



**FARMLAND AND OPEN SPACE  
PRESERVATION PROGRAM**

**Application for Farmland Agreement**

Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, more commonly known as PA 116.

Please print or type. Attach additional sheets as needed. **Please read the Eligibility and Instructions document before filling out this form.**

*Rec'd Equal 8-25-17 PB*  
*110-014-300-025-14*

**OFFICIAL USE ONLY**

Local Governing Body: \_\_\_\_\_

Date Received: \_\_\_\_\_

Application No: \_\_\_\_\_

State: \_\_\_\_\_

Date Received: \_\_\_\_\_

Application No: \_\_\_\_\_

Approved: \_\_\_\_\_ Rejected: \_\_\_\_\_

**ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY  
ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR**

**I. Personal Information:**

1. Name(s) of Applicant: Growing Acres, LLC  
Last First Initial

(If more than two see #15) \_\_\_\_\_  
Last First Initial

Marital status of all individual men listed on application, if more than one, indicate status after each name:

☐ Married ☐ Single

2. Mailing Address: 3121 Wheaton Road, Charlotte, MI 48813  
Street City State Zip Code

3. Telephone Number: (Area Code) ( 517 ) 543-3153

4. Alternative Telephone Number (cell, work, etc.): (Area Code) ( ) \_\_\_\_\_

5. E-mail address: Jeaneen.Smuts@SmutsFarms.com

**II. Property Location (Can be taken from the Deed/Land Contract)**

6. County: Eaton 7. Township, City or Village: Eaton

8. Section No. 14 Town No. 2N Range No. 4W

**III. Legal Information:**

9. Attach a clear copy of the deed, land contract or memorandum of land contract. (See #14)

10. Attach a clear copy of the most recent tax assessment or tax bill with complete tax description of property.

11. Is there a tax lien against the land described above? ☐ Yes ☒ No

If "Yes", please explain circumstances: \_\_\_\_\_

12. Does the applicant own the mineral rights? ☒ Yes ☐ No  
If owned by the applicant, are the mineral rights leased? ☐ Yes ☒ No

Indicate who owns or is leasing rights if other than the applicant: \_\_\_\_\_

Name the types of mineral(s) involved: \_\_\_\_\_

13. Is land cited in the application subject to a lease agreement (other than for mineral rights) permitting a use for something other than agricultural purposes: ☐ Yes ☒ No If "Yes", indicate to whom, for what purpose and the number of acres involved: \_\_\_\_\_

14. Is land being purchased under land contract ☐ Yes ☒ No: If "Yes", indicate vendor (seller):

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
Street City State Zip Code

14a. Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, states that the vendor (seller) must agree to allow the land cited in the application to be enrolled in the program. Please have the land contract sellers sign below. (All sellers must sign).

Land Contract Vendor(s): I, the undersigned, understand and agree to permit the land cited in this application into the Farmland and Open Space Preservation Program.

Date \_\_\_\_\_

Signature of Land Contract Vendor(s) (Seller) \_\_\_\_\_

15. If the applicant is one of the following, please check the appropriate box and complete the following information (if the applicant is not one of the following – please leave blank):

☐ 2 or more persons having a joint or common interest in the land  
☐ Corporation ☒ Limited Liability Company ☐ Partnership  
☐ Estate ☐ Trust ☐ Association

If applicable, list the following: Individual Names if more than 2 Persons; or President, Vice President, Secretary, Treasurer; or Trustee(s); or Members; or Partners; or Estate Representative(s):

Name: Duane Smuts Title: Member

Name: Jeaneen Smuts Title: Member

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

(Additional names may be attached on a separate sheet.)

IV. Land Eligibility Qualifications: Check one and fill out correct section(s)

This application is for:

- ☒ a. 40 acres or more → complete only Section 16 (a thru g);  
☐ b. 5 acres or more but less than 40 acres → complete only Sections 16 and 17; or  
☐ c. a specialty farm → complete only Sections 16 and 18.

