



**PURCHASE OF DEVELOPMENT RIGHTS (PDR)
APPLICATION FORM**

DEADLINE is 5:00 p.m., Monday, October 29, 2018

Dear Fayette County Farm Owner:

Thank you for your interest in the PDR Program. Please review the application checklist before completing the application. If the application does not provide enough space to fully answer any question, please attach additional pages as necessary. You may also attach images to illustrate special features of your property. The questions asked are used to score and then rank your property, so it is important you provide as much information as possible. The PDR staff will assist you with the parts of this application you are unable to answer. You may submit your application to the PDR office by mail or in person. After the application has been reviewed, the PDR staff will contact you and coordinate a site visit to verify information and take photographs. The PDR staff will then rank all applicants utilizing the Land Evaluation and Site Assessment (LESA) system listed in the PDR Ordinance (Ordinance 4-2000), and will notify you of your ranking.

APPLICATION CHECKLIST:

- 1. My farm is at least 20 acres in size.
- 2. I read the PDR Info Sheet and understand that for most PDR easements, the money paid to farm owners will be 50% local funding and 50% federal funding. I have spoken with the PDR Director and am aware of the federal program rules, including but not limited to: (1) all landowner participants must be U.S. citizens; (2) counter appraisals by landowners are prohibited; (3) no landowner may have an Adjusted Gross Income (AGI) of more than \$900,000 per year and if a farm is owned by an LLC or Partnership, these rules apply to the LLC/Partnership as well as each member of the LLC/Partnership; and (4) the Prime Farmland Soils and Statewide Important Soils of the farm as calculated by the USDA-NRCS must together equal at least 50%.
***Please note that the 2018 Farm Bill is pending in Congress with expected passage this calendar year. The pending Farm Bill includes language lowering the Adjusted Gross Income (AGI) limit referenced in item #3 above from \$900,000 to \$700,000.**
- 3. A copy of the deed(s) to the property is attached (include a deed for each tract/parcel involved).
- 4. A letter from any lien or mortgage holders indicating their willingness to subordinate to the Agricultural Land Easement is attached.

- 5. The USDA-NRCS Prime Farmland Soils Map and a Farm Conservation Plan or Forest Stewardship Plan are attached. If the Conservation or Stewardship Plan are not yet complete, please submit a letter from the local NRCS office or the Kentucky Division of Forestry indicating you have begun that process. For assistance with soil maps and Conservation Plans, please contact **Ian Young of NRCS at (859) 234-5876**. For assistance with Forest Plans, please contact **Kristin Pickering, KY Division of Forestry at (502) 573-1085**.
- 6. A non-refundable filing fee in the amount of **\$200** is included (check should be made payable to **“LFUCG–Rural Land Board”**).
- 7. I give the PDR staff permission to make a site visit to the property (please initial).

A. GENERAL INFORMATION

1. **Property Address -** _____
Please note if legal address is different from street entry address.

2. **Property Owner(s) - Note:** *The name, address, e-mail and cell phone number must be provided **for all owners of the property as listed on the deed**. The individual listed **first** shall be the primary contact.*

Primary Owner(s) Contact Information:

Name: _____
 Address: _____
 City/St/Zip: _____
 Telephone: (cell) _____
 E-mail: _____

Name: _____
 Address: _____
 City/St/Zip: _____
 Telephone: (cell) _____
 E-mail: _____

Name: _____
 Address: _____
 City/St/Zip: _____
 Telephone: (cell) _____
 E-mail: _____

Name: _____
 Address: _____
 City/St/Zip: _____
 Telephone: (cell) _____
 E-mail: _____

3. **Deed reference(s)-** (Attach a copy of the deed for each tract involved)-

Parcel Address: _____	Deed Book _____	Page # _____
Parcel Address: _____	Deed Book _____	Page # _____
Parcel Address: _____	Deed Book _____	Page # _____
Parcel Address: _____	Deed Book _____	Page # _____

4. **Total acreage** of property (all tracts): _____

PDR Conservation Easement acreage applied for (if different from acreage above): _____

5. Is the entire parcel accessible from a public road or is there sufficient legal access to the entire parcel?
If the parcel can only be accessed via an adjacent parcel, please attach the recorded easement providing access to the farm.

Farm is accessed from public road or **Farm has legal access via another parcel**

6. Does the property contain **undeveloped tracts of less than 20 acres** (i.e. non-conforming tracts)?

Yes **No** **Unsure** If so, how many? _____ Number of acres _____

If yes, are you willing to consolidate or eliminate tracts under 20 acres for additional LESA points?

Yes **No**

7. If your farm is 80 acres or larger, are you willing to give up the right to divide the property into **40-acre tracts** for additional LESA points?

Yes **No**

8. Approximate **Public Road Frontage** (we will obtain an exact measurement from the LFUCG's Geographical Information System (GIS) Staff):

Less than 350 feet **350 - 500 feet** **501- 1000 feet** **Over 1000 feet**

9. List any **mortgages, liens or encumbrances** on the property. If the Rural Land Management Board decides to purchase an easement on your property, **you will be required to subordinate or pay off any outstanding mortgages before closing.** All liens and encumbrances must also be resolved.

