



# THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Office of the Chairman  
Prince George's County Planning Board

14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
[www.mncppc.org/pgco](http://www.mncppc.org/pgco)

301-952-3561

**RECEIVED**

June 28, 2019

**JUL 01 2019**

The Honorable Todd M. Turner, Chair  
Prince George's County Council  
14741 Governor Oden Bowie Drive  
Upper Marlboro, MD 20772

CLERK OF THE COUNCIL  
PRINCE GEORGE'S COUNTY MARYLAND

**RE: Application for the Formation of a New  
Agricultural Preservation Parcel**

Dear Chairman *Todd* Turner:

The Prince George's County Planning Board is pleased to transmit its recommendation for approval of the application for the formation of a new Agricultural Preservation Parcel composed of one property that will constitute a preservation area of 241.16 acres on Cherry Tree Crossing, located in Brandywine, Maryland. The property is Parcel 78, consisting of 244.16 acres, and is a working hay farm.

Pursuant to Title 2, Subtitle 5 of the Annotated Code of Maryland and COMAR Title 15, formation of the easements requires the approval of the County governing body, which agrees thereby to limit construction of large capital facilities on the properties in the district and to not acquire the land. The Planning Board's recommendation attests that establishment of this easement is compatible with existing and approved County plans, programs, and overall land use policy.

The enclosed information has been prepared by the Prince George's County Soil Conservation District for your use in reviewing this application. Ms. Jeanine Nutter of that agency, is available to present the information or answer questions about the Agricultural Land Preservation Program. She can be reached at 301-574-5162, extension 3 or you may contact me or Fatimah Hasan, Planner Coordinator, at 301-952-3580 or via email at [Fatimah.Hasan@ppd.mncppc.org](mailto:Fatimah.Hasan@ppd.mncppc.org).

Sincerely,

Elizabeth M. Hewlett  
Chairman

Enclosure

c: Andree Green Checkley, Planning Director, Prince George's County Planning Department  
Katina Shoulars, Acting Chief, Countywide Planning Division  
Jeanine Nutter, Land Preservation Administrator, Prince George's County Soil Conservation District  
E. Fatimah Hasan, Planner Coordinator, Special Projects Section, Countywide Planning Division  
Donna J. Brown, Clerk of the Council, Prince George's County Council



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**Prince George's Soil Conservation District**

5301 Marlboro Race Track Road, Upper Marlboro, MD 20772

Phone (301) 574-5162x3 – Fax 1-855-416-9660


**MEMORANDUM**

June 12, 2019

MEMORANDUM

TO: Prince George's County Planning Board

VIA: Crystal Hancock, Acting Planning Supervisor, Special Projects Section, M-NCPPC

FROM: Jeanine Nutter, Conservation Planner  
Prince George's Soil Conservation District 

SUBJECT: Formation of Agricultural District

**Background**

The State of Maryland, through the Maryland Agricultural Land Preservation Foundation (MALPF), has established a program to encourage the preservation of agricultural land. This program allows one or more landowners to apply voluntarily to preserve their land, if certain criteria are met. The landowner is no longer required to commit to a five-year district. There will be no commitment until the landowners agrees to the MALPF offer.

The proposed easement application is reviewed by the Agricultural Preservation Advisory Board, county government, and MALPF. The property owner still negotiates to sell development rights to the State of Maryland. The value of the easement is subject to negotiation between the owner and MALPF. Funds for this program come from the state share of Program Open Space and the agricultural transfer tax. If an easement is purchased, the land must remain in agricultural use.

Maryland regulations state that the county "planning and zoning body shall inform the local governing body whether the preservation of the property is compatible with existing and approved county plans, programs, and overall county policy, and whether the planning and zoning body recommends the preservation of the property. In the process of review, the local planning and zoning body shall consider compatibility of the preserved property, with state and local plans and programs."

**Proposal**

One application has been received and approved by the County Agricultural Preservation Advisory Board on June 4, 2019.

