



Wisconsin Department of Agriculture, Trade and Consumer Protection
Division of Agricultural Resource Management
P.O. Box 8911
Madison, WI 53708-8911
(608) 224-4633

Farmland Preservation Program (ch. 91, Wis. Stats.)

**Farmland Preservation Agreement
APPLICATION FORM**

PART ONE: APPLICANT (LANDOWNER) INFORMATION

NAME OF APPLICANT AND SPOUSE (IF APPLICABLE) (CORRECT LEGAL NAME OF LANDOWNER(S))*:

APPLICANT STATUS (CHECK ONE):

- INDIVIDUAL
- MARRIED
- LLC
- REGISTERED PARTNERSHIP
- CORPORATION
- OTHER (SPECIFY): _____
- TRUST OR ESTATE

NOTE: ADDITIONAL "OWNERS" SUCH AS LAND CONTRACT HOLDERS (VENDORS) AND LIFE ESTATE HOLDERS MUST SIGN THE THIS APPLICATION AND THE AGREEMENT FORM

APPLICANT CONTACT INFORMATION:

MAILING ADDRESS: _____

TELEPHONE: _____ EMAIL IF ANY: _____

APPLICANT SIGNATURE:

I certify that the information contained in this application is complete and accurate, to the best of my knowledge. I agree to provide reasonable clarification and documentation if needed. I understand that a material misrepresentation or omission in this application may be grounds for denying this application or for voiding a farmland preservation agreement created in response to this application.

Signed and certified this ____ day of _____, _____.

Signature of Applicant/Authorized Representative (and spouse if applicable):

_____ Date _____

_____ Date _____

*Please note: The agreement contract is drafted in the name of the current landowner(s). Any holder of a life estate is listed on the agreement and must also sign the agreement contract and this application form (See Part Four).

PART TWO: INFORMATION ABOUT LAND COVERED BY THE AGREEMENT (“COVERED LAND”)

FARM LOCATION:

COUNTY: _____

AGRICULTURAL ENTERPRISE AREA: _____

NUMBER OF ACRES:

ACREAGE OF ENTIRE FARM (INCLUDING ALL LAND UNDER COMMON OWNERSHIP): _____

ACRES TO BE COVERED BY AGREEMENT: _____

NOTE: Please consider any future plans to use land for non-agricultural use before submitting the application.

CURRENT LAND USE OF COVERED LAND:

DESCRIBE THE CURRENT USES OF THE COVERED LAND: _____

DESCRIBE STRUCTURES LOCATED ON THE COVERED LAND: _____

NOTE: This includes the farm residence and farm buildings. This also includes nonagricultural uses and structures, including those owned or operated by third-parties (cell phone towers, telephone lines, commercial wind turbines, high voltage transmission lines, oil or gas pipelines, nonfarm residences, commercial buildings, industrial buildings, etc.). Please provide details.

Land affected by a materially conflicting land use may be excluded from a farmland preservation agreement unless the conflict is resolved to DATCP’s satisfaction.

ELIGIBILITY OF COVERED LAND CHECKLIST – ALL BOXES MUST BE CHECKED FOR THE LAND TO BE ELIGIBLE FOR A FARMLAND PRESERVATION AGREEMENT (CONTACT COUNTY PLANNING OR CONSERVATION OFFICE WITH QUESTIONS ON ELIGIBILITY):

- All of the covered land is located in a farmland preservation area designated under the county’s certified farmland preservation plan.
- All of the covered land is located in an agricultural enterprise area designated by DATCP under s. 91.84, Wis. Stats.
- The covered land is operated as part of a farm that produced at least \$6,000 in gross farm revenues during the taxable year preceding the year of this application, or at least \$18,000 in gross farm revenues in the 3 taxable years preceding the year of this application.

NOTE: Gross farm revenues means gross receipts from agricultural uses, less the cost or other basis of livestock or other agricultural items purchased for resale which are sold or otherwise disposed of during the taxable year. Gross farm revenue includes receipts accruing to a renter, but does not include rent paid to the landowner. However, gross farm revenue produced by the renter on the landowner’s farmland can be used to meet this eligibility requirement.

PLEASE CHECK THE BOX TO AFFIRM THAT COMPLIANCE WITH SOIL AND WATER CONSERVATION STANDARDS IS A REQUIREMENT FOR FARMLAND PRESERVATION AGREEMENTS (CONTACT COUNTY CONSERVATION DEPARTMENT WITH QUESTIONS):

- Please check the box to acknowledge the farm associated with the covered land must meet the applicable soil and water conservation standards in place on the date the agreement is effective (see s. ATCP 50.04 Wis. Adm. Code). The agreement takes effect when it is signed by all landowners and the department.

PART THREE: PARCEL INFORMATION FOR COVERED LAND

TO COMPLETE THE AGREEMENT, THE FOLLOWING DOCUMENTS MUST BE SUBMITTED WITH THE APPLICATION.

