California Department of Conservation
Agricultural Conservation Easement
Sample Applicant-Landowner Letter of Intent

As part of the application process, the Applicant-Landowner Letter of Intent serves to document details of the proposed transaction and the intent to pursue the purchase of agricultural conservation easement. Land trusts or other applicants may use different terminology or formats. The Letter of Intent is customized to the property under consideration, and to the parties involved in the easement transaction. All landowners listed on title must sign the letter of intent.

Letters must include the following items:

1. Landowner’s pursuit of sale of the easement or fee, as applicable, is voluntary;

2. Use of the property will be restricted to agricultural and compatible conservation uses in perpetuity;

3. The landowner is aware of the estimated acquisition value provided to CFCP as the basis for this funding request and understands that the final easement value used to establish CFCP’s contribution to the purchase price of the easement may change upon completion of a full appraisal of the property; and

4. No government agency has conditioned the issuance of an entitlement to use on the proposed acquisition.

For projects where the land proposed to be conserved under easement includes some forest lands, the letter must also indicate that the landowner agrees to the conditions outlined in Civil Code Section 815.11.

The applicant may provide an option agreement in lieu of a letter of intent if the option agreement includes the above information.

A sample Letter of Intent is provided on the next page.

Dear [CFCP]:

This Letter of Intent applies to the proposed purchase of an agricultural conservation easement (Easement) on property located in \_\_\_\_\_ County, as described below. The *[applicant]* (“Land Trust”) and *[landowner]* (“Landowner”) have agreed that the proposed transaction be based on the following preliminary terms and conditions:

1. The property contains approximately X acres and consists of the following assessor’s parcels (APNs): yyy-yy-yyy and yyy-yy-zzz (“Property”). Landowner represents that they are the sole owners of the Property and are fully authorized to sell and convey an Easement on the Property to Land Trust without the approval of any other party, agency, or court.
2. Landowner’s pursuit of the sale of an agricultural conservation easement over the Property is voluntary.
3. The use of the Property will be restricted to agricultural and compatible conservation uses in perpetuity.
4. The Landowner and Land Trust have discussed the estimated acquisition value provided to CFCP as the basis for the CFCP funding request, and the landowner understands that the final easement value used to establish CFCP’s contribution to the purchase price of the easement may change upon completion of a full appraisal of the property.
5. No government agency has conditioned the issuance of an entitlement to use on Landowner’s granting of the Easement.
6. The Easement will designate <?> building envelope(s) in which all residential uses must be located. The Easement will allow <?> future single family residence(s) with a maximum living area that is consistent with grantee’s policies, local building codes, and the surrounding neighborhood.
7. [*For properties that include forest lands only, include the following:* Landowner agrees to the conditions outlined in Civil Code Section 815.11.]
8. *[For local government applicants only, include the following:* The local government applicant has not acquired, nor proposes to acquire, the agricultural conservation easement through the use of eminent domain, unless requested by the owner of the land*]*
9. Land Trust and Landowner agree that this Letter of Intent is not contractually binding on the parties and is only an expression of the intent of the parties to pursue an agricultural conservation easement transaction. This Letter of Intent does not obligate either party to proceed to the completion of the transaction.

Land Trust Landowner

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