16. a. Type of agricultural enterprise (e.g. livestock, cash crops, fruit, etc):

Cash Crop

- b. Total number of acres on this farm: 40.38  
 c. Total number of acres being applied for (if different than above): \_\_\_\_\_  
 d. Acreage in cultivation: 40.38  
 e. Acreage in cleared, fenced, improved pasture, or harvested grassland: \_\_\_\_\_  
 f. All other acres (swamp, woods, etc.): \_\_\_\_\_  
 g. Indicate any structures on the property: (If more than one building, indicate the number of buildings):

No. of Buildings 0 Residence: \_\_\_\_\_ Barn: \_\_\_\_\_ Tool Shed: \_\_\_\_\_  
 Silo: \_\_\_\_\_ Grain Storage Facility: \_\_\_\_\_ Grain Drying Facility: \_\_\_\_\_  
 Poultry House: \_\_\_\_\_ Milking Parlor: \_\_\_\_\_ Milk House: \_\_\_\_\_  
 Other: (Indicate) \_\_\_\_\_

17. To qualify as agricultural land of 5 acres or more but less than 40 acres, the land must produce a minimum average gross annual income of \$200.00 per acre from the sale of agricultural products.

Please provide the average gross annual income per acre of cleared and tillable land during 2 of the last 3 years immediately preceding this application **from the sale of agricultural products** (not from rental income):

\$ \_\_\_\_\_ : \_\_\_\_\_ = \$ \_\_\_\_\_ (per acre)  
 total income total acres of tillable land

18. To qualify as a specialty farm, the land must be designated by the Michigan Department of Agriculture, be 15 acres or more in size, and produce a gross annual income from an agricultural use of \$2,000.00 or more. If a specialty farm, indicate average gross annual income during 2 of the last 3 years immediately preceding application from the sale of agricultural products: \$ \_\_\_\_\_

Please note: specialty farm designation may require an on-the-farm site visit by an MDA staff person.

19. What is the number of years you wish the agreement to run? (Minimum 10 years, maximum 90 years); 90

V. Signature(s):

20. The undersigned declare that this application, including any accompanying informational material, has been examined by them and to the best of their knowledge and belief is true and correct.

(Signature of Applicant)

(Corporate Name, If Applicable)

(Co-owner, If Applicable)

(Signature of Corporate Officer)

(Date)

Authorized Member

(Title)

**ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY  
ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR.**

**RESERVED FOR LOCAL GOVERNMENT USE: CLERK PLEASE COMPLETE SECTIONS I & II**

I. Date Application Received: \_\_\_\_\_ (Note: Local Governing Body has 45 days to take action)

Action by Local Governing Body: Jurisdiction: \_\_\_\_\_

☐ County ☐ Township ☐ City ☐ Village

This application is ☐ approved, ☐ rejected

Date of approval or rejection: \_\_\_\_\_

(If rejected, please attach statement from Local Governing Body indicating reason(s) for rejection.)

Clerk's Signature: \_\_\_\_\_

Property Appraisal: \$\_\_\_\_\_ is the current fair market value of the real property in this application.

II. Please verify the following:

\_\_\_\_\_ Upon filing an application, clerk issues receipt to the landowner indicating date received.

\_\_\_\_\_ Clerk notifies reviewing agencies by forwarding a copy of the application and attachments

Note: Review Agencies have 30 days in which to respond before local governing body can proceed.

\_\_\_\_\_ If rejected, applicant is notified in writing within 10 days stating reason for rejection and the original application, attachments, etc. are returned to the applicant. Applicant then has 30 days to appeal to State Agency.

