

HOUSE FOR THE USE OF THE ONLY THAT OWNER WHO ORIGINALLY SOLD AN EASEMENT TO THE FOUNDATION AND MAY ALLOW THE OWNER TO CONVEY, FREE OF THE EASEMENT RESTRICTIONS, NOT MORE THAN 1 ACRE FOR EACH 50 ACRES OR LESS AT A MAXIMUM DENSITY OF NOT MORE THAN 1 ACRE FOR EACH 20 ACRES OR PORTION THEREOF NOT TO EXCEED 10 LOTS OF 1 ACRE OR LESS ON ANY FARM PARCEL, SUBJECT TO THE EASEMENT TO ANY CHILD OF THE OWNER FOR THE PURPOSE OF CONSTRUCTING A DWELLING HOUSE INTENDED FOR USE BY THAT CHILD. THE OWNER SHALL PAY THE STATE FOR THE RELEASE OF THE EASEMENT OR FOR THE BENEFIT OF CONVEYING FREE OF THE EASEMENT RESTRICTIONS AT THE PRICE PER ACRE THAT THE STATE PAID THE OWNER FOR THE GRANT OF THE EASEMENT. THE OWNER OR THE CHILD MAY NOT FURTHER SUBDIVIDE THE ACREAGE, AND THE CONVEYANCE OR RELEASE does not constitute a residential subdivision for commercial purposes. Before any RELEASE OR conveyance is made pursuant to this subsection, an owner, AND THE CHILD IF THERE IS A CONVEYANCE TO THE CHILD, shall agree with the foundation not to subdivide any land conveyed. [This] THE agreement shall be recorded among the land records where the land is located and shall bind all future owners. The owner also may construct housing for tenants fully engaged in operation of the farm, but this construction may not exceed one tenant house per 100 acres. THE LAND ON WHICH A TENANT HOUSE IS CONSTRUCTED MAY NOT BE SUBDIVIDED OR CONVEYED TO ANY PERSON. IN ADDITION, THE TENANT HOUSE MAY NOT BE CONVEYED SEPARATELY FROM THE ORIGINAL PARCEL. FOR PURPOSES OF THIS PARAGRAPH, IF THE OWNER IS A BUSINESS ENTITY PRIMARILY ENGAGED IN AGRICULTURAL ACTIVITIES, THE TERM "CHILD" MEANS A CHILD OF ANY PARTNER, MEMBER, OR SHAREHOLDER, AS THE CASE MAY BE.

(2) On request to the foundation, an owner may exclude from the easement restrictions 1 acre per each single dwelling, which existed at the time of the sale of the easement, by a land survey and recordation provided at the expense of the owner. However, before any exclusion is granted, an owner shall agree with the foundation not to subdivide each acre excluded. This agreement shall be recorded among the land records where the land is located and shall bind all future owners.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1982.

Approved June 1, 1982.

CHAPTER 614

(House Bill 422)

AN ACT concerning