- COVERED LAND - PARCEL WORKSHEET. *Please fill out and include the worksheet found on the last page of the application.*
- LEGAL DESCRIPTION(S) OF COVERED LAND. *Please attach a prior-recorded deed or land contract covering the affected parcel. If the proposed farmland preservation agreement will cover only a portion of the entire deed or land contract parcel, please also enclose a legal description of the portion to be excluded.*
- PROPERTY TAX STATEMENT(S). *Please attach the most recent property tax statement for each affected parcel to verify tax parcel number (ID #). This is the number used by the register of deeds for recording documents.*
- MAP(S) SHOWING COVERED LAND. *Please attach a recent aerial photo to show land to be covered, with parcel lines shown and/or the most recent plat book map with parcels identified and structures and natural features delineated.*

PART FOUR: OTHER REQUIRED SIGNATURES (ATTACH ADDITIONAL SHEETS IF NECESSARY)

OTHER OWNERS, IF ANY:

NOTE: All owners must sign this application in addition to the farmland preservation agreement.

OTHER OWNER NAME (PRINTED): _____

ADDRESS: _____

SIGNATURE: _____ DATE _____

OTHER OWNER NAME (PRINTED): _____

ADDRESS: _____

SIGNATURE: _____ DATE _____

LAND CONTRACTS, IF ANY:

NOTE: Land contract sellers must sign this application and the farmland preservation agreement, acknowledging that their interest is subject to the agreement.

LAND CONTRACT SELLER NAME(S) (PRINTED): _____

ADDRESS: _____

SIGNATURE: _____ DATE _____

SIGNATURE: _____ DATE _____

LIFE ESTATE HOLDERS, IF ANY:

NOTE: All holders of a life estate must sign this application and the farmland preservation agreement.

LIFE ESTATE HOLDER (PRINTED): _____

ADDRESS: _____

SIGNATURE: _____ DATE _____

REAL ESTATE MORTGAGES OR LIENS, IF ANY:

NOTE: Real estate mortgage and lien holders must sign the farmland preservation agreement application, acknowledging they have been notified of the existence of an application for a farmland preservation agreement and that the land will be subject to the land use restrictions contained in the farmland preservation agreement. The signature of the mortgage or lien holder shall not be construed as a subordination of its mortgage or lien rights nor as of any other significance.

MORTGAGE OR LIEN HOLDER(S) (PRINTED): _____

ADDRESS: _____

MORTGAGE OR LIEN TYPE(S): _____

MORTGAGE OR LIEN HOLDER SIGNATURE(S): _____ DATE _____

TITLE _____

MATERIAL EASEMENTS AND LEASES, IF ANY:

NOTE: Land materially affected by a conflicting easement or lease must be excluded from a farmland preservation agreement. Easement holders must sign the agreement application acknowledging notice of existence of the farmland preservation agreement application and that the land will be subject to the land use restrictions contained in the farmland preservation agreement. The signature of the easement holder shall not be construed as a subordination of its easement rights.

EASEMENT OR LEASE HOLDER(S) AND ADDRESSES: _____

EASEMENT OR LEASE TYPE(S): _____

EASEMENT OR LEASE HOLDER SIGNATURE(S): _____ DATE _____

SUBMITTAL INSTRUCTIONS

Submit the complete application to the County Clerk of the county in which the farm is located: The county will fill in the section below and file the original copy of the application with the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP). Check below to indicate the following have been included:

- APPLICATION FORM. *Please make sure that the application includes all required signatures.*
 - COVERED LAND - PARCEL WORKSHEET. *Please fill out and include the document found on the last page of the application.*
 - LEGAL DESCRIPTION(S) OF COVERED LAND. *Please attach a prior-recorded deed or land contract covering the affected parcel. If the proposed farmland preservation agreement will cover only a portion of the entire deed or land contract parcel, please also enclose a legal description of the portion to be excluded.*
 - PROPERTY TAX STATEMENT(S). *Please attach the most recent property tax statement for each affected parcel to verify tax parcel number (ID #). This is the number used by the register of deeds for recording documents.*
 - MAP(S) SHOWING COVERED LAND. *Please attach a recent aerial photo to show land to be covered, with parcel lines shown and/or the most recent plat book map with parcels identified and structures and natural features delineated.*
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For County Use Only

County official checks appropriate box, signs and distributes copies *within 60 days* after the applicant files the complete application with the County Clerk. The County Clerk may forward the application to the land conservation or the planning and zoning department.

- County APPROVES.** By checking this box, the county finds that the land covered by this application is all of the following:
 - Located in a *farmland preservation area* designated in the county's *certified farmland preservation plan*.
 - Located in designated Agricultural Enterprise Area (_____).
- COUNTY DISAPPROVES.** By checking this box, the county finds that this application fails to meet the above requirements

For the County of _____. Signed this _____ day of _____, _____.

Authorized signature: _____

Title: _____

NOTE: County distributes signed copies as follows (and keeps a copy for its own records):

- *Original copy* to DATCP at the following address (if county *approves* application)
 - Wisconsin Department of Agriculture, Trade and Consumer Protection
 - Agricultural Resource Management Division
 - WORKING LANDS
 - PO Box 8911
 - Madison, WI 53708-8911
- Copy to the applicant (whether approved or disapproved).