\_\_\_\_\_ If approved, applicant is notified and the original application, all supportive materials/attachments, and letters of review/comment from reviewing agencies (if provided) are sent to:

**MDA-Farmland and Open Space Program, PO Box 30449, Lansing 48909**

**\*Please do not send multiple copies of applications and/or send additional attachments in separate mailings without first contacting the Farmland Preservation office.**

Please verify the following regarding Reviewing Agencies (sending a copy to reviewing agencies is required):

**COPY SENT TO:**

\_\_\_\_\_ County or Regional Planning Commission

\_\_\_\_\_ Conservation District

\_\_\_\_\_ Township (if county has zoning authority)

\_\_\_\_\_ City (if land is within 3 miles of city boundary)

\_\_\_\_\_ Village (if land is within 1 mile of village boundary)

**Before forwarding to State Agency,  
FINAL APPLICATION SHOULD INCLUDE:**

☒ Copy of Deed or Land Contract (most recent showing current ownership)

☒ Copy of most recent Tax Bill (must include tax description of property)

☒ Map of Farm

☒ Copy of most recent appraisal record

\_\_\_\_\_ Copy of letters from review agencies (if available)

\_\_\_\_\_ Any other applicable documents

**Questions? Please call Farmland Preservation at (517) 373-3328**

076779

EATON COUNTY TREASURER'S CERTIFICATE  
I HEREBY CERTIFY THAT THERE ARE NO TAX LIENS OR  
TITLES HELD BY THE STATE OR ANY INDIVIDUAL AGAINST THE  
WITHIN DESCRIPTION, AND ALL TAXES ON SAID ARE PAID FOR  
FIVE YEARS PREVIOUS TO THE DATE OF THIS INSTRUMENT AS  
APPEARS BY THE RECORDS IN THIS OFFICE EXCEPT AS STATED.

REC'D

NOV 22 11

EATON  
COUNTY

11/23 11  
JILL CONANTON, JR., COUNTY TREASURER  
SOC. 135, ACT 208, 1899 AS AMENDED

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS: That Gary L. Pruden and Sue A. Pruden, husband and wife  
whose address is 5721 Island Hwy., Charlotte, MI 48813

Convey(s) and Warrant(s) to Growing Acres, LLC, a Michigan limited liability company  
whose address is: 3121 N. Wheaton Road, Charlotte, MI 48813

the following described premises situated in the Township of Eaton, County of Eaton and State of  
Michigan, to-wit:

SEE ATTACHED EXHIBIT "A"

Tax Parcel # 23-110-014-300-025-14

Commonly known as: Vacant land on S. Perkey Rd.

for the full consideration of: One Hundred Thousand and 00/100 Dollars (\$100,000.00)

subject to easements, use, building and other restrictions of record, if any; further subject to any liens or  
encumbrances thereon due to the acts or negligence of the grantee since February 1, 2011 that being the  
date of a certain land contract in fulfillment of which this deed is given and accepted

This property may be located within the vicinity of farmland or farm operations. Generally accepted  
agricultural and management practices which may generate noise, dust, odors and other associated  
conditions may be used and are protected by the Michigan right to farm act.

The grantor grants to the grantee the right to make ALL division(s) under Section 108 of the Land Division  
Act, Act No. 288 of the Public Acts of 1967.

Dated: October 27, 2011

Signed and Sealed:

Gary L. Pruden  
Gary L. Pruden

Sue A. Pruden  
Sue A. Pruden

STATE OF MICHIGAN  
COUNTY OF Eaton

The foregoing instrument was acknowledged before me on October 27, 2011, by Gary L. Pruden and Sue  
A. Pruden, husband and wife.

Jennifer R. Wixson  
Print Name: Jennifer R. Wixson  
Notary Public Eaton County, Michigan  
Acting in Eaton County  
My commission expires: 7-6-2017  
File No.: 73193LANS

JENNIFER R. WIXSON  
Notary Public, State of Michigan  
County of Eaton  
My Commission Expires 7-6-2017  
Acting in the County of Eaton

Drafted by:	Return to:
Gary L. Pruden 5721 Island Hwy. Charlotte, MI 48813	Growing Acres, LLC 3121 Wheaton Rd. Charlotte, MI 48813
County Treasurer's Certificate	City Treasurer's Certificate

