AGRICULTURAL LAND PRESERVATION GUIDE

For Franklin County, Pennsylvania

FRANKLIN COUNTY
PENNSYLVANIA
-ESTABLISHED 1784-

The Franklin County Agricultural Land Preservation Program supports the long-term protection of productive farmland by placing permanent conservation easements on qualifying properties. This guide outlines the major steps involved in the preservation process and explains what landowners can expect as their application moves from initial selection through final settlement and ongoing stewardship. It is designed to help participants navigate each stage confidently by providing clear information, typical timelines and key considerations that commonly arise during the process.

1 Selection

Time Frame: 30 Days

What Happens

- Each March, the Agricultural Land Preservation Board selects farms for consideration based on ranking and available funding.
- Selected landowners are notified and meet with staff to review program guidelines and easement terms.

Landowner Responsibilities

- Sign selection letter within 30 days, submit $3,500 deposit (refunded after settlement).
- Finalize areas for exclusion with program staff.

Key Considerations

- Understand the process and long-term implications of preservation.
- Ensure all ownership parties are engaged early to avoid delays later in the process.

Common Delays/Preparation Tips

- Changes to farm after application is submitted.
- Collect ownership, mortgage information early, as later phases require full documentation.

2 Appraisal

Time Frame: About 3 Months

What Happens

- Appraisal is ordered after the county receives the signed selection letter and deposit.
- Appraisal compares the market value to the restricted farmland value to determine an easement value per acre.
- An offer letter is sent to the owner(s).
- If the owner opts to retain an independent appraiser, a calculation between the two appraisals is used to determine an easement value.

Landowner Responsibilities

- Accept the offer, retain an appraiser at the owner's expense, or reject the offer within 30 days of receipt.
- Determine if payment will be a lump sum or installments.
- Identify percentage each owner will receive.
- Submit W-9.

Common Delays/Preparation Tips

- Retaining an independent appraiser will lengthen the overall process.
- Landowners should discuss financial and tax implications with advisers ahead of time.

3 Survey

Time Frame: 6-9 Months

What Happens

- A survey is ordered once the owner accepts the appraisal offer.
- Surveyor works with owner(s) to create a plat outlining the farm easement, existing right of ways and any exclusion areas.
- The survey establishes the final acreage used in calculating the easement payment.

Landowner Responsibilities

- More clearly define the exclusion area sketched during the Selection Phase. (Note: No changes to the exclusion may occur after appraisal.)

Common Delays/Preparation Tips

- Weather, scheduling and boundary clarification often delay surveys.
- Landowners should be prepared to provide surveyors property access and discuss existing boundaries early in the process.

4 Title

Time Frame: 6-9 Months

What Happens

- A full title search is ordered to identify any deed restrictions, mortgages, liens, judgments, ownership or other items that might impact receiving a clear title to the easement.
- Liens must be either:
  - Subordinated
  - Paid off prior to settlement
  - Paid off at settlement with easement proceeds

Landowner Responsibilities

- Coordinate with the bank how any mortgages or liens will be handled.
- Work with staff to resolve any title issues.
- Sign a conservation plan agreement and the agreement for sale based on final acreage and easement value.

Common Delays/Preparation Tips

- Title complications (old liens, shared ownership, family transfers) are a major source of extended timelines.
- New mortgages or other liens created after the start of the process result in longer coordination times with lenders and sometimes rejections for subordination.

5 State Review

Time Frame: 1-3 Months

What Happens

- Pennsylvania Department of Agriculture staff review documentation submitted by county.
- Certified notices are sent to adjoining landowners.
- State Agricultural Land Preservation Board votes on preservation.

Common Delays/Preparation Tips

- Missing signatures, changes in property ownership or anything impacting a clear title.

6 Settlement

Time Frame: 4-6 Months

What Happens

- State sends fully executed approval packet and payment to county.
- Settlement agent coordinates a settlement date with landowner(s).
- Upon settlement, the following are recorded at the Franklin County Register & Recorder's Office:
  - Deed of easement
  - Legal description
  - Conservation plan agreement
  - Survey
  - Subordination agreements (if any)
- Landowner deposit refunded (approximately one month after settlement).

Landowner Responsibilities

- Work with agents to schedule settlement.

Common Delays/Preparation Tips

- Unresolved mortgage or lien issues are the most common settlement delays.

7 Post-Settlement

Inspections & Compliance

What Happens

- Program staff conduct biannual farm inspections to check for compliance; landowners are notified in advance.
- Inspection reports, along with any findings, mailed to owner(s) upon completion.

Ongoing Landowner Responsibilities

- Adhere to the conservation plan; make updates when farming practices change.
- Follow terms of the easement.
- Notify the Agricultural Land Preservation Board within 30 days of any ownership change.
- Ensure any deeds transferring property ownership contain the easement language verbatim.
- Submit requests for additional residential structures for owner(s), family or farmworkers, if desired, to the Agricultural Land Preservation Board.
- Submit requests for subdivision, if desired, to the Agricultural Land Preservation Board. (Note: No lot less than 100 acres can be created by subdivision.)