

constructing a dwelling house for the use only of that landowner or child of the landowner, up to a maximum of three lots, subject to the following conditions:

(vi) Any release or preliminary release issued under this paragraph shall include:

1. A statement of the conditions under which it was issued, a certification by the Foundation that all necessary conditions for release or preliminary release have been met, and copies of any pertinent documents; [and]

2. A STATEMENT BY THE LANDOWNER OR CHILD OF THE LANDOWNER THAT ACKNOWLEDGES THAT ~~ADJACENT~~:

A. ADJACENT FARMLAND THAT IS SUBJECT TO AN AGRICULTURAL LAND PRESERVATION EASEMENT MAY BE USED FOR ANY AGRICULTURAL PURPOSE ~~THAT DOES NOT ENDANGER HUMAN HEALTH OR SAFETY, OR VIOLATE FEDERAL, STATE, OR LOCAL LAW~~ AND MAY INTERFERE WITH THE USE AND ENJOYMENT OF THE PROPERTY THROUGH NOISE, ODOR, VIBRATION, FUMES, DUST, GLARE, OR OTHER INTERFERENCE;

B. THERE IS NO RECOURSE AGAINST THE EFFECTS OF ANY NORMAL AGRICULTURAL OPERATION PERFORMED IN ACCORDANCE WITH GOOD HUSBANDRY PRACTICES; AND

C. ACKNOWLEDGMENTS MADE UNDER ITEMS A AND B OF THIS ITEM ARE BINDING TO ANY SUCCESSOR OR ASSIGN OF THE LANDOWNER OR CHILD; AND

[2.] 3. A statement that the owner's or child's lot may not be transferred for 5 years from the date of the final release, except on:

A. Approval by the Foundation; or

B. Notwithstanding any conditions on transfers imposed under item 1 of this subparagraph, a lender providing notice to the Foundation of a transfer pursuant to a bona fide foreclosure of a mortgage or deed of trust or to a deed in lieu of foreclosure.

(6) (i) The restrictions of paragraphs (2) and (5) of this subsection concerning maximum lot sizes are altered so that the maximum lot size is [2 acres if]:

1. [Regulations] AS DETERMINED BY THE DEPARTMENT OF THE ENVIRONMENT IN ACCORDANCE WITH REGULATIONS