

WENDY M. WELFLEY
PERRY COUNTY RECORDER OF DEEDS
2 East Main Street
New Bloomfield, Pennsylvania 17068
(717) 582-2131



Recorded On 3/12/2007 At 10:47:58 AM

- * Instrument Type - DEED
- Invoice Number - 56805
- * Grantor - THOMAS, GENE A
- * Grantee - PERRY COUNTY
- * Customer - WILLIAM R BUNT ESQ

* FEES	
STATE WRIT TAX	\$0.50
JCS/ACCESS TO JUSTICE	\$10.00
RECORDING FEES -	\$35.00
RECORDER OF DEEDS	
AFFORDABLE HOUSING	\$10.00
COUNTY ARCHIVES FEE	\$2.00
RECORDER'S ARCHIVES FEE	\$0.50
- TO COUNTY	
RECORDER IMPROVEMENT	\$2.50
FUND - TO OFFICE	
TOTAL PAID	\$60.50

* Total Pages - 16


This is a certification page

DO NOT DETACH

This page is now part
of this legal document.

* RETURN DOCUMENT TO:
WILLIAM R BUNT ESQ

I hereby CERTIFY that this document is
recorded in the Recorder of Deeds Office
of Perry County, Pennsylvania.


P.O. Box 223
New Bloomfield, PA 17068



* - Information denoted by an asterisk may change during
the verification process and may not be reflected on this page.

Instrument Number: 200702117

005A70



Prepared By:

Return To:

UPI#

DPERCOUNTY-ONLY (6-2006) EXHIBIT "C"

**DEED OF AGRICULTURAL CONSERVATION EASEMENT
TO A COUNTY IN PERPETUITY**

THIS DEED OF AGRICULTURAL CONSERVATION EASEMENT, made this 9th day of March, 2007, by and between Gene A. Thomas (hereinafter, "Grantor") and the County of Perry, Pennsylvania by and through its Agricultural Land Preservation Board (hereinafter, "Grantee") is made pursuant to the Agricultural Area Security Law (P.L. 128, No. 43) as amended (hereinafter "Act") is made pursuant to the Act.

WHEREAS, Grantor is the sole owner of all that certain land situate in Oliver Township, Perry County, Pennsylvania more particularly described in Exhibit "A" attached hereto consisting of 33.477 acres and all buildings and improvements erected thereon ("the subject land");

AND WHEREAS, the said County Agricultural Land Preservation Board has determined to purchase an agricultural conservation easement in the subject land pursuant to the Act;

AND WHEREAS, all holders of liens or other encumbrances upon the subject land have agreed to release or subordinate their interests in the subject land to this Deed of Agricultural Conservation Easement and to refrain from any action inconsistent with its purpose;

NOW THEREFORE, in consideration of the sum of \$ 1.00 dollars, the receipt and sufficiency of which is hereby acknowledged, Grantor does voluntarily grant, bargain and sell, and convey to the County of Perry, Pennsylvania (through its Agricultural Land Preservation Board), its successors and assigns (hereinafter, "Grantee") and Grantee voluntarily accepts, an agricultural conservation easement in the subject land, under and subject to the Act and to the following terms and conditions:

1. Permitted Acts - During the term of the agricultural conservation easement conveyed herein, the subject land shall be used solely for the production for commercial purposes of crops, equine, livestock and livestock products, including the processing or retail marketing of such crops, equine, livestock or livestock products if more than fifty percent of such processed or merchandised products are produced on the subject land (hereinafter "agricultural production"). For purpose of this Deed, "crops, equine, livestock and livestock products" include, but are not limited to:

- (a) Field crops, including corn, wheat, oats, rye, barley, soybeans, speltz, buckwheat, hay, potatoes and dry beans;
- (b) Fruits, including apples, peaches, grapes, cherries, pears, and berries;
- (c) Vegetables, including tomatoes, pumpkins, snap beans, cabbage, carrots, beets, onions, sweet corn, and mushrooms;
- (d) Horticultural specialties, including nursery stock ornamental shrubs, ornamental trees and flowers;
- (e) Livestock and livestock products, including cattle, sheep, hogs, goats, horses, poultry, furbearing animals, milk, eggs and furs;
- (f) Timber, wood, and other wood products derived from trees; and
- (g) Aquatic plants and animals and their byproducts.
- (h) Commercial equine activity including boarding of equine, training of equine, instruction of people in handling, driving or riding equines, use of equines for riding or driving purposes, pasturing equines all of where a fee is collected. The term DOES NOT INCLUDE ACTIVITIY LICENSED UNDER THE ACT OF DECEMBER 17, 1981 (P.L. 435, NO. 135), KNOWN AS THE "RACE HORSE INDUSTRY REFORM ACT."

