

Conservation Easement Closing Certification

The New York State Department of Agriculture and Markets (“Department”) has awarded funds to *{FPIG awardee}* _____ for the purchase of a conservation easement on the *{name}* _____ farm pursuant to grant agreement *{FPIG contract number}* _____ between the *{FPIG awardee}* _____ and the Department.

By signing below I, as the **Project Manager**, certify the following:

- Department funds will be used solely for acquiring and paying the costs associated with the acquisition of a Conservation Easement on the *{name}* _____ farm as set forth on the attached budget that was approved by the Department on *{date}* _____.
- Department funds due to or to be paid on behalf of the landowner shall only be paid to: (1) the landowner, provided such payment is only for itemized expenses associated with this FPIG project; (2) Mortgagee, provided such payment is only for the subject property; or (3) for paying property taxes on subject property. If applicable, any other expenditure on behalf of the landowner has been pre-approved by the Department as documented in the attached correspondence between myself and the Department’s FPIG Program Manager.
- The property is in the same condition as documented in the Baseline Documentation report, dated *{insert date}* _____, and that I have no knowledge of any new or changed land use issue from those that were identified during the course of the Department’s review of the project file associated with the *{name}* _____ farm. If, after Department approval of this project file on *{date}* _____, I had become aware of any new or changed land use issue, I would have immediately informed the Department’s FPIG Program Manager to discuss such matters and to receive the Department’s approval to proceed with the closing of this conservation easement transaction and disbursement of funds in accordance with the FPIG project budget that was a part of the project file as approved by the Department on *{date}* _____.
- The Baseline Documentation Report is complete and signed.
- I will provide a closing report including a fully executed FPIG Closing Statement spreadsheet (including all supporting documentation noted thereon); a final title policy; recording information for and copies of any subordination agreements, releases, and any other pertinent documents that were recorded; the recorded conservation easement; and any other requirements set forth in grant agreement *{FPIG contract number}* _____.

Dated: _____

[Project Manager]

PRINT NAME: _____

By signing below I, as the **Project Attorney**, certify the following:

- All covenants, easements, restrictions, conditions or agreements of record that are inconsistent with the conveyance of clear title to each such Conservation Easement shall be satisfied, released, or subordinated at or prior to closing.
- A title “stub search” will be conducted as of the date of the closing to ensure that no additional title matters have arisen since the time of the title commitment; title insurance has been obtained in an amount at least equal to the FPIG award; and there are no additional exceptions or any modifications to the exceptions to coverage that were previously approved by the Department on *{date}*_____.
- The Survey is properly signed and will be recorded.
- Property taxes will be paid in full.
- All appropriate documents will be filed with the County Clerk’s Office.
- I will inform the Department’s FPIG Program Manger (“Program Manager”) of the time and location of the proposed closing and will inform the Program Manger immediately if the closing does not occur as scheduled.

Dated: _____
[Project Attorney]

PRINT NAME: _____