73193LANS

Transaction - Watertown < 860.00

Transnation Title Agency  
6452 Millennium Drive, Ste. 140  
Lansing, MI 48917

\$1  
17-  
2

## Exhibit "A"

## Parcel 4:

A parcel of land in the Southwest 1/4 of Section 14, Town 2 North, Range 4 West, Eaton Township, Eaton County, Michigan, the boundary of said parcel described as: Commencing at the Southwest corner of said Section 14; thence North along the West line of said Section 14 a distance of 775.00 feet to the Point of Beginning of this description; thence North continuing along said West line 195.00 feet; thence East perpendicular to said West line 440.00 feet; thence North parallel with said West line 390.00 feet; thence West perpendicular to said West line 440.00 feet to said West line; thence North along said West line 665.40 feet; thence South 89 degrees 22 minutes 21 seconds East parallel with the East-West 1/4 line of said Section 14 a distance of 560.00 feet; thence South parallel with said West line 285.00 feet; thence South 89 degrees 22 minutes 21 seconds East parallel with said East-West 1/4 line 269.00 feet; thence North parallel with said West line 315.00 feet; thence South 89 degrees 22 minutes 21 seconds East parallel with said East-West 1/4 line 496.53 feet to the East line of the West 1/2 of said Southwest 1/4; thence South 00 degrees 01 minutes 18 seconds West along said East line 1724.82 feet; thence North 89 degrees 23 minutes 50 seconds West parallel with South line of said Section 14 a distance of 167.00 feet; thence North 00 degrees 01 minutes 18 seconds East parallel with said East line 400.00 feet; thence North 89 degrees 23 minutes 50 seconds West parallel with said South line 276.00 feet; thence South 00 degrees 01 minutes 18 seconds West parallel with said East line 400.00 feet; thence North 89 degrees 23 minutes 50 seconds West parallel with said South line 531.85 feet; thence North parallel with said West line 198.68 feet; thence West perpendicular to said West line 50.00 feet; thence North parallel with said West line 250.00 feet; thence West perpendicular to said West line 300.00 feet to the Point of Beginning. Except: Part of the West 1/2 of the Southwest 1/4 of Section 14, Town 2 North, Range 4 West, Eaton Township, Eaton County, Michigan, described as: Commencing at the Southwest corner of said Section 14; thence North 00 degrees 00 minutes 00 seconds East 775.00 feet along the West line of said section to the Point of Beginning; thence North 00 degrees 00 minutes 00 seconds East 195.00 feet along said West line; thence North 90 degrees 00 minutes 00 seconds East 440.00 feet; thence South 00 degrees 00 minutes 00 seconds West 195.00 feet; thence South 90 degrees 00 minutes 00 seconds West 440.00 feet to the Point of Beginning.

**S PERKEY RD CHARLOTTE, MI 48813** (Property Address)

Parcel Number: 110-014-300-025-14

**Property Owner: GROWING ACRES, LLC****Summary Information**

&gt; Assessed Value: \$80,700 | Taxable Value: \$57,786 &gt; Property Tax information found

No Images Found

**Owner and Taxpayer Information**

<b>Owner</b>	GROWING ACRES, LLC 3121 WHEATON RD CHARLOTTE, MI 48813	<b>Taxpayer</b>	SEE OWNER INFORMATION
--------------	--	-----------------	-----------------------

**General Information for Tax Year 2017**

<b>Property Class</b>	AGRICULTURAL VACANT, 102	<b>Unit</b>	110,EATON TOWNSHIP
<b>School District</b>	CHARL SCH 23030	<b>Assessed Value</b>	\$80,700
<b>SUB</b>	Not Available	<b>Taxable Value</b>	\$57,786
<b>PA</b>	0	<b>State Equalized Value</b>	\$80,700
<b>SPLITS</b>	Not Available	<b>Date of Last Name Change</b>	11/30/2011
<b>USER ALPHA 3</b>	Not Available	<b>Notes</b>	Not Available
<b>Historical District</b>	Not Available	<b>Census Block Group</b>	Not Available
<b>LOT LINE ADJ</b>	Not Available	<b>Exemption</b>	No Data to Display