Except as permitted in this Deed, neither Grantor nor his agents, heirs, executors, administrators, successors and assigns, nor any person, partnership, corporation or other entity claiming title under or through Grantor, or their agents, shall suffer, permit, or perform any activity on the subject land other than agricultural production or commercial equine activities.

2. Construction of Buildings and Other Structures – The construction or use of any building or other structure on the subject land other than as existing on the date of the delivery of this Deed is prohibited except that:

- (a) The erection of fences for agricultural production or a commercial equine activity and protection of watercourses such as lakes, streams, springs and reservoirs is permitted.
- (b) The construction of one additional residential structure is permitted if;
 - (i) The construction and use of the residential structure is limited for the landowner's principal residence or for the purpose of providing necessary housing for persons employed in farming the subject land on a seasonal or full-time basis,
 - (ii) No other residential structure has been constructed on the restricted land at any time since the delivery of the Deed,
 - (iii) The residential structure and its curtilage occupy no more than two acres of the restricted land, and
 - (iv) The location of the residential structure and its driveway will not significantly harm the economic viability of the subject land for agricultural production or a commercial equine activity.
- (c) The construction or use of any building or other structure for agricultural production or a commercial equine activity is permitted. The maximum building coverage may be restricted if the County Agricultural Conservation Easement Purchase Program approved by the State Board imposes such a restriction.

(d) The replacement of a residential structure existing on the restricted land on the date of the granting of the easement is permitted if the preexisting residential structure is razed or removed and the replacement residential structure is erected within the curtilage of the residential structure it replaces.

The renovation or modification of an existing residential structure, or an addition to an existing residential structure is permitted if it would not increase the curtilage of the residential structure.

The renovation or modification of an existing agricultural building or structure, or an addition to an existing agricultural building or structure, is permitted. The maximum building coverage may be restricted if the County Agricultural Conservation Easement Purchase Program approved by the State Board imposes such a restriction.

See Page 3-a
Item 2.(e)

3. Subdivision - The land under the Agricultural Conservation Easement is subject to the Subdivision Guidelines of the County of Perry, Agricultural Land Preservation Program, approved by the State Agricultural Land Preservation Board on July 10th, year of 1996, as may be attached hereto. If the subject land is subdivided, the Deeds to all of the subdivided parcels shall state on which of the subdivided parcels the residential structure permitted by this Deed may be constructed. Deeds to all other parcels shall recite that no additional residential structure is permitted.

4. Utilities - The granting of rights-of-way by the Grantor, his heirs, executors, administrators, successors and assigns, or any person, partnership, corporation or other entity claiming title under or through Grantor in and through the subject land for the installation, transportation, or use of, lines for water, sewage, electric, telephone, coal by underground mining methods, gas, oil or oil products is permitted. The term "granting of rights-of-way" includes the right to construct or install such lines. The construction or installation of utility lines other than of the type stated in this paragraph is prohibited on the subject land.

5. Mining - The granting of leases, assignments or other conveyances or the issuing of permits, licenses or other authorization for the exploration, development, storage or removal of coal by underground mining methods, oil and gas by the owner of the subject land or the owner of the underlying coal by underground mining methods, oil and gas or the owner of the rights to develop the underlying coal by underground mining methods, oil and gas, or the development of appurtenant facilities related to the removal of coal by underground mining methods, oil or gas development or activities incident to the removal or development of such minerals is permitted.

6. Rural Enterprises - Customary part-time or off-season minor or rural enterprises and activities which are provided for in the County Agricultural Easement Purchase Program approved by the State Board are permitted.

7. Soil and Water Conservation - All agricultural production or commercial equine activity on the subject land shall be conducted in accordance with a conservation plan approved by the County Conservation District or the County Board. Such plan shall be updated upon any change in the basic type of agricultural production or commercial equine activity being

2.(e) Notwithstanding the provisions contained in paragraphs 2 (a) through (d) above to the contrary, no more than 6% of the total conservation easement acreage shall be impervious surface. Impervious surface that was present on the restricted land on the date that this conservation easement was granted shall be included as part of the total area calculated as impervious surface.