10. Please list any **contingencies** the landowner wishes to make the Rural Land Management Board aware of such as owner health issues, estate settlement or other circumstances that may affect the property in the future.

11. **Batch-** Are you applying to the PDR Program in conjunction with any landowners of adjacent farms and if so, does the total acreage being submitted equal at least 120 acres?

Yes **No** **If so, with whom?** _____

Number of acres: _____

12. Do you have a **Farm Succession Plan** or similar plan established to address farm viability for future generations? This is not required for the PDR program or the federal matching program, but it is a question included on the federal application.

Yes, we have a Farm Succession Plan or **No, we have no such plan**

13. Are there any **existing leases or easements** on the property for any of the following: utilities, mineral rights, mining, oil and gas exploration, neighbor access, cell phone tower agreements, etc.?

Yes **No**

If yes, please list the type of lease and/or easement and attach a copy of each and if applicable, please provide a survey or map of the eased location(s):

B. AGRICULTURAL PRODUCTION INFORMATION

14. Please list any **crops** grown on the property during the last two growing seasons:

Crops: _____

Number of Acres: _____

15. Please list the number and type of **livestock** on the farm:

Type of Livestock: _____ **Number on farm:** _____

16. Is any part of the property **leased** or **used** by others?

Yes **No** If yes, please indicate:

Acres: _____ **Use(s):** _____

By Whom?: _____

Please note that the PDR Program and the federal matching program allow farms to be leased for agricultural production, but the lessees will need to sign a subordination agreement prior to closing that will be provided by our attorney.

17. Has the property being offered for a conservation easement been **actively farmed for more than five of the last ten years?**

Yes No

18. If the property has not been actively farmed for more than five of the last ten years, **does the property have the immediate potential to be farmed?**

Yes No

19. **Infrastructure-** Please list the number and type of on-farm investments located on the parcel (barns and other agricultural buildings, fencing, paddocks and pastures, waterways and other conservation measures, etc.).

20. Do you anticipate needing to add **housing** on your farm including a primary residence for the landowner and/or tenant house(s) for farm workers? The LFUCG Division of Building Inspection will generally issue building permits for 1 tenant house per 40 acres on active farms, if needed for farm workers. Please indicate your existing and anticipated housing needs below:

Primary Residence Exists or Primary Residence Needed

Number of Tenant Houses: Existing _____ Requested _____

21. Please provide an approximation of how many acres of each of the following categories exist on your farm (leave blank if the answer is zero):

Acres of Cropland: _____ **Acres of Pastureland:** _____

Acres of Hayland: _____ **Acres of Forest:** _____

Acres of Incidental Land (this includes housing, paving to house, etc.): _____

C. ENVIRONMENTAL INFORMATION

22. Does the property contain **special natural features** such as unusual flora or fauna, geologic areas, cliffs, wildlife habitats, etc.? If yes, please describe and provide photographs or documentation.

Yes No

23. **Linkage to Parks**-Is the parcel **adjacent to**; or **within ½ mile** of; or **within 1 mile** of; a park, nature preserve, nature sanctuary, historic site or other land that has been designated for long-term natural resource use, conservation or preservation purposes?

adjacent to within ½ mile within 1 mile Unsure

Name and location of park, nature preserve, etc. _____

D. HISTORIC AND CULTURAL ASSETS

24. Is the property listed on the **National Register of Historic Places** or the **National Register of Historic Districts**?

Yes No Unsure

If yes, please list the name of the Historic District/Place: _____

If no, is the property eligible for the National Register? **Yes No Unsure**

If you answered yes to any of these questions, **please attach documentation to your application.**

25. Does the property include a minimum of 100 linear feet of **stone fence**?

Yes No

26. Is the property designated as a **National Historic Landmark**? Please attach documentation if so.

Yes No Unsure

Name of Landmark: _____

27. Does the property contain any registered or significant **archeological sites**? If so, please describe and provide documentation.

E. SCENIC RESOURCES

28. **Scenic Road-** Is the parcel located on a local, state or federal designated scenic byway or highway?

Local State Federal Unsure N/A

Name of Road, Byway or Highway: _____

29. Is the parcel adjacent to I-64 or I-75 or part of the **scenic viewshed from I-64 or I-75**?

I-64 I-75 Adjacent Part of Viewshed N/A

30. Is the property part of a **scenic viewshed visible from a publicly owned land** such as a park, nature preserve, sanctuary or historic site?

Yes No Unsure

If yes, list name of public land _____

31. Does the property contain **special scenic features such as** unique or significant viewsheds, tree canopies, etc.?

Yes No If yes, describe briefly (you may also attach photographs):

F. APPLICANT SIGNATURE(S)

ALL PERSONS LISTED ON DEED MUST SIGN (Attach additional sheets if necessary):

Name: _____ Date: _____

Name: _____ Date: _____

Name: _____ Date: _____

Name: _____ Date: _____

Name: _____ Date: _____

Name: _____ Date: _____

Mail or Hand-Deliver Application to:
Beth Cawood Overman, PDR Director
101 East Vine Street, 5th floor
Lexington, KY 40507

Contact Beth:
(859) 425-2227
eoverman@lexingtonky.gov