

2-509.

(b) (4) (I) Within 120 days after the receipt of the petition, the county governing body shall render a decision as to whether or not the petition shall be recommended to the Foundation for approval.

[(i)] (II) If the county governing body decides to recommend approval of the petition, it shall so notify the Foundation and forward to the Foundation the petition and all accompanying materials, including the recommendations of the advisory board and county planning and zoning body.

[(ii)] (III) If the county governing body recommends denial of the petition, it shall so inform the Foundation and the petitioners.

(7) (I) If the Foundation approves the petition, the agricultural district shall be established by an ordinance of the county governing body, however, the establishment shall not take effect until all landowners in the proposed district have executed and recorded along with land records an agreement with the Foundation stipulating that for a period of five years from the establishment of the agricultural district, the landowner agrees to keep his land in agricultural use and has the right to offer to sell an easement for development rights on his land to the Foundation under the provisions of this subtitle.

[(i)] (II) In the event of severe economic hardship the Foundation, with the concurrence of the county governing body, may release the landowner's property from the agricultural district. Any person aggrieved by a decision of the Foundation regarding a determination of severe economic hardship is entitled to judicial review.

[(ii)] (III) Nothing in this section shall preclude the landowner from selling his property.

DRAFTER'S NOTE:

Error: Stylistic errors in § 2-509(b)(4) and (7) of the Agriculture Article.

Occurred: Ch. 883, Acts of 1977.

2-510.

(k) (1) At the time of settlement of the purchase of an easement, the landowner and the Foundation may agree upon and establish a schedule of payment such that the landowner may receive consideration for the easement in a lump sum, in installments over a period of up to 10 years from the date of settlement, or as provided in an installment purchase agreement under paragraph [(2)] (3) of this subsection. At the time of settlement, the Foundation shall notify in writing each landowner who sells an agricultural easement to the Foundation of the schedule of anticipated ranges of interest rates to be paid on any unpaid balance after the date of settlement.