



**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.**

100-023-400-080-02  
Rec'd 9-12-17 PB.

**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: Carmel

8. Section No. 23 Town No. 2N Range No. 5W

**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 (sellers):

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 (sellers) 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: 138.83  
 c. Total number of acres being applied for (if different than above): \_\_\_\_\_  
 d. Acreage in cultivation: 124.28  
 e. Acreage in cleared, fenced, improved pasture, or harvested grassland: \_\_\_\_\_  
 f. All other acres (swamp, woods, etc.) 14.05  
 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)

8-2-2017  
(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

Township  
will take  
to Board  
(has copy)



EATON COUNTY  
SEPTEMBER 03, 2013  
RECEIPT # 13020040

STATE OF MICHIGAN  
REAL ESTATE  
TRANSFER TAX

\$825.00 - CO  
\$5,625.00 - ST  
STAMP # 25644

LIBER 2483 PAGE 0087 1 of 3  
STATE OF MICHIGAN - EATON COUNTY  
RECEIVED: 09/03/2013 10:55:00 AM Receipt #13020040  
RECORDED: 09/03/2013 02:59:59 PM D.WO  
DIANA BOSWORTH, CLERK/REGISTER OF DEEDS

118560

EATON COUNTY TREASURERS 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 SAME ARE PAID FOR  
FIVE YEARS PREVIOUS TO THE DATE OF THIS INSTRUMENT AS  
APPEARS BY THE RECORDS IN THIS OFFICE EXCEPT AS STATED.

9-3 20 13 ROBERT A. ROBINSON, COUNTY TREASURER  
SOC. 135, ACT 286, 1967 AS AMENDED

## WARRANTY DEED

### THE GRANTOR(S)

The Fred C. Good Living Trust dated November 8, 1999  
as to an undivided half interest, of 1144 W. Kalamo  
Hwy, Charlotte, MI 48813, and  
The Judith L. Good Living Trust dated November 8,  
1999 as to an undivided half interest, of 1144 W.  
Kalamo Hwy., Charlotte, MI 48813,

### CONVEY(S) AND WARRANT(S) TO THE GRANTEE(S)

Growing Acres, LLC, a Michigan limited liability  
Company, of 3121 N. Wheaton Rd., Charlotte, MI  
48813,

the real estate situated in the Township of Carmel, Eaton County, Michigan, more fully  
described on **Exhibit A** attached to this Deed, together with all improvements, fixtures,  
easements, hereditaments, and appurtenances associated with the real estate ("**Property**"),  
subject to easements, restrictions, interests, reservations of record, and taxes and assessments not  
yet due and payable.

The Grantor grants to the Grantee the right to make \_\_\_\_\_ division(s) under Section 108 of the  
Land Division Act, Act No. 288 of the Public Acts of 1967, as amended.

This property may be located within the vicinity of farmland or a farm operation. 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.

This deed is given in consideration of Seven Hundred Fifty Thousand and 00/100 Dollars  
(\$750,000.00).

\*\*\*

7-10-11-12

8-11-12

8/16/9

This deed is dated: August 23, 2013.

GRANTOR(S): The Fred C. Good Living Trust dated November 8, 1999, as to an undivided half interest

Fred C. Good  
By: Fred C. Good, as Trustee

Judith L. Good  
By: Judith L. Good, as Trustee

The Judith L. Good Living Trust dated November 8, 1999, as to an undivided half interest

Judith L. Good  
By: Judith L. Good, as Trustee

Fred C. Good  
By: Fred C. Good, as Trustee

STATE OF MICHIGAN )

)ss:

COUNTY OF EATON )

Acknowledged before me in Eaton County, Michigan on August 23, 2013, by The Fred C. Good Living Trust dated November 8, 1999 by Fred C. Good, as Trustee and Judith L. Good, as Trustee and The Judith L. Good Living Trust dated November 8, 1999 by Judith L. Good, as Trustee and Fred C. Good, as Trustee

STACY LABADIE  
Notary Public, State of Michigan  
County of Eaton  
My Commission Expires: September 8, 2017  
Acting in the County of Eaton