Bonnie Breeze Inc.  
12700 Cherry Tree Crossing  
Brandywine, MD 20613  
Tax Account: 1158591  
Map/Grid/Parcel: 136, A4 parcel 0078  
Total Property Acres: 244.16  
Dwellings: 1  
Acres withheld from total: 3  
Total Easement Acres: 241.16  
Cropland: 94.5 acres  
Pond: 1.6 acres  
Other: 2.4 acres  
63.84% of the soils are class II and III

This property is within a 1,000 ft of an 88-acre MALPF eased property. It is a large hay farm. It is owner operated. This farm is in a designated priority preservation area (PPA) of the county.

**Analysis**

The approved Master Plan for Subregion 6 (2013) shows the subject property as part of the Rural Tier. This area is primarily for production of agricultural or forest products, where there is no foreseeable extension of urban services. This area is zoned predominantly for rural agricultural or open space.

The preservation of the proposed property is compatible with the county plans and policies. Agriculture is in conformance with the master plan, the county's General Plan, and the visions established by the Smart, Green, and Growing—Local Government Planning—Planning Vision legislation (SB 273) of 2009. The property is in the O-S (Open Space) Zone, where the intention is to promote the economic use and conservation of agriculture and natural resources, among other uses. Finally, agriculture is compatible with existing and planned neighboring uses.

**Recommendation**

The Prince George's Soil Conservation District recommends the approval of this application.

**Attachments**

c: Tara H. Jackson, Deputy Chief Administrative Officer  
Robert J. Williams, Jr., Council Administrator



DEPARTMENT OF AGRICULTURE  
MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION

FISCAL YEAR 2020  
APPLICATION TO SELL AN EASEMENT

MALPF File Number (Provided by MALPF)

**\*\*\*PLEASE READ ATTACHED INSTRUCTIONS BEFORE COMPLETING APPLICATION\*\*\*  
THIS APPLICATION CANNOT BE CHANGED AFTER SUBMITTAL TO THE FOUNDATION.  
PLEASE TYPE RESPONSES**

Did you apply to sell an easement in the previous application cycle? ☐ Yes ☒ No

**PART A**

I/We Bonnie Breeze Farm Inc. Dwayne Catterton, landowner(s) of the property referenced herein, located in Prince George's County, Maryland, apply to the Maryland Agricultural Land Preservation Foundation (MALPF) to sell an agricultural land preservation easement, pursuant to Agriculture Article, Section 2-510, Annotated Code of Maryland.

This application to sell an easement and any subsequent offer to buy an easement, including any Deed of Easement to be recorded on this property, will cover the entire contiguous acreage referenced in the application. Acreage is not permitted to be withheld, unless it is for the permitted lot exclusions specified under Agriculture Article, Section 2-513, Annotated Code of Maryland, or the acreage to be withheld is approved by the Foundation (see instructions A.1.).

For purposes of valuation, I/we affirm that the acreage of the total property, also referred to as the parent tract\*, was determined by one of the following (a copy of which is attached to this application) (see instructions A.1.):

- ☐ property deed(s) ☐ survey  
☒ tax assessment records ☐ other (identify): \_\_\_\_\_

- a. The total acreage of property ("parent tract") is: 244.16
- b. The number of Pre-Existing Dwelling(s) is (are): 1  
(See instructions A.2.)
- c. The Acreage to be Withheld from the easement is: \_\_\_\_\_  
(Size, configuration, and location must be approved by the Foundation. Show withheld area on map – see instructions A.3.)
- d. Designated permitted envelope acreage (unpaid): 3  
(Size, configuration, usage, and location must be approved by the Foundation as a designated envelope that will be unpaid, but included within boundary of easement. Show envelope area on map – see instructions A.4.)
- e. Existing restrictions/encumbrances acreage (unpaid): \_\_\_\_\_  
(Foundation will not pay for acreage already encumbered, such as forest conservation easements, CREP easements, etc. Show encumbered area on map – see instructions A.5.)
- f. The Easement Payment Acreage is (a. minus b minus c minus d minus e): 240.16
- g. Total acres to be encumbered by easement is (a. minus c.): 244.16

I am/We are willing to sell an easement on my/our land for \$ 7500.00 per acre.

