

OHIO

AGRICULTURAL SECURITY AREA

PROGRAM

APPLICATION



Completed applications, once approved by the local governing bodies, must be submitted to the Ohio Department of Agriculture Office of Farmland Preservation at 8995 East Main Street, Reynoldsburg, Ohio, 43068

Updated September 2, 2009

OHIO AGRICULTURAL SECURITY AREA PROGRAM

Program Description and Information

This application was prepared by the Ohio Department of Agriculture's Office of Farmland Preservation for the cooperative use of farmland owners and local boards of county commissioners and township trustees who are interested in creating Agricultural Security Areas. (ORC Chapter 931)

Program Description

The Ohio Agricultural Security Area (ASA) Program, effective May 18, 2005, authorizes one or more landowners of at least 500 acres of contiguous farmland to request from the boards of township trustees and county commissioners to enroll into an ASA for a 10-year period. ASAs promote agricultural retention by creating special areas in which agriculture is encouraged and protected. ASAs provide certain benefits to farmers, including protection from nonagricultural development, a critical mass of land to help keep farming viable, and possible tax abatement on new real property.

Application Information

- The Applicant serves as the primary contact for the farm proposed for enrollment in the ASA. The Applicant must have legal interest in the farm proposed for enrollment in the ASA. All other legal landowners must sign the application to verify their agreement with the conditions of the program.
- If the entire proposed ASA is comprised of a single farm owned by the same legal entity, a single Applicant must complete Parts I and II of the ASA Application on behalf of the farm.
- If the proposed ASA is comprised of multiple farms owned by different legal entities, Part I of the Application should be completed for the entire proposed ASA. Separate Applicants representing each of the farms in the proposed ASA must complete separate copies of Part II of the ASA Application.
- A separate copy of the entire application packet must be submitted to all boards of township trustees and county commissioners for each township and county in which the proposed ASA is located.
- Questions regarding the application submittal process and related schedule of fees should be referred to the specific board of township trustees and county commissioners in which the proposed ASA is located.

For More Information

- General questions regarding the Ohio ASA Program should be referred to the Ohio Department of Agriculture, Office of Farmland Preservation, 8995 East Main Street, Reynoldsburg, Ohio, 43068; or telephone 614-728-6210.
- To view the ASA law, refer to Ohio Revised Code Chapter 931. Changes to the original legislation are effective 7-18-08 from 127th General Assembly, H.B. 289. The Ohio Legislative Service Commission has provided an analysis of the changes on their Web site, http://www.ohioagriculture.gov/oda3/admn/farm/asa/Admn_Farm_Bill_Analysis.pdf.

Part I: GENERAL INFORMATION

NOTE: Part I should be completed one time for the entire proposed ASA.

I.1 Location and Filing Procedures

NOTE: A copy of the entire application must be submitted to the board of county commissioners and township trustees for each county and township in which the proposed ASA is located.

List the total number of farms included in the proposed ASA. _____

List all counties in which the proposed ASA is located:

List all townships in which the proposed ASA is located:

I.2 Application Checklist

| | Yes | No |
|--|--------------------------|--------------------------|
| Does the proposed ASA consist of at least 500 acres of contiguous farmland? In the alternative, is the land contiguous to an existing agricultural security area in which the landowner(s) agree to the additional farmland becoming enrolled? | <input type="checkbox"/> | <input type="checkbox"/> |
| Has Part I of the ASA Application been completed for the entire proposed ASA? | <input type="checkbox"/> | <input type="checkbox"/> |
| Have separate copies of Part II of the ASA Application been completed for each farm in the proposed ASA? | <input type="checkbox"/> | <input type="checkbox"/> |
| Have separate applications been filed with the boards of township trustees and county commissioners for each township and county in which the proposed ASA is located? | <input type="checkbox"/> | <input type="checkbox"/> |
| Have the following attachments been included with this application? | | |
| Map of the proposed ASA? | <input type="checkbox"/> | <input type="checkbox"/> |
| CAUV verification for each parcel in the proposed ASA? | <input type="checkbox"/> | <input type="checkbox"/> |
| Agricultural district verification for each parcel in the proposed ASA? | <input type="checkbox"/> | <input type="checkbox"/> |
| Have the following signatures been included on this application? | | |
| Part I.3: Signature of person preparing ASA map? | <input type="checkbox"/> | <input type="checkbox"/> |
| Part II.3: Signature of NRCS/SWCD personnel? | <input type="checkbox"/> | <input type="checkbox"/> |
| Part II.4: Signature of <i>all</i> landowners for <i>all</i> proposed farms? | <input type="checkbox"/> | <input type="checkbox"/> |