Stacy Labadie  
Notary Name: \_\_\_\_\_  
Notary public, State of Michigan, County of \_\_\_\_\_  
My commission expires \_\_\_\_\_  
Acting in the County of Eaton

PREPARED AT THE DIRECTION OF THE  
GRANTOR BY (AND RETURN TO):

Stacy Labadie  
Sun Title Agency of Michigan LLC  
1410 Plainfield Ave., N.E.  
Grand Rapids, Michigan 49505  
P81669

**EXHIBIT A****Property**

Land situated in the Township of Carmel, Eaton County, Michigan:

The Southeast quarter of Section 23, Town 2 North, Range 5 West, EXCEPTING 41 rods North and South by 47 rods East and West in the Southwest corner thereof, ALSO EXCEPTING commencing at the Northwest corner of the Northwest quarter of the Southeast quarter of Section 23; thence East 660 feet along the quarter line; thence South 30 rods; thence West to a point 422 feet South of the place of beginning; thence North to the place of beginning

23-100-023-400-080-00

Commonly known as: 1144 W. Kalamo Hwy, Charlotte, MI 48813

The property address and tax parcel are provided solely for informational purposes, without warranty as to accuracy or completeness. If inconsistent in any way with the legal description listed above, the legal description listed above shall control.

**W KALAMO HWY** CHARLOTTE, MI 48813 (Property Address)Parcel Number: 100-023-400-080-02 [Click here to view local unit data for this parcel](#)**Property Owner:** GROWING ACRES LLC**Summary Information**

&gt; Assessed Value: \$221,265 | Taxable Value: \$84,971

No Images Found

## Owner and Taxpayer Information

<b>Owner</b>	GROWING ACRES LLC 3121 N WHEATON RD CHARLOTTE, MI 48813-0000	<b>Taxpayer</b>	SEE OWNER INFORMATION
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## General Information for Tax Year 2017

<b>Property Class</b>	AGRICULTURAL VACANT, 102	<b>Unit</b>	100, CARMEL TOWNSHIP
<b>School District</b>	CHARL SCH 23030	<b>Assessed Value</b>	\$221,265
<b>SUB</b>	Not Available	<b>Taxable Value</b>	\$84,971
<b>PA</b>	0	<b>State Equalized Value</b>	\$221,265
<b>SPLITS</b>	Not Available	<b>Date of Last Name Change</b>	09/30/2016
<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** 11/13/2016

Qualified Agricultural	June 1st	Final
2017	100.0000 %	100.0000 %

## Land Information

<b>Zoning Code</b>	LA	<b>Total Acres</b>	138.830
<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

  

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

## Legal Description

SE 1/4, EXCEPT W 47 RODS OF S 41 RODS & EXCEPT COM AT NW CORNER, E 660 FT, S 30 RODS, WLY TO A POINT 422 FT S OF BEG, N TO BEG ALSO EXCEPT COM SE COR SEC 23, W 684 83 FT TO POB; W 331.16 FT; N 302 84 FT, N89°40'27"E 291.32 FT; S07°27'16"E 307.09 FT TO POB, SEC. 23, T2N, R5W, CARMEL TWP. D 8-3 16 R 8-5-16 (APPROVED)

## Land Division Act Information

<b>Comments</b>	Split/Comb. on 09/30/2016 completed 09/30/2016 sspifer SPLIT ; Parent Parcel(s): 100-023-400-080-00; Child Parcel(s): 100-023-400-080-01, 100-023-400-080-02;		
<b>Date of Last Split/Combine</b>	08/03/2016	<b>Number of Splits Left</b>	14
<b>Date Form Filed</b>	No Data to Display	<b>Unallocated Div.s of Parent</b>	0
<b>Date Created</b>	09/30/2016	<b>Unallocated Div.s Transferred</b>	0
<b>Acresage of Parent</b>	141.00	<b>Rights Were Transferred</b>	Not Available
<b>Split Number</b>	1110	<b>Courtesy Split</b>	Not Available
<b>Parent Parcel</b>	100-023-400-080-00		

## Sale History

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms of Sale	Liber/Page
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Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms of Sale	Order/Page
No sales history found.						