I/We understand that the Foundation makes offers based on the lower of: (1) the asking price, (2) the calculated easement value, (3) a cap set by the County, or the statutory State cap of 75% of the recommended appraised value (see instructions A.4.).

**\*Definition of Parent Tract:** The term Parent tract, as used by MALPF, is the total property described in this application. It refers to that entire contiguous acreage that is under common ownership. This may be a single tax map parcel or may include multiple tax map parcels, but should include the entire acreage on any parcel, even if only a portion of that parcel is being considered for easement sale.

- It is the total area Before any withheld acreage
- It is the total area Before any excluded acreage (any area to be encumbered by the easement that the landowner will not be paid for)
- It does not include any tax map parcel which may be contiguous and under common ownership, but for which no portion is being considered for easement sale under this application.

## PART B

(To be completed by the County Program Administrator or other County employee as necessary.)  
Part B provides instructions directly to the assigned appraisers. Completeness and accuracy is essential for the appraiser(s) to ascertain the farm's maximum market value as of the date of valuation. All data should be as precise as possible. Do not round figures and please cite sources when possible.

### SECTION #1: PLANNING AND ZONING INFORMATION

#### (A) ZONING (See Instructions B.1.A.)

Current Zoning of Property:

O/S

Does the property lie within the boundaries of a planned 10-year water and sewer service district?

☐ YES

☒ NO

If yes, please describe: \_\_\_\_\_

Is the encumbrance of this property by an agricultural land preservation easement consistent with county plans? (Master Plan, Comprehensive Land-Use Plan, Growth Management Plan, etc.)

☒ YES

☐ NO

#### (B) Is there withheld acreage?

☒ YES

☐ NO

What is the reason for the withheld acreage? approx. 3 ac. non conforming use envelope/utility easement

#### (C) Is the property adjacent to other protected lands (fee or easement)?

☐ YES

☒ NO

If yes, what is the approximate size of protected block of land (without subject property acres included)? \_\_\_\_\_

#### (D) For Certified Counties, is the property located within a Priority Preservation Area?

☒ YES

☐ NO

#### (E) Is/are there a county-designated tenant house located on the property?

☐ YES

☒ NO

If yes, the attached certification documentation must be completed for EACH proposed tenant house and included as part of the application submission. (See Instructions B.1.E.)

### SECTION #2: DEVELOPMENT RIGHTS

**NOTE:** The development rights information provided in this application will be provided to the appraisers to determine the fair market value of the **property** and therefore the MALPF easement value. If this section is not completed, the application IS NOT complete and will be returned.

The term "development right(s)" as used by MALPF is the maximum number of residential structures legally allowed to be placed on the parent tract as of the date of the application.

"Legally allowed" takes into consideration such limiting factors such as: zoning, septic law, Chesapeake Bay Critical Areas regulations, existing easements, etc. It does not include any additional structures allowed by virtue of a specific owner (such as family lots), nor does it include any allotted transferrable development rights ("TDRs"). As used herein, "development rights" does not address TDRs. TDR's should be considered as an addition if a current market exists. See application **SECTION #3** below regarding TDRs.

**Lot Selection (see instructions B. Section 2.):**

**When considering lot selection, please take into account that retaining a dwelling right with the property can benefit the long term viability of future farming operations.**

In the Deed of Easement, I/we hereby elect to (check one):

☒ reserve family lots, subject to density restrictions,

☐ reserve one (1) unrestricted lot that is either:

☐ subdividable, or

☐ a non-subdividable building envelope

☐ waive all rights to lots

1. Has the County adopted a Tier Map under The Sustainable Growth & Agricultural Preservation Act of 2012 (Senate Bill 236), also known as the septic law?

