

Wisconsin Dept. of
Agriculture Trade and
Consumer Protection
Agricultural Resource
Management Division
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ARM-LWR 411 (3/2005)



CONVERSION of COUNTY CREP 15 YEAR AGREEMENT TO A PERPETUAL CONSERVATION EASEMENT



REQUIREMENTS

Converting your CREP 15 Year Agreement to a Perpetual Conservation Easement requires the owner(s) of the land to possess a Farm Service Agency (FSA-USDA) active CRP contract and a CREP 15 Year Agreement with the County.

Contact the county USDA-FSA or Land Conservation Department for information on your CREP/ CRP contract. If the lands to be enrolled into CREP have an active CRP contract and have NOT been sold or otherwise transferred you can begin the process by contacting your county Land Conservation Department. The applicant converting the CREP to a perpetual conservation easement must own the land to be converted into the conservation easement.

ELIGIBLE LANDS

Landowners may convert any part of an active USDA-FSA CRP contract contracted CREP 15 Year Agreement into a perpetual conservation easement.

CAN I ENROLL MORE LANDS ?

Yes. If there is a resource concern and all eligibility determinations are met then additional lands can be added to the conservation easement and recorded under the one document. If you would like to enroll additional lands into CREP under a 15 Year Agreement or Perpetual Conservation Easement then contact your county USDA-FSA agent.

TITLE-SEARCH

Prior to requesting a title search it is advised that you contact the mortgage holder if the property has a mortgage. The mortgage holder must sign the State

CREP Application because the mortgage holder is required to sign the easement document. Notification of the mortgage holder prevents misunderstandings when it comes time to sign the easement documents.

Upon signing the ARM-LWR 209 form (State CREP Application) and a W-9 form, contact a title company and give them the CREP Title Search Contracting Request Form (last page of the CREP application). On this form specify the location of the lands to be searched by indicating the tax parcel numbers, Township, Range and ¼ ¼ Section. Attorney fees are reimbursable if the attorney is used to create a title opinion or update an abstract. Upon recording of the easement document DATCP reimburses the owner for all eligible costs associated with the title search and recording.

SIGNING THE EASEMENT DOCUMENTS

All owners listed on the deed must sign the easement documents as well as the mortgage holder and any other lien holders if present. Land Contract holders must also sign, as well as appropriate parties associated with a mineral rights claim. All documents must be notarized, any errors discovered will delay the execution of the easement and consequently delay payment.

INCENTIVE PAYMENT

All payments for converting a CREP 15 Year Agreement to a Perpetual Conservation Easement will utilize the rental rate from the USDA-FSA CRP-2C form.

Upon obtaining all the required signatures the CREP easement document is recorded and the original is returned to DATCP. Upon receiving the recorded

document, DATCP creates a two party check in the name of the landowner and the county. If paid receipts are submitted for the title search and other expenses, the landowner will be reimbursed at the time the incentive payment is made. Payments can be made incrementally up to 4 years if requested. Payments for Perpetual Conservation Easements can be made specifically to the landowner only.

ESTIMATING CONVERSION

EXAMPLE 1-A:

This estimation uses 3.5 acres of CP-21 in a CREP 15 Year Agreement at a rental rate of \$86.10.

PREVIOUS PAYMENT

3.5 x \$86.10 x 1.5 (15 year rate) = **\$452.02**

EASEMENT CALCULATION

3.5 x \$86.10 x 10.5 (Conversion Easement rate) = **\$3,164.18**

EASEMENT INCENTIVE CALCULATION

Easement incentive payable:	\$ 3,164.18
Title-search (average estimated)	\$150.00
Recording fees (average estimated)	\$32.00
TOTAL EASEMENT PAYMENT	<u>\$3,346.18</u>

NOTE: Cost sharing is NOT included as part of the incentive payment calculation.

ESTIMATE YOUR OWN PAYMENT

EASEMENT CALCULATION

_____ x _____ x 10.5 = \$ _____
 acres (Rental Rate)

NEW CREP AREA(S)

_____ x _____ x 12 = \$ _____
 acres (Rental Rate)

_____ x _____ x 12 = \$ _____
 acres (Rental Rate)

_____ x _____ x 12 = \$ _____
 acres (Rental Rate)

_____ x _____ x 12 = \$ _____
 acres (Rental Rate)

EASEMENT INCENTIVE CALCULATION

Estimated Total Easement incentive payable: \$ _____

NOTE: Use (10.5) for previously paid agreement acres and (12) for NEW Easement acres.