**Principal Residence Exemption Information**

Homestead Date 04/20/2006

Qualified Agricultural	June 1st	Final
2017	100.0000 %	100.0000 %

**Land Information**

<b>Zoning Code</b>	LA	<b>Total Acres</b>	40.380
<b>Land Value</b>	Not Available	<b>Land Improvements</b>	\$0
<b>Renaissance Zone</b>	Not Available	<b>Renaissance Zone Expiration Date</b>	Not Available
<b>ECF Neighborhood</b>	Not Available	<b>Mortgage Code</b>	Not Available
<b>Lot Dimensions/Comments</b>	Not Available	<b>Neighborhood Enterprise Zone</b>	No

Lot(s)	Frontage	Depth
No lots found.		
<b>Total Frontage: 0.00 ft</b>		<b>Average Depth: 0.00 ft</b>

**Legal Description**

S 62 ACRES OF W 1/2 OF SW 1/4; EXCEPT COM 591.44 FT S OF W 1/4 COR; E 829 FT; S 315 FT; W 269 FT; N 285 FT; W 560 FT; N 30 FT TO POB; ALSO EXCEPT COM SW COR SEC 14; N0°0'0"E 775 FT; E 300 FT; S 250 FT; E 50 FT; S 198.68 FT; S89°23'50"E 531.86; N0°0'18"E 400 FT; S89°23'50"E 276 FT; S0°0'18"W 400 FT; S89°23'50"E 167 FT; S 330 FT; W 974.86 FT TO POB; ALSO EXCEPT COM SW COR; N0°0'0"E 970 FT TO POB; N0°0'0"E 390 FT; N90°0'0"E 440 FT; S0°0'0"W 390 FT; S90°0'0"W 440 FT TO POB. SEC 14, T2N,R4W, EATON TWP. D 10-10-07 R 10-10-07 (ADJUSTMENT) SPLIT FROM 110-014-300-025-04 AND 110-014-300-025-12 FOR 2508.

**Land Division Act Information**

<b>Comments</b>	Split/Comb. on 12/26/2007 completed // SANDYP ADJUSTMENT : Parent Parcel(s): 110-014-300-025-04; Child Parcel(s): 110-014-300-025-14;		
<b>Date of Last Split/Combine</b>	10/10/2007	<b>Number of Splits Left</b>	0
<b>Date Form Filed</b>	No Data to Display	<b>Unallocated Div.s of Parent</b>	0
<b>Date Created</b>	12/26/2007	<b>Unallocated Div.s Transferred</b>	0
<b>Acres of Parent</b>	1.97	<b>Rights Were Transferred</b>	Not Available
<b>Split Number</b>	0	<b>Courtesy Split</b>	Not Available
<b>Parent Parcel</b>	110-014-300-025-04		

**Sale History**

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms of Sale	Libert/ Page
10/27/2011	\$100,000.00	WD	PRUDEN, GARY L/ SUE A	GROWING ACRES, LLC	WARRANTY DEED	2364/1128
01/24/2011	\$0.00	MIS	GROWING ACRES LLC		AFFIDAVIT	2322/1090
01/19/2011	\$0.00	L/C	PRUDEN, GARY L/SUE A	GROWING ACRES LLC	MEMO LAND CONTRACT	2322/1088
01/25/2008	\$1.00	QCD	PRUDEN, GARY L TRUST	PRUDEN, GARY L & SUE A	QUIT CLAIM DEED	2161/877
01/25/2008	\$0.00	MIS	PRUDEN, GARY L/SUE A		AFFIDAVIT	2162/948
01/18/2008	\$1.00	QCD	CRAFT, DENNIS J & STEFANIE L	PRUDEN, GARY L TRUST ETAL	QUIT CLAIM DEED	2161/873
01/18/2008	\$100,000.00	WD	CRAFT, DENNIS J & STEFANIE L	PRUDEN, GARY L/SUE A	WARRANTY DEED	2161/879
01/07/2008	\$1.00	QCD	PRUDEN, JACK & ORAL TRUST	PRUDEN, GARY L TRUST	QUIT CLAIM DEED	2161/875