☒ Yes

☐ No

2. If a Tier Map has been adopted, in which Tier is the subject property located?

Tier: IV

3. What is the maximum number of residential lots permitted in a minor subdivision?

7

**Any discrepancies between this section and page one of this application should be reconciled or explained.**

	Permitted On-Site Development Rights	Lot Rights	Acres
(a)	Total development rights/acres associated with the parent tract [This takes into consideration underlying zoning, the restrictions of the septic law, and any other known restrictions (Chesapeake Bay Critical Areas regulations, forest mitigation easements, etc).]	7	244.16
(b)	Total development rights/acres associated with pre-existing dwelling (within easement area)	1	1.0
(c)	Total development rights/acres associated with withheld acres (includes any dwelling(s) in withheld acres)	0	0
(d)	Total development rights associated with designated permitted use envelope area/s.	0	0
(e)	Unrestricted lot option chosen: <input type="checkbox"/> Yes (deduct 1 development right) <input checked="" type="checkbox"/> No (deduct 0 development rights)	0	0
	Total development rights to be extinguished / acres to be encumbered by MALPF easement acquisition (a - b - c - d - e)	6	243.16

**SECTION #3: TRANSFERABLE DEVELOPMENT RIGHTS PROGRAMS** (See Instructions B.3.)

A. Does the County have a TDR program?

Yes ☐

No ☒

B. Is the subject property eligible to participate in the TDR program?

Yes ☐

No ☒

C. How many residual TDRs are associated with the subject property as of the date of the application submission?

N/A

**PART C**

1. **LANDOWNER INFORMATION** - necessary for all landowners of record. Attach a separate sheet, if needed. Also, enter primary contact information. The primary contact person will receive all from correspondence from and is the individual to be contacted by the Foundation regarding the easement application

**MAILING ADDRESS of Owner/Trust/Business Entity:**

Bonnie Breeze Farm, Inc.

Name

12700 Cherry Crossing Road

Address

Brandywine, MD 20613

City, State, Zip Code

Phone #: (1<sup>st</sup>)(2<sup>nd</sup>)

e-mail

**PRIMARY CONTACT PERSON:**

Dwayne Catterton

Name

7304 South Osborne Road

Mailing Address

Upper Marlboro, MD 20772

City, State, Zip Code

240 882 6741

Phone #: (1<sup>st</sup>)(2<sup>nd</sup>)

e-mail

2. **ENTITY INFORMATION:** Please list all members/partners/trustees/shareholders of the ownership entity, if applicable (see instructions C.2.). (Attach a separate sheet if necessary.)

Dwayne Catterton

3. **LOCATION OF PROPERTY:**

**PLEASE NOTE: FOR PROPERTIES CONSISTING OF MORE THAN ONE TAX PARCEL, IF THE APPLICATION TO SELL AN EASEMENT TO MALPF IS SUCCESSFUL, THE PARCELS MUST REMAIN UNDER IDENTICAL COMMON OWNERSHIP, AND MAY NOT BE CONVEYED OFF FROM EACH OTHER UNLESS SPECIFICALLY APPROVED BY THE MALPF BOARD.**

Tax Map 0136 Grid 00A4 Parcel # 0078Tax ID# 1158591

(List all if more than one)

Tax Map \_\_\_\_\_ Grid \_\_\_\_\_ Parcel # \_\_\_\_\_

Tax ID# \_\_\_\_\_

(List all if more than one)

Tax Map: \_\_\_\_\_ Grid: \_\_\_\_\_ Parcel #: \_\_\_\_\_

Tax ID#: \_\_\_\_\_

(List all if more than one)

Property Address: (if different from mailing address)

12700 Cherry Tree Crossing Brandywine, MD. 20613

4. **DEED REFERENCE(S)** (see Instructions C.4.):

04526 / 00277             /                    /         
 liber      folio      liber      folio      liber      folio

If acreage reflected in deed is different from acreage of proposed easement, please explain:

\_\_\_\_\_

\_\_\_\_\_

5. **EXISTING PROPERTY RESTRICTION(S)**: (see Instructions C.5.)