Impervious surface shall be defined as those areas that are not capable of supporting vegetation, including without limitation the footprint of improvements (including roofs, decks and swimming pools); artificially covered surfaces such as crushed stone, gravel, concrete and asphalt; impounded water (such as man-made pond); and compacted earth (such as an unpaved roadbed). Excluded from the definition of impervious surface are running or non-impounded standing water (such as a naturally occurring lake); bedrock and naturally occurring stone and gravel; and earth (whether covered with vegetation or not) so as it has not been compacted by non-naturally occurring forces.

conducted on the subject land. In addition to the requirements established by the County Conservation District or the County Board the conservation plan shall include an installation schedule and maintenance program and a nutrient management component which, when completely implemented, will improve and maintain the soil, water and related plant and animal resources of the land and shall require that:

- (i) The use of the land for growing sod, nursery stock, ornamental trees, and shrubs does not remove excessive soil from the subject land, and
- (ii) The excavation of soil, sand, gravel, stone or other materials for use in agricultural production or commercial equine activity on the land is conducted in a location and manner that preserves the viability of the subject land for agricultural production or commercial equine activity.

As part of the settlement documents, the executed Conservation Plan Agreement shall be recorded with the Deed of Easement at the County Recorder of Deeds.

8. Responsibilities of Grantor Not Affected - Except as specified herein, this Deed does not impose any legal or other responsibility on the Grantees, their successors or assigns. Grantor shall continue to be solely responsible for payment of all taxes and assessments levied against the subject land and all improvements erected thereon. Grantor shall continue to be solely responsible for the maintenance of the subject land and all improvements erected thereon. Grantor acknowledges that Grantees have no knowledge or notice of any hazardous waste stored on or under the subject land. Grantee's exercise or failure to exercise any right conferred by the agricultural conservation easement shall not be deemed to be management or control of activities on the subject land for purposes of enforcement of the Act of October 18, 1988, (P.L. 756, No. 108), known as the Hazardous Sites Cleanup Act.

Grantor, his heirs, executors, administrators, successors or assigns agree to hold harmless, indemnify and defend Grantees, their successors or assigns from and against all liabilities and expenses arising from or in any way connected with all claims, damages, losses, costs or expenses, including reasonable attorneys fees, resulting from a violation or alleged violation of any State or Federal environmental statute or regulation including, but not limited to, statutes or regulations concerning the storage or disposal of hazardous or toxic chemicals or materials.

9. Enforcement - Annually, Grantees, their successors, assigns or designees shall have the right to enter the subject land for the purpose of inspecting to determine whether the provisions of this Deed are being observed. Written notice of such annual inspection shall be mailed to the Grantor, his heirs, executors, administrators successors or assigns at least ten days prior to such inspection. The annual inspection shall be conducted between the hours of 8 a.m. and 5 p.m. on a weekday that is not a legal holiday recognized by the Commonwealth of Pennsylvania or at a date and time agreeable to the county and the landowner.

Grantees, their successors, assigns or designees shall also have the right to inspect the subject land at any time, without prior notice, if Grantees have reasonable cause to believe the provisions of this Deed have been or are being violated.

Grantor acknowledges that any violation of the terms of this Deed shall entitle Grantees, their successors, assigns or designees to obtain an injunction against such violation from a court of competent jurisdiction along with an order requiring Grantor, his heirs, executors, administrators, successors or assigns to restore the subject land to the condition it was in prior to the violation, and recover any costs or damages incurred including reasonable attorney's fees. Such relief may be sought jointly, severally, or serially.

10. Duration of Easement - The agricultural conservation easement created by this Deed shall be a covenant running with the land and shall be perpetual in duration. Every provision of this Deed applicable to Grantor shall apply to Grantor's heirs, executors, administrators, successors, assigns, agents, and any person, partnership, corporation or other entity claiming title under or through Grantor.

11. Conveyance or Transfer of the Subject Land - Grantor, his heirs, executors, administrators, successors or assigns, and any person, partnership, corporation, or other entity claiming title under or through Grantor, shall, within thirty (30) days of a change in ownership or within any lesser period prescribed in the county program, notify the county agricultural land preservation board and the Pennsylvania Department of Agriculture in writing of any conveyance or transfer of ownership of the subject land. Such notification shall set forth the name, address and telephone number of the Grantor and the party or parties to whom ownership of the subject land has been conveyed or transferred, and the price per acre or any portion thereof and a reference to the volume and page in which the transfer has been recorded by the County Recorder of Deeds.

This obligation shall apply to any change in ownership of the subject land. Whenever interest in the subject land is conveyed or transferred to another person, the deed conveying or transferring such land shall recite in verbatim the language of the easement as set forth in this deed.

12. Applicability - Every provision of this Deed applicable to Grantor shall apply to Grantor's heirs, executors, administrators, successors, assigns, agents, and any person, partnership, corporation or other entity claiming title under or through Grantor.

13. Interpretation - This Deed shall be interpreted under the laws of the Commonwealth of Pennsylvania. For purposes of interpretation, no party to this Deed shall be considered to be the drafter of the Deed. All provisions of this Deed are intended, and shall be interpreted, to effectuate the intent of the General Assembly of the Commonwealth of Pennsylvania as expressed in Section 2 of the Act.