I.3 Application Attachments

I.3.a. Map of the Proposed ASA

Attach to this application a map that complies with all of the following:

- Is prepared by a regional planning or county planning commission, a professional engineer or surveyor.
- Identifies the area of land to which the application applies and includes the corresponding parcel number for each parcel in the application.
- Shows the boundaries of the land to be enrolled in the proposed ASA.
- Shows the names and locations of all streams, creeks, or other bodies of water, roads, rights-of-way, railroads together with any existing residential, recreational, commercial, or industrial facilities that are situated on the land to be included in the proposed ASA or within 500 feet of the perimeter of the area.
- Shows locations of all utility, water, and sewer lines that are situated on the land to be included in the agricultural security area and within 500 feet of the perimeter of the area. If the information is not generally available, provide an exemption from the board of country commissioners of each county and the board of township trustees of each township in which the land is located.

Signature of person preparing and certifying the map

Printed name

Title and agency/organization affiliation

Contact phone number and email address

Date of map

I.3.b. CAUV Verification

Attach to this application a photocopy of the most recent records from the applicable County Auditor that verify that each parcel in the proposed ASA is valued and assessed for real property tax purposes in accordance with its current agricultural use value (CAUV) under sections 5713.30 to 5713.38 of the Ohio Revised Code.

I.3.c. Agricultural District Verification

Attach to this application a photocopy of the most recent records from the applicable County Auditor that verify that each parcel in the proposed ASA is in an agricultural district or districts established under Chapter 929 of the Ohio Revised Code.

Part II: Applicant and Property Information

NOTE: A separate copy of Part II must be completed for each farm in the proposed ASA.

II.1 Applicant Information

NOTE: The Applicant serves as the primary contact for the ASA application. The Applicant must have a legal interest in the property. All other landowners must agree to the conditions of the application and sign the application in Section II.4.

II.1.a. Applicant Name: _____
First Middle Initial Last

II.1.b. Applicant address: _____
PO Box or Street Address

City County Zip Code

Telephone number Fax number

Email address

II.1.c. Pursuant to Section 931.02(A)(4) of the Ohio Revised Code, list all administrative enforcement orders issued to the Applicant or any other titleholder of the property, all civil actions in which the Applicant or other titleholder was determined to be liable for damages, and all criminal actions in which the Applicant or other titleholder pleaded guilty or was convicted, during the **10 year period immediately preceding the date of submission of this application**, in connection with any violation of **environmental laws** or similar laws of another state. [Attach additional pages if necessary.]

Not applicable.

II.2 Property Information

II.2.a. Property address:

PO Box or Street Address

City County Zip Code

Telephone number Fax number

II.2.b. Property Eligibility:

| | Yes | No |
|--|--------------------------|--------------------------|
| Is the property in an agricultural district or districts established under Chapter 929 of the Ohio Revised Code? | <input type="checkbox"/> | <input type="checkbox"/> |
| Is the land valued and assessed for real property tax purposes in accordance with its current agricultural use value (CAUV) under sections 5713.30 to 5713.38 of the Ohio Revised Code? | <input type="checkbox"/> | <input type="checkbox"/> |
| Is the entire proposed ASA located in an unincorporated area? <i>(NOTE: Law does not permit ASA enrollment for any property located in a municipal corporation, or in a territory with a pending proceeding for annexation to a municipal corporation.)</i> | <input type="checkbox"/> | <input type="checkbox"/> |

NOTE: A response of NO to any of the above items will render this farm ineligible for enrollment in an ASA.