Please state whether there are any existing restrictive easements or covenants (such as Forest Conservation Easements, Open Space Easements, etc.) on your property and, if so, please explain:

railroad crossing liber 5283 folio 607 not included in property description

\_\_\_\_\_

\_\_\_\_\_

6. **OTHER THIRD PARTY INTERESTS** (see Instructions C.6.):

- a. Does anyone own or lease surface or subsurface rights on this property (including oil/gas/mineral, whether or not there has been any activity on the lease)?

☐ YES      ☒ NO      If yes, please explain: \_\_\_\_\_

- b. Does anyone hold a lease, right of first refusal, or option to purchase for this property?

☐ YES      ☒ NO      If yes, please explain: \_\_\_\_\_

- c. Has any mining been done on the property?

☐ YES      ☒ NO      If yes, please explain: \_\_\_\_\_

- d. Are there any other third party interests in this property? (For example, life estate, right-of-ways, renewable energy operations, telecommunication company leases, ground leases in excess of 20 years, etc.)

☒ YES      ☐ NO      If yes, please explain: option contract for utility easement request

If you answered yes to any of the questions a. through d., please provide name and contact information for the third party interest; signatures of such parties will be required on the Option Contract and Deed of Easement if the Foundation extends you an easement offer.

Mattawoman Energy

\_\_\_\_\_  
 Name of Other Third Party Interest

\_\_\_\_\_  
 Name of Other Third Party Interest

\_\_\_\_\_  
 Address

\_\_\_\_\_  
 Address

\_\_\_\_\_  
 City, State, Zip Code

\_\_\_\_\_  
 City, State, Zip Code

\_\_\_\_\_  
 Phone #

\_\_\_\_\_  
 Phone #

\_\_\_\_\_  
 Nature of Third Party Interest

\_\_\_\_\_  
 Nature of Third Party Interest



7. **MORTGAGES OR LIENS:**

Is there a mortgage or other lien on this property, including equity line of credit?

☐ YES ☒ NO

If yes, signatures and addresses of such holders will be required on the Option Contract and Deed of Easement, if the Foundation extends an easement offer to you.

Name of Mortgage or Lien Holder

Name of Mortgage or Lien Holder

Address

Address

City, State, Zip Code

City, State, Zip Code

Phone #

Phone #

8. **LAND USE (round to whole number):**Tillable Cropland: 94.5 acres

Pasture: \_\_\_\_\_ acres

Woodland: 145.66 acres

Wetland(s): \_\_\_\_\_ acres

Orchard; Nursery: \_\_\_\_\_ acres

Structure(s): \_\_\_\_\_ acres  
(Farm buildings and dwellings)Pond/lake: 1.6 acresOther: homestead 2.4 acres  
(Describe other land use)**TOTAL ACRES:** 244.16 acres

(Acres must equal Part A: g, on Page 1 – rounded to a whole number)

9. **PROPERTY USE:**

	YES	NO	DON'T KNOW
a. Has the property been used for a purpose other than agricultural operations and residential use (for example, landfill, commercial cell tower, commercial energy production, sand and gravel extraction, railroad right-of-way)? If so indicate use/explain.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Have any chemicals been used on the property beyond what could reasonably be expected in normal and customary agricultural practices? If so indicate type of chemicals.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Has the property ever contained areas used to dispose of waste other than normal and customary household and agricultural waste? If yes, indicate the kinds of material disposed and method of disposal.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- d. Has there ever been a chemical spill or leak on the property to your knowledge?  
If yes, indicate what was spilled, where it was spilled, approximately how much was spilled, and what actions were taken in response. ☐ ☒ ☐
- e. Have any previous environmental assessments/tests/samplings/impact statements been conducted for the property, to your knowledge? If so, attach copies. ☐ ☒ ☐
- f. Have any government officials ever investigated, cited, or been involved with any violations of any environmental law at this property to your knowledge? If so, explain. ☐ ☒ ☐
- g. Are there/have there been any disputes, including claims of adverse possession, or written or oral agreements with adjacent landowners regarding boundary lines? If so, explain and provide detail on map ☐ ☒ ☐

IF YOU ANSWERED YES TO ANY OF THE ABOVE QUESTIONS, PLEASE ATTACH A LETTER OF EXPLANATION ALONG WITH ANY SUPPORTING DETAILS TO THE APPLICATION.

