

ATTACHMENT "A"
Vermont Land Trust, Inc. - Berthiaume Farm

PROJECT SUMMARY:

This project involves property known as the Berthiaume Farm, located in Fairfax, Franklin County and includes approximately 206 acres.

GRANT CONDITIONS:

Special Conditions:

1. Disbursement of funds is contingent upon receipt by the Vermont Housing and Conservation Board of funds appropriated by the Vermont General Assembly for Fiscal Year 2016 (July 1, 2015 to June 30, 2016) at a funding level of \$13,954,840 and upon the signing of a Cooperative Agreement between VHCB and NRCS obligating FFY15 federal farmland protection funds.
2. Prior to or at closing on the development rights, the property shall transfer to James and Dawn Blodgett.
3. The easement shall include the Option to Purchase at Agricultural Value.
4. The easement shall exclude two woodland parcels of 77 and 46 acres.
5. If required as a condition of the federal ALE funding, a survey of the excluded parcels must be completed prior to closing.
6. The easement shall contain an 8-acre building envelope.
7. The easement shall contain the sole discretion farm labor housing provision.
8. The easement shall include a 12-acre surface water protection zone (SWPZ).
9. The easement may allow construction of one seasonal camp not to exceed 600 square feet, provided that the structure is located on non-agricultural land, but not in the SWPZ.
10. Prior to disbursement the Grantee shall report to VHCB staff satisfaction on the response to the project by town officials and by the regional planning commission.
11. Since VHCB plans to use federal funds from the Natural Resources Conservation Service (NRCS) Agricultural Land Easement Program (ALE) for a portion of the cost of this project, the following NRCS conditions are included to encourage the sustainable management of soil resources on the farm, to protect water quality, and to comply with NRCS requirements. Prior to disbursement of VHCB funds:
 - a. NRCS state office staff will verify that the landowners are eligible to receive

- ALE funds and are in compliance with Highly Erodible Land and Wetland requirements;
- b. NRCS state office staff will conduct a hazardous materials review of the project;
 - c. VHCB staff will submit a copy of the appraisal to the NRCS state office for an administrative or technical review. The review must be completed and the report accepted prior to disbursement.
 - d. Grantee will submit closing documents to NRCS staff 90 days before the expected closing; NRCS staff will review closing documents.
 - e. Grantee will submit a real estate title report to the NRCS state office for review.
 - f. If the project includes contiguous forest that exceeds the greater of 40 acres or 20 percent of the easement area, prior to closing, Grantee will submit documentation that a forest management plan written to the Use Value Appraisal Program's standards or to NRCS standards has been approved by the County Forester or by NRCS.
 - g. The landowners will sign a Grant of Development Rights and Conservation Restrictions approved by NRCS which includes the objective of encouraging sustainable management of soil resources on the farm, requires that highly erodible cropland be managed in accordance with an HEL Conservation Plan approved by NRCS and gives the United States certain rights to enforce if VHCB does not.
 - h. Prior to closing, NRCS will complete an ALE management plan acceptable to the landowner, which will be signed by both NRCS and the landowner. The easement co-holders will review and accept the plan prior to closing.
 - i. If VHCB receives certified entity status prior to closing this project, conditions c. d. and e. may be waived or modified.

Standard Conditions

1. The landowner shall agree to execute a VHCB standard Grant of Development Rights, Conservation Restrictions and Right of First Refusal (the "Conservation Easement"), which will be co-held by VHCB, the Vermont Agency of Agriculture, Grantee and, in the discretion of VHCB staff, another nonprofit conservation organization. Any changes in the standard form/model easement and all non-standard provisions must be approved by VHCB staff. The Conservation Easement shall be superior to all liens and mortgages on the property or other interests of record which VHCB staff determines to be inconsistent with the purposes of the Conservation Easement.
2. Grantee shall provide VHCB with copies of all documents relevant to the amount and conditions of this award. Any changes in the budget for the project must be reviewed and approved by VHCB staff prior to closing. VHCB reserves the right to reduce or change the terms of this award if Grantee receives additional funding for the project that was not included in the budget submitted prior to VHCB Board action or if total project costs are less than anticipated at the time of VHCB Board action.