



ADAMS COUNTY AGRICULTURAL LAND PRESERVATION BOARD

670 Old Harrisburg Road, Suite 100 ☐ Gettysburg, PA 17325

Phone: (717) 337-5859 ☐ Fax: (717) 334-0786

Ellen T. Dayhoff, Program Administrator

Date

Name

Address

Address

Dear

This is an offer in the amount of \$_____/acre or **approximately** \$_____ to purchase an agricultural conservation easement in perpetuity, relative to your improved real property located at _____ Road in _____ Township, and as described in Deed/Record Book ____ Page ____ totaling approximately ____ deeded acres, all/approximately ____ of which are being appraised for this purpose at your request. **In this regard, please understand that the total acreage figure recited herein and, therefore, the proposed purchase price may be subject to adjustment, based upon the results of a subsequent title search, surveys, etc.** (which are required in order to obtain State Board approval of the subject purchase). Any necessary revision of the purchase price will, however, be in direct proportion to any acreage change.

This offer represents _____ percent (____%) of the appraised value of the subject easement, as established by Agrarian Associates, Inc. under contract to the County of Adams, and dated _____, 20__, which appraisal is enclosed herewith. This offer is specifically contingent upon and subject to:

- (1) my receipt of your written acceptance of this offer on or before _____, 20__ ; and
- (2) the approval of the subject transaction by the Adams County Agricultural Land Preservation Board (the "Board"), the Adams County Commissioners and the Pennsylvania Agricultural Land Preservation Board; and

- (3) the execution of an Agreement for the Sale and Purchase of an Agricultural Conservation Easement in Perpetuity (copy of which has been provided to you) by you, the County of Adams and the Commonwealth of Pennsylvania in form required by the Commonwealth; and
- (4) inclusion of the *Exclusion Area Requirements* (if and when applicable and required), *Subdivision Guidelines*, *Permitted Uses Policy* and *Construction of a Residential Structure on a Preserved Farm*, copies of all of which are being provided to you; the County's Subdivision Guidelines, as amended, will be incorporated into and made a part of your Agreement of Sale and Deed of Agricultural Conservation Easement; and
- (5) you are further advised that any separately-described parcels or tracts of land in your above-referenced, existing deed(s) must be merged into one (1) single tract, via a recorded Declaration of Merger of Separate Tracts/Parcels, prior to the imposition of the Easement, and thereafter cannot be separately sold or conveyed, which perpetual covenant will also be included in the Deed of Agricultural Conservation Easement; and
- (6) your conveyance of good, marketable and insurable title to the subject Agricultural Conservation Easement, *i.e.*, all liens and encumbrances will have to be paid off and satisfied of record or subordinated to the easement; and
- (7) unless you and the Board cannot mutually agree upon the appraised value of your property or unless you and the County cannot mutually agree upon the proposed easement purchase price, you are advised that, in the event that you withdraw your application at any time for any other reason after signing and returning the present offer letter, you will be required to reimburse the County for any and all costs incurred by the County in connection with the processing of your application, including, for example, appraisal and surveying costs, as well as incidental administrative costs.

Please note that you will have a number of options, relative to the structuring of the transaction, such as a Section 1031 Like-Kind Exchange or Installment Purchase as well as working with your Township to possibly obtain more funding. Information regarding these options will be provided to you upon request. **You are encouraged to contact your personal Accountant regarding this very important real estate transaction prior to signing this offer letter.**

I look forward to working with you in this important matter. Please contact me with any questions or concerns at your earliest convenience.

Sincerely,

Ellen T. Dayhoff, Administrator

Enclosures