10. **STRUCTURES** List and briefly describe any/all structures currently existing on the property including agricultural, residential and non-agriculturally-related structures existing at the time of application. On a current aerial map, locate and label by corresponding letter (a, b, c, d, etc.) all structures listed here. A current aerial map may be obtained through the county program administrator. Use separate page if necessary.

<u>Structure</u>	<u>Approximate Dimensions or Capacity</u>
a. <u>House</u>	<u>40 x 30 approximately 1116 sq ft</u>
b. <u>Shed</u>	<u>13 x 16 ft l. Barn 60 x 30 ft</u>
c. <u>Barn</u>	<u>26 x 20 ft m. Shed 43 x 25 ft</u>
d. <u>Shed</u>	<u>28 x 16 ft n. Animal shed 110 x 25 ft</u>
e. <u>Barn</u>	<u>50 x 30 ft o. Animal shed 45 x 45 ft</u>
f. <u>Barn</u>	<u>48 x 30 ft p. Animal shed 35 x 20 ft</u>
g. <u>Animal Shed</u>	<u>11x 15 ft q. Barn 60 x 30 ft</u>
h. <u>Animal Shed</u>	<u>11 x 33 ft r. Barn 150 x 50 ft</u>
i. <u>Shed</u>	<u>60 x 20 ft</u>
j. <u>Barn</u>	<u>40 x 100 ft</u>
k. <u>Shed</u>	<u>45 x 13 ft</u>

11. **FARM OPERATION:**

Describe the farming operation(s): Hav

Owner operated: ☒ Leased: ☐ Both: ☐

12. **QUALIFYING SOILS:** (To be completed by the County Program Administrator, see Instructions C.12.)  
Total acreage/percentage may not exceed 100% (may not count soils in both Class and Group categories.)

	<u>CLASS I</u>	<u>CLASS II</u>	<u>CLASS III</u>	<u>GROUP 1</u>	<u>GROUP 2</u>	<u>= TOTAL</u>
ACRES:	_____	<u>63.8</u>	<u>91.94</u>	_____	_____	<u>155.74</u>
PERCENT OF TOTAL:	_____	<u>26.4</u>	<u>37.65</u>	_____	_____	<u>63.84</u>

Other information: \_\_\_\_\_

(Please indicate if the wetland acres were not counted when calculating the percent of total figure.)

13. **CERTIFICATION OF SOIL CONSERVATION & WATER QUALITY PLAN** (see Instructions C.13.):

Property Owners: Dwayne Catterton Phone Number: 240 882 6741

Property Address: 12700 Cherry Tree Crossing Brandywine, Md. 20613

Tax Map: 0136 Parcel: 0078 Conservation Tract No: 534 Farm No: 541

The Prince George's County Soil Conservation District hereby certifies that the landowner(s) listed on the front of this Application to Sell an Easement has had a complete soil conservation and water quality plan prepared for the subject property.

Diana Laguerre MDA Conservation Planner 5/21/17  
Signature and Title of Soil Conservation District Official Date

14. IF PROPERTY HAS 25 ACRES OR MORE OF CONTIGUOUS WOODLAND, A FOREST STEWARDSHIP PLAN IS REQUIRED

- a) Is a Forest Stewardship Plan required: ☒ Yes ☐ No
- b) If yes, is it in effect ☐ Yes ☒ No  
(If yes, submit evidence of the Plan)

15. **REQUIRED DOCUMENTATION** to be included with this Application to Sell an Easement:

- a. All deeds, surveys, and/or plats that describe the property.

Md. Ann. Code Agriculture Article, § 2-510(b)(3) requires that an Application to Sell An Easement be accompanied by a complete description of the property to be encumbered by an Easement. Failure to submit a complete description with the Application to Sell an Easement may result in rejection of the Application.

