

# Cumberland County Agriculture Development Board

2024

## Application To Sell a Development Easement

**NOTE: Read and complete all portions of this application.**

This application to sell a development easement is made this \_\_\_\_ day of \_\_\_\_\_, 2024.

A "development easement" means an interest in land, less than fee simple absolute title thereto, which enables the owner to develop the land for any non-agricultural purpose as determined by and acquired under the provisions of N.J.S.A. 4:1C-11 et seq. P.L. 1983, c. 32, and any relevant rules or regulation promulgated thereto.

I/We, \_\_\_\_\_, landowner(s) of property located in the Municipality of \_\_\_\_\_, in the County of Cumberland, known and designated as Block(s) \_\_\_\_\_, Lot(s) \_\_\_\_\_ on the Municipal Tax map of \_\_\_\_\_, Cumberland County, New Jersey, (hereinafter "Premises"), apply to the Cumberland County Agriculture Development Board, to sell a development easement pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-6.

### OFFER TO SELL A DEVELOPMENT EASEMENT

As landowner(s) of the premises described above, I/we are willing to make an offer to sell a development easement to the Board in the amount of \$ \_\_\_\_\_ per acre. The final total purchase price shall be based on the acreage of the premises determined by a survey authorized by the Board, as well as, fair market appraisals.

Pursuant to N.J.A.C. 2:76-6.3, it is required that the applicant(s) submit an offer to sell a development easement to the Board. While the offer is a key element in the evaluation of this property, it is non-binding, and is not a commitment on the part of the County of Cumberland to pay this amount should this property be selected for acquisition.

NOTE: Landowners hereby acknowledge that they have been fully informed of the provisions related to the sale of a development easement and that a **recommendation was made to obtain legal counsel.**

### I. LANDOWNER INFORMATION

Write the name, mailing address, phone/fax number, and email address (if available) of all the landowners of the premises.

NAME	ADDRESS	PHONE/FAX	EMAIL
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Write the farm, corporate or business name, if any.

\_\_\_\_\_

Indicate the ownership structure of the farm.

Sole Proprietor       Corporation       Partnership       Contract Purchaser

Indicate if the record owner of the premises is involved in any of the following.

An Estate Situation       Bankruptcy       Foreclosure

Indicate the name of the person(s), if any, residing on the property.

**II. PROPERTY DESCRIPTION**

Indicate the street address of the property or describe the farm location to the nearest crossroad.

Identify the tax block and lot and deed reference of the premises.

Block \_\_\_\_\_, Lot(s) \_\_\_\_\_; Deed Book \_\_\_\_\_, Page \_\_\_\_\_  
Block \_\_\_\_\_, Lot(s) \_\_\_\_\_; Deed Book \_\_\_\_\_, Page \_\_\_\_\_  
Block \_\_\_\_\_, Lot(s) \_\_\_\_\_; Deed Book \_\_\_\_\_, Page \_\_\_\_\_  
Block \_\_\_\_\_, Lot(s) \_\_\_\_\_; Deed Book \_\_\_\_\_, Page \_\_\_\_\_

Recorded in: \_\_\_\_\_ Municipality, Cumberland County.

**Please attach a copy of the deed(s) for the premises.**

**Total acreage of the premises described above. \_\_\_\_\_ gross acres**

Source of acreage  Deed  Tax Map  Survey (survey date \_\_\_\_\_)

Will any portion of the above tax lots be **EXCEPTED** (i.e. not included) from the application?

**YES**  **NO**

If YES, identify the location, approximate shape and the acreage of the excepted area on a tax map.

If an exception is requested, please indicate the requested classification below.

**SEVERABLE**  **NON-SEVERABLE**

A "severable" exception can be subdivided and sold separately from the Premises, while a "non-severable" exception is an area the owner does not wish to have encumbered by the easement, but which **cannot** be subdivided and sold separately.

If an exception is requested, are you willing to restrict the exception to only one existing or future residential unit?  **YES**  **NO**

What is the net acreage of the premises to be considered for easement purchase?

**gross acreage - exception = \_\_\_\_\_ net acres**

Indicate the total number of residential units on the premises. \_\_\_\_\_

Please identify the residential units on the premises by type as listed below:

Single Family Residential Buildings # \_\_\_\_\_  Standard single family house  Trailer with foundation  
 Other  Trailer without foundation

Multifamily Residential Buildings # \_\_\_\_\_  Duplex  Single family with apartment  
 Other

Residential Buildings for Agricultural Labor # \_\_\_\_\_  Single family house  Dormitory style  Other  
 Trailer with foundation  Trailer without foundation

Indicate the type and number of all non-residential buildings on the property (e.g. barns, stables, corn cribs, silos, garages, etc.).

