

Application for the Acquisition of Conservation Easements (ACE)



Contact Person (Who should we call/write concerning this project?): _____

Address _____ City _____ State _____ Zip _____

Daytime Phone (____) _____ Fax # (____) _____ E-mail _____

Owner of Record _____

Address _____ City _____ State _____ Zip _____

Daytime Phone (____) _____ Fax # (____) _____ E-mail _____

Tax map and parcel(s): _____

Physical Street Address (if assigned): _____

Location of property (landmarks, intersections, or other): _____

Principle uses of property (grazing, timber harvesting, crops, livestock, recreation etc.): _____

Other Owners of Record:

Name: _____	Address: _____
Name: _____	Address: _____
Name: _____	Address: _____
Name: _____	Address: _____

1. **Do you own other land in Albemarle County?** YES NO Is it contiguous to this parcel? YES NO
2. **Is property in an existing “Agricultural-Forestal” district?** YES NO
3. **Do you have a Forest Stewardship Management Plan?** YES NO If YES, provide date of plan _____
4. **Do you have a Soil Conservation and Water Quality Plan?** YES NO If YES, provide date of plan _____
5. **When the property is placed under easement, it will be subject to the following development restrictions based on parcel size: If a parcel is less than 100 acres, it shall not be divided. If a parcel is between 100 and 200 acres, it may be divided once into two parcels, however, one of the residual parcels must be ≥ 100 acres. For parcels greater than 200 acres, it may be divided twice (into 3 parcels) provided 2 lots average ≥ 100 acres, leaving one additional lot for the balance of land under 100 acres (Example: a 345 acre tract could be divided into four lots: 3 of ≥ 100 acres each and the last for any balance of land leftover less than 100 acres). The other option is the “no subdivision” option where the entire tract will remain as a single, indivisible tract.**

Based on the above description, how many separate parcels do you wish to retain for the property? _____ (#) **or;**
would you prefer a “no subdivision” clause? YES NO.

6. When the property is placed under easement, it will be subject to the following restrictions on the “Number and Type of Allowed Structures”: The maximum number and types of structures may be built or maintained on each 100 acre parcel of the Property: (a) one principal single-family residential dwelling unit; (b) up to two (2) secondary residential dwelling units commonly and appropriately incidental thereto, not exceeding two thousand (2,000) square feet of living space each. There is no limit on: (c) the number of structures such as outbuildings, swimming pools, decking detached from the single-family dwelling units, gazebos, garages, and tool sheds; or (d) the number of farm buildings or structures. (Note: On parcels less than 100 acres, the number of allowed residential dwellings (principle and secondary) will be affected by the actual size of the parcel.

Based on the above description, how many primary residential structures would you want the right to build or maintain on the property? _____ How many secondary residential structures? _____.

7. Is the parcel(s) of land identified on this application form threatened with a “forced sale” (see definition below)
 YES NO If YES, explain below.

8. Is the parcel of land identified on this application form threatened with other economic “hardship” (see definition below)
 YES NO If YES, explain below

9. The parcel of land identified on this application form is either: “a working family farm, including forestry: where at least one family member’s principal occupation and income (more than half) is farming or foresting the parcel”.
 YES NO
OR where one family member has as a secondary occupation working the farm sufficient to qualify for the land use tax program (>\$1,000/year)
 YES NO If YES, explain below

10. List all Deeds of Trust, mortgages and liens against property (by date, parties involved and deed book reference & page number):

11. Is the property subject to any other pending liens, judgments, zoning violations or court proceedings?
 YES NO If YES, explain below (by date, parties involved, legal reference or case number):

12. If you wish to include additional restrictions in the Deed of Easement (beyond those described in the sample), please describe and enumerate them:

13. In addition, please provide the following information with this application:

- Tax returns, for all owners of record, for each of the past three (3) tax years so as to verify adjusted gross income. All income and tax information will remain confidential.
- A completed "Application for Parcel of Record Determination and or Development Rights Determination".

Definitions Contained in Application

"Forced sale" means the sale of a parcel with unused development rights in a manner prescribed by law conducted under a judgment, order or court supervision, other than a sale arising from a partition action; a sale resulting from the foreclosure under the laws of the Commonwealth of Virginia; or a sale that is not the voluntary act of the owner but is compelled in order to satisfy a debt evidenced by mortgage, judgment or tax lien.

"Hardship" means an economic hardship, other than a circumstance causing a forced sale, experienced by the landowner of the parcel compelling him to place a parcel with unused development rights for sale or to use such development rights.

Owner/Applicant Must Read and Sign

I/We hereby make application to the County of Albemarle for the sale of development rights on the tax parcel(s) identified above on this application form pursuant to Albemarle County Ordinance No. 00-A.1(1), the Acquisition of Conservation Easements. I/We understand and acknowledge that I/we incur no obligation by completing this application, and that the County of Albemarle incurs no obligation by its acceptance of this application. I/We hereby certify that, to the best of our knowledge, the information contained in this application and attached materials are true and correct. I/We agree grant permission to the ACE Program Administrator or his designee to enter the property, after reasonable notice to the owner, for the purposes of evaluating the parcel(s) and verifying required information on the application form and the independent appraiser who must appraise the property to determine the value of the development rights.

ALL OWNERS OF RECORD MUST SIGN AND DATE THIS APPLICATION.

Signature of Owner

Date

Print Name

Signature of Owner

Date

Print Name

Signature of Owner

Date

Print Name