- b. Assessments and Taxation Data sheet from website (County administrator can provide)
- c. A tax map outlining property boundaries, and clearly indicating withheld acreage, if any, including legal and practical access to the withheld acreage.
- d. Aerial map with identified structures on the property located, as instructed in Part B #10.
- e. Forest Stewardship Plan, if one is required and completed
- f. Annual Implementation Review Sheet for the Nutrient Management Plan, if one is available.

**PART D**

**Note: All landowners of record must sign this application. Attach a separate sheet if necessary.**

I/We confirm my/our understanding that I/we may not change the lot selection unless I/we withdraw my/our application and apply in a subsequent cycle.

I/We acknowledge that the land on which I am/we are applying to sell an easement shall not be subdivided (including lot releases), conveyed to others, altered in its configuration, or encumbered by a restriction during the application process without prior written approval of the Foundation. Failure to comply with this restriction may result in withdrawal of the application.

I/We confirm my/our understanding that if the property contains at least 25 acres of contiguous woodland, I/we must submit evidence of a complete Forest Stewardship Plan performed by a forester certified in the State of Maryland prior to settlement and that delay in providing such evidence to the Foundation will delay settlement of the easement. I/we also confirm our understanding that the plan must include methods of management and a schedule of implementation. I/we also understand that the plan must have been created and/or updated for sufficiency within the last ten years, and I/we confirm our understanding that the Forest Stewardship Plan must be followed according to its schedule for implementation. If an easement is purchased on this property, I/we confirm our understanding of the responsibility for implementing the plan as outlined according to the schedule of implementation.

I/We confirm my/our understanding that a current Nutrient Management Plan must be implemented for the property prior to the sale of the MALPF easement on the property under the following circumstances: (i) an easement offer is extended and accepted, and (ii) if the property is required to have a Nutrient Management Plan under Md. Code Ann., Agric. Section 8-801 *et seq.* (associated regulations are located in COMAR 15.20.07-08).

I/We confirm my/our understanding that the Department of General Services shall be reviewing title to the property and may request additional documentation, require certain actions by me/us to clear title to the property, or may require me/us to provide a modern boundary survey of the property, at my/our expense, prior to settlement and that delay in providing such evidence to the Foundation will delay settlement of the easement. In addition, if there are multiple tax parcels being placed under one easement, then we may be required to combine those tax parcels into one account and parcel number.

I/We give MALPF permission to conduct appraisals on my/our property upon reasonable notification. I am/We are aware that any approval to obtain an option contract for the purchase of an agricultural land preservation easement made by the Foundation is subject to Board of Public Works approval and available funds.

I/We understand that there is no guarantee that an offer will be made or accepted for the purchase of an agricultural land preservation easement on this property.

I/We assert that all representation and information regarding the property are, to the best of my/our knowledge, accurate and complete. Additionally, I/we assert that there is no known reason (e.g. environmental or otherwise) why the property cannot be productively farmed.

In addition, I/we are aware that both Parts A and B of this Application to Sell an Easement must be completed and submitted to the County's Program Administrator, along with all necessary documentation. I/we understand that an incomplete application will be returned.

Dwayne Catterton 5-15-19  
Landowner Signature Date

Dwayne Catterton  
Print Full Name

\_\_\_\_\_  
Landowner Signature Date

\_\_\_\_\_  
Print Full Name

\_\_\_\_\_  
Landowner Signature Date

\_\_\_\_\_  
Print Full Name

\_\_\_\_\_  
Landowner Signature Date

\_\_\_\_\_  
Print Full Name

\_\_\_\_\_  
Landowner Signature Date

\_\_\_\_\_  
Print Full Name

\_\_\_\_\_  
Landowner Signature Date

\_\_\_\_\_  
Print Full Name

I hereby affirm, to the best of my knowledge, information and belief, that this application to sell an easement is complete and accurate.

Janne Jepsen Nutter  
County Program Administrator

Janne Jepsen Nutter  
Print Name

5/20/19  
Date

# Bonnie Breeze Farm





$z \triangleright$ 