Are any of the residential or non-residential buildings on the premises under a lease or rental agreement?

YES  NO

If YES, please describe: \_\_\_\_\_

Are you requesting the option to build future residences pursuant to N.J.A.C. 2:76-6.17?

YES  NO

If YES, please explain on an attached sheet.

NOTE: N.J.A.C. 2:76-6.17 refers to Residual Dwelling Site Opportunities (RDSO's), which require a minimum of 100 acres/residence. Additional housing units are subject to negotiation and approval by the CCADB and SADC.

Are there presently any non-agricultural uses or activities on the premises? (Examples: office for a non-farm Commercial business, studio, antique shop or other service business, rental of buildings for non-farm use, etc.)

**NON-AGRICULTURAL USES MUST BE IDENTIFIED AT TIME OF APPLICATION.**

YES  NO

If YES, please identify: \_\_\_\_\_

Is there a pending or approved subdivision or site plan application for the Premises?

YES  NO

If YES, please indicate the date of such approval and status: \_\_\_\_\_

Is the Premises served by public sewer?  YES  NO

Is the Premises served by public water?  YES  NO

**III. AGRICULTURAL USE AND PRODUCTION**

List, in order of importance, the type of agricultural enterprises on the premises (e.g. dairy, field crops, orchard, etc.).

Identify the approximate acreage and/or percentage land use of the parcel to be considered for easement purchase.

Tillable cropland	_____ acres	_____ %	Pasture	_____ acres	_____ %
Orchard	_____ acres	_____ %	Nursery	_____ acres	_____ %
Woodland	_____ acres	_____ %	Farmstead	_____ acres	_____ %
Other	_____ acres	_____ %	<b>TOTAL</b>	<b>_____ acres</b>	<b>_____ %</b>

***Please provide a copy of your APPLICATION FOR FARMLAND ASSESSMENT (breakdown of land use).***

Does the farm have a current Farm Conservation Plan?  YES  NO

Is the farm currently enrolled in an 8-year Farmland Preservation Program?

YES  NO

Please describe all soil and water conservation practices: \_\_\_\_\_

#### IV. SPECIAL CONSIDERATIONS

Identify anything particularly special about the premises (historical significance, uniqueness of the agricultural operation, environmental significance, etc.): \_\_\_\_\_

Are you a full-time farmer?

YES

NO

Is farming your primary income source?

YES

NO

#### V. LIENS/EASEMENTS/RIGHTS-OF-WAY

List all liens, easements, or rights-of-way that exist on the Premises: \_\_\_\_\_

NOTE: The applicant shall receive preliminary approval from current lien, easement and right-of-way holders granting the applicant permission to proceed with negotiations involving the sale of a development easement. This preliminary commitment is NOT a final subordination of all rights. In accordance with N.J.A.C. 2:76-6.13, where the landowner has accepted an offer to sell a development easement, the landowner shall provide evidence that the current lien, easement, and right-of-way holders as required by the Committee and Board, subordinate their rights to the rights and privileges granted by the sale of the development easement to the Board and shall supply recordable evidence of their subordination at the time of the transfer of the easement.

Regarding public utility easements, the applicant shall note if any exist. The Board will determine if the easement holder should be notified or if a waiver should be granted.

#### VI. ADDITIONAL INFORMATION: The Board may request additional information.

The landowner hereby gives the Board permission to proceed with the review and evaluation of this application to determine the suitability of the land for development easement purchase pursuant to N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32 and N.J.A.C. 2:76-6.

**I/We hereby certify that all information contained in this application is complete and accurate.**

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

**Landowner Signature(s)** (All persons listed on the deed must sign above.)

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

**Date**

**THIS PROGRAM HAS A ROLLING ADMISSION. WHEN COMPLETED, PLEASE SEND TO:**

**Cumberland County Agriculture Development Board**

**291 Morton Avenue  
Millville, NJ 08332**

**QUESTIONS: phone (856)453-2175, or  
email [elenaga@cumberlandcountynj.gov](mailto:elenaga@cumberlandcountynj.gov)**

**[WWW.CUMBERLANDCOUNTYNJ.GOV](http://WWW.CUMBERLANDCOUNTYNJ.GOV)**