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## Account Detail

Report Date/Time: 07/11/17 11:52 AM CDT

Customer Name : 9705798 - SMUTS FARMS LLC  
Financial Institution : 45 GREENSTONE FCS, ACA

## Real Estate Loan Details

Account : 141 ACRES WITH HOME-7754559500  
Balance : 405,458.74  
Interest Rate : 5.5000  
Date Due : 10/01/17

Available (\$) : 0.00  
Interest Balance : 17,344.61  
Amount Due (\$) : 47,045.07  
Customer : GROWING ACRES, LLC

Current Through : 07/10/17  
Available Loan and Investment Bal : 0.00  
Line of Credit Remaining : 0.00  
Interest Balance : 17,344.61  
Billed or Estimated : Estimated  
Next Payment Date : 10/01/17  
Billed/Estimated Principal : 24,744.84  
Billed/Estimated Interest : 22,300.23  
Principal Past Due : 0.00  
Interest Past Due : 0.00  
Late Charges : 0.00  
Estimated Total Payment : 47,045.07

Interest You Paid YTD : 0.00  
Interest You Earned YTD : 0.00  
Interest You Paid Prior Year : 28,388.48  
Interest Rate : 5.5000  
Daily Interest : 61.9450  
Maturity Date : 10/01/28  
Reprice Date : N/A  
Payment Frequency : Annually  
Tax/Insurance Escrow : 0.00  
Tax/Insurance Escrow Interest : 0.00  
Other Escrow : 0.00  
Other Escrow Interest : 0.00

--- End of Report ---

Growing Acres Good property

141 A



CARLISLE HWY

BULLING LN

OAK DR

RABBIT RUN

100-023-400-080-02  
GA, LLC

LOREN DR

MIKE SELL ST

MIKE SELL ST

DEYNOLD DR



Legend  
Click Map for Info  
Parcel Lines  
**RGB**  
Red: Band\_1  
Green: Band\_2  
Blue: Band\_3  
Townships  
**RGB**  
Red: Band\_1  
Green: Band\_2  
Blue: Band\_3  
Section Lines  
**RGB**  
Red: Band\_1  
Green: Band\_2  
Blue: Band\_3  
Section Numbers  
**RGB**  
Red: Band\_1  
Green: Band\_2  
Blue: Band\_3



# Carmel Sec 23



100-083-400-088-02  
Grassie Acres.

# Real Estate Summary Sheet

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

09/12/2017 1:15 PM

**Parcel:** 100-023-400-080-02  
**Owner's Name:** GROWING ACRES LLC  
**Property Address:** W KALAMO HWY  
CHARLOTTE, MI 48813

**Current Class:** 102.AGRICULTURAL VACANT, 102  
**Previous Class:** 102.AGRICULTURAL VACANT, 102  
**Gov. Unit:** 100 100,CARMEL TOWNSHIP  
**SUB**  
**School:** 23030 CHARL SCH 23030  
**Neighborhood:**

**Liber/Page:** 2619/834 **Created:** 09/30/2016  
**Split:** 08/03/2016 **Active:** Active

**Public Impr.:** None  
**Topography:** None

**Mailing Address:**

GROWING ACRES LLC  
3121 N WHEATON RD  
CHARLOTTE MI 48813-0000

**Description:**

SE 1/4, EXCEPT W 47 RODS OF S 41 RODS & EXCEPT COM AT NW CORNER, E 660 FT, S 30 RODS, WLY TO A POINT 422 FT S OF BEG, N TO BEG ALSO EXCEPT COM SE COR SEC 23; W 684.83 FT TO POB; W 331.16 FT; N 302.84 FT; N89°40'27"E 291.32 FT; S07°27'16"E 307.09 FT TO POB. SEC. 23, T2N, R5W, CARMEL TWP. D 8-3-16 R 8-5-16 (APPROVED)

## Most Recent Sale Information

None Found

## Most Recent Permit Information

None Found

## Physical Property Characteristics

<b>2018 S.E.V.:</b>	221,265	<b>2018 Taxable:</b>	84,971	<b>Lot Dimensions:</b>	
<b>2017 S.E.V.:</b>	221,265	<b>2017 Taxable:</b>	84,971	<b>Acreage:</b>	138.83
<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