II.2.c. Property Description:

i. List all agricultural and nonagricultural uses currently in place, and associated acres for each use:

| Use | Acres |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

ii. Total acreage (including homestead) of applicant property: _____

iii. List all parcel numbers and respective acreages of applicant property:

| Parcel Number | Acres |
|---------------|-------|
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

**Attach additional pages if necessary.*

II.2.d. Property interest information:

i. Ownership Type:

- Individual Joint
- Corporate Entity name: _____
- Trust Entity name: _____
- Partnership Entity name: _____
- Other Explain type: _____

ii. List all titleholders of the applicant property:

iii. List any restrictive covenants, leases, or easements on the applicant property, including but not limited to, mineral rights, utility easements, oil and gas leases, conservation and agricultural easements:

iv. List any other interest in the applicant property that may not be conducive to agriculture and that is held by a person other than the applicant:

II.3 Compliance with Best Management Practices (BMPs)

NOTE: An NRCS or SWCD representative must complete and sign this section for each farm in the proposed ASA.

I, _____, certify that the landowner,
NRCS/SWCD representative name

_____, of the property located at
Applicant name

_____ is complying with best
Applicant property address

management practices on that property.

Signature of NRCS/SWCD representative Date

Title and agency/organization affiliation

Contact telephone number and email address

II.4 Applicant Verification and Signature

By signing and submitting this application, the applicant and all legal owners of the property in the proposed ASA agree that he/she/they **will not initiate, approve or finance any new development for nonagricultural purposes** on the land that is proposed to be enrolled in an agricultural security area during the **10-year period of enrollment**, except as otherwise authorized under division (A) of section 931.04 of the Ohio Revised Code.

“New development” includes, without limitation, an applicant’s transfer to another person of the ownership of a property interest in the land that occurs during the period beginning on the date that the application is submitted and ending on the date that the 10-year enrollment is scheduled to expire.

“New development” does not include taking any actions that are authorized under property rights in the land, such as mineral rights or easements that were transferred to a person other than an applicant prior to the date that the application is submitted.

“New development” does not include the construction, modification, or operation of transmission lines for electricity, gas or oil or of any gathering or production lines for oil or gas, provided that such construction, modification, or operation of the lines does not cause the land to become ineligible for valuation and assessment for real property tax purposes in accordance with its current agricultural use value (CAUV).

"New development" does not include the construction, modification, or operation of wind energy-producing facilities, easements for electricity, gas, or oil transmission or distribution lines, the grants of new mineral leases, or drilling or operation of any oil or gas well on or in connection with the applicable land, provided that such construction, modification or operation does not cause the land to become ineligible for valuation and assessment for real property tax purposes in accordance with its current agricultural use value (CAUV).

By signing below, the applicant and all legal titleholders of the property in the proposed ASA agree to adhere to the provisions of the statement of intent above, and verify that to the best of their knowledge all information contained in this application is true and accurate.

Applicant Signature

Date

Other Titleholder Signature

Date

Other Titleholder Signature

Date

Other Titleholder Signature

Date

Other Titleholder Signature

Date

Other Titleholder Signature

Date

-----Office Use Only-----

Part III: Application Administration and Reporting

NOTE: A representative of the local governmental jurisdiction to which the ASA application has been submitted should complete this section of the ASA application and forward it to the Ohio Department of Agriculture at the address listed at the bottom of this page.

Name and title of person completing this form:

Contact information:

Name of Local Governmental Jurisdiction:

Date of ASA Application:

Total Number of Acres in Application:

Names of all Applicants:

List all other governmental jurisdictions to which an application has been submitted for this proposed ASA.

Board action:

ASA application approved on: _____
Date

ASA application denied on: _____
Date

Reason for denial: _____

***Attach a copy of the county/township resolution to approve or deny the application.**

***Attach any information or agreements on tax abatement associated with this ASA.**

Submit a copy of this entire application to the Ohio Department of Agriculture Office of Farmland Preservation at 8995 East Main Street, Reynoldsburg, Ohio, 43068.