

**AGRICULTURAL PRESERVE
RESTRICTIVE COVENANT
APPLICATION AND AGREEMENT**

THIS AGREEMENT, applied for and executed this _____ day of _____, 20 ____, by and between _____, Record Fee Owner(s);
_____(Address)
_____ Contract for Deed Vendor(s) (Sellers), if any;
_____(Address)
_____ Contract for Deed Vendee(s) (Buyers), if any;
_____(Address)
hereinafter collectively referred to as Landowner(s); AND the County of _____, State of Minnesota.

(NOTE.- Above named Landowner(s) must be identified as husband and wife, a single person, a Partnership, a (State) Corporation, a Trustee of a Trust (describe), a Guardian or Administrator of an Estate (describe) -- whatever the case might be -- if property is homestead -- spouse must join whether or not his/her name is on record -- if property is non-homestead and spouse doesn't join -- then a statement must be placed at end of legal description that it is non-homestead.)

WITNESSETH:

Whereas, the Landowner(s) above named is the owner(s) of the tract of land (the Land) in the County of _____, State of Minnesota, legally described as:

(IF REGISTERED PROPERTY -- Use verbatim description from Certificate of Title, and submit duplicate of title. IF ABSTRACT PROPERTY -- Use description from abstract or deed. Use an additional sheet if extra space is needed. Be sure to state your parcel identification number and circle whether or not your property is homesteaded.)

Legal Description:

Total Number of Acres _____ Registered or Abstract
(Circle One)
Parcel identification number _____ Homestead or Non-Homestead
(Circle One)

WHEREAS, the Landowner(s) desires to receive the benefits of participation in the State of Minnesota Agricultural Land Preservation Program established by Minn. Stat. Chapter 40A.

WHEREAS, the Land described herein has been designated for exclusive long-term agricultural use pursuant to the plan and official controls of _____ adopted under Minn. Stat. Chapter 40A; a copy of the affidavit evidencing that the Land has been designated for exclusive long-term agricultural use is attached hereto and incorporated herein by reference as Attachment A;

WHEREAS, Minn. Stat. Section 40A.10, requires that the applicant(s) complete and file a restrictive covenant which "will be binding on the owner or the owner's successor or assignee, and will run with the land" as part of the application.

NOW, THEREFORE, in consideration of receipt of the benefits of participation in the State of Minnesota Agricultural Land Preservation Program, the Landowner(s) on their behalf and on behalf of the Landowner(s) successors and assignees, agrees and covenants as follows:

1. The Land herein described shall be kept in agricultural use. Agricultural use as defined by Minn. Stat. Section 40A.02, means the production of livestock, dairy animals, dairy products, poultry or poultry products, fur-bearing animals, horticultural or nursery stock, fruit, vegetables, forage, grains, timber trees, or bees and apiary products. "Agricultural use" also includes wetlands, pasture, forest land, wildlife land, and other uses that depend on the inherent productivity of the land.

