to a material extent if that individual does 1 or more of the following: (a) Has a financial interest equal to or greater than 1/2 the cost of producing the crops, livestock, or products and inspects and advises and consults with the owner on production activities; and/or (b) Works 1,040 hours or more annually in activities connected with production of the farming operation per attached W-2 or Schedule F or payroll records.

WHEREAS the Township/County Board finds that the request for release of the particular parcel is NOW THEREFORE BE IT RESOLVED BY THE \_\_\_\_\_ TOWNSHIP/COUNTY BOARD AS FOLLOWS:

(1) That the Township/County Board hereby approves the request to release the following described piece of property from said Farmland Development Rights Agreement,

\_\_\_\_\_  
\_\_\_\_\_

and

(2) That the Township/County Board hereby CERTIFIES that the parcel is to be released for a person essential to the farm operation as defined in the statute (324.36110. (5) ).

(3) That the Township/County Clerk is hereby directed to transmit certified and sealed copies of this resolution to the person making the request **and** to the Farmland Unit of the MI Dept. of Agriculture.

ADOPTED: YEAS: \_\_\_\_\_  
NAYS: \_\_\_\_\_

State of Michigan)  
)ss.  
County of \_\_\_\_\_)

I, the undersigned, the duly qualified and acting Township/County Clerk for \_\_\_\_\_ Township, \_\_\_\_\_ County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Township/County Board of said Township/County at a regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signed: \_\_\_\_\_  
Printed/typed: \_\_\_\_\_, Township/County Clerk

.....  
**NOTE:** The township assessor needs to provide a listing, on township letterhead and signed, of the taxable values of the parcel that is intended to be released from the program for each of the last 7 (seven) years the land has been enrolled in the PA 116 program.