\*\*Disclaimer: BSA Software provides AccessMyGov.com as a way for municipalities to display information online and is not responsible for the content or accuracy of the data herein. This data is provided for reference only and WITHOUT WARRANTY of any kind, expressed or inferred. Please contact your local municipality if you believe there are errors in the data.

Copyright © 2017 BSA Software, Inc.

# Real Estate Summary Sheet

\*\*\*Information herein deemed reliable but not guaranteed\*\*\*

08/25/2017 9:05 AM

<b>Parcel:</b>	110-014-300-025-14	<b>Current Class:</b>	102.AGRICULTURAL VACANT, 102
<b>Owner's Name:</b>	GROWING ACRES, LLC	<b>Previous Class:</b>	102.AGRICULTURAL VACANT, 102
<b>Property Address:</b>	S PERKEY RD CHARLOTTE, MI 48813	<b>Gov. Unit:</b>	110 110,EATON TOWNSHIP
		<b>SUB</b>	
		<b>School:</b>	23030 CHARL SCH 23030
		<b>Neighborhood:</b>	
<b>Liber/Page:</b>	2364/1128	<b>Created:</b>	12/26/2007
<b>Split:</b>	10/10/2007	<b>Active:</b>	Active
<b>Public Impr.:</b>	None		
<b>Topography:</b>	None		
<b>Mailing Address:</b>	<b>Description:</b>		
GROWING ACRES, LLC 3121 WHEATON RD CHARLOTTE MI 48813	S 62 ACRES OF W 1/2 OF SW 1/4; EXCEPT COM 591.44 FT S OF W 1/4 COR; E 829 FT; S 315 FT; W 269 FT; N 285 FT; W 560 FT; N 30 FT TO POB; ALSO EXCEPT COM SW COR SEC 14; N0°0'0"E 775 FT; E 300 FT; S 250 FT; E 50 FT; S 198.68 FT; S89°23'50"E 531.86; N0°01'18"E 400 FT; S89°23'50"E 276 FT; S0°01'18"W 400 FT; S89°23'50"E 167 FT; S 330 FT; W 974.86 FT TO POB; ALSO EXCPT COM SW COR; N0°0'0"E 970 FT TO POB; N0°0'0"E 390 FT; N90°0'0"E 440 FT; S0°0'0"W 390 FT; S90°0'0"W 440 FT TO POB. SEC 14, T2N,R4W, EATON TWP. D 10-10-07 R 10-10-07 (ADJUSTMENT) SPLIT FROM 110-014-300-025-04 AND 110-014-300-025-12 FOR 2008.		

## Most Recent Sale Information

Sold on 10/27/2011 for 100,000 by PRUDEN, GARY L/ SUE A.

**Terms of Sale:** WARRANTY DEED

**Liber/Page:** 2364/1128

## Most Recent Permit Information

None Found

## Physical Property Characteristics

<b>2018 S.E.V.:</b>	80,700	<b>2018 Taxable:</b>	57,786	<b>Lot Dimensions:</b>	
<b>2017 S.E.V.:</b>	80,700	<b>2017 Taxable:</b>	57,786	<b>Acreage:</b>	40.38
<b>Zoning:</b>	LA	<b>Land Value:</b>	0	<b>Frontage:</b>	0.0
<b>PRE:</b>	100.000 (Qual. Ag.)	<b>Land Impr. Value:</b>	0	<b>Average Depth:</b>	0.0

## Improvement Data

None

Growing Acres  
110-014-300-025-14