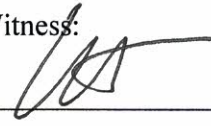
To have and to hold this Deed of Agricultural Conservation Easement unto the Grantees, their successors and assigns in perpetuity.

AND the Grantor, for himself, his heirs, executors, administrators, successors and assigns does specially warrant the agricultural conservation easement hereby granted.

IN WITNESS WHEREOF, the undersigned have duly executed this Deed on the day first written above.

GRANTOR

Witness:



* Ben A. Thomas [Seal]

_____ [Seal]

_____ [Seal]

_____ [Seal]

ACKNOWLEDGMENT

COUNTY OF Perry

SS:

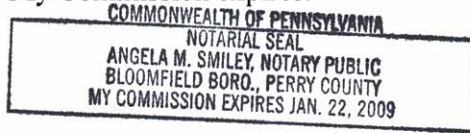
COMMONWEALTH OF PENNSYLVANIA

On this 9th day of March, 2007,
before me, the subscriber, a Notary Public for the Commonwealth of Pennsylvania, residing in
the ^{Borough} City of Bloomfield personally appeared the above
named Gene A. Thomas and _____, and in due
form of law acknowledged the above Deed of Agricultural Conservation Easement to be their
voluntary act and deed, and desired the same to be recorded as such.

WITNESS my hand and Notarial Seal the day and year aforesaid.

Angela M. Smiley
Notary Public

My Commission expires:



I hereby certify that the
present residence address of the
Grantor is P.O. Box 36
New Bloomfield, Pa 17068

W.R. Best
William R Best
Attorney for Grantor

Exhibit A

**Gene A. Thomas Legal Description of 33.477 acres
In Oliver Township, Perry County, Pa.**

Beginning at an existing iron pin at the southwest corner of lands described herein, being the southeast corner of lands of James R. Hoover and a corner on the north line of lands of Craig R. Hoover; thence by lands of James R. Hoover, North 13 deg. 19 min. 38 sec. West 878.07 ft. to a point in a small stream, said point located South 13 deg. 19 min. 38 sec. East 25.00 ft. from an existing concrete monument; thence by lands of Rodney L. Rhoades, following said small stream, the following 13 courses and distances, North 80 deg. 17 min. 52 sec. East 23.42 ft. to a point; thence North 53 deg. 17 min. 26 sec. East 76.77 ft. to a point; thence North 78 deg. 09 min. 32 sec. East 124.37 ft. to a point; thence North 73 deg. 57 min. 09 sec. East 69.06 ft. to a point; thence North 63 deg. 37 min. 11 sec. East 130.81 ft. to a point; thence North 58 deg. 22 min. 56 sec. East 183.09 ft. to a point; thence North 65 deg. 50 min. 36 sec. East 192.16 ft. to a point; thence North 74 deg. 28 min. 50 sec. East 145.45 ft. to a point; thence North 83 deg. 14 min. 57 sec. East 109.45 ft. to a point; thence South 81 deg. 51 min. 06 sec. East 64.77 ft. to a point; thence North 66 deg. 42 min. 04 sec. East 118.00 ft. to a point; thence North 86 deg. 43 min. 43 sec. East 189.85 ft. to a point; thence North 75 deg. 53 min. 53 sec. East 117.87 ft. to an existing concrete monument on the west side of Township Road T-491 (Old Ferry Road); thence by lands of Conrail, following along said township road, South 17 deg. 38 min. 24 sec. East 768.83 ft. to a spike in said township road; thence by lands of Craig R. Hoover, South 38 deg. 47 min. 58 sec. West 299.88 ft. to an iron pin set at a fallen post; thence by lands of the same, South 75 deg. 03 min. 19 sec. West 1334.14 ft. to an existing iron pin, the place of beginning, containing 33.477 acres, according to a survey by Thomas L. Palm, Professional Land Surveyor, dated January 20, 2007, and recorded in Perry County Plan Book 56 at Page ~~46~~ 47.

Being the same lands conveyed to Gene A. Thomas by deed of Gene A. Thomas, Executor of the Estate of Mary E. Thomas, dated November 1, 1999, and recorded in Perry County Record Book 1234, at Page 282, and by deed of Cloyd E. Rhoades, Executor of the Estate of George Edwin Rhoades, to Mary E. Thomas and Gene A. Thomas as tenants in common, dated October 14, 1965, and recorded in Perry County Deed Book 186, at Page 445.

XIV. SUBDIVISION GUIDELINES

Definitions

Economic viability of farmland for agricultural production – The capability of a particular tract of restricted land, other than a tract of two acres or less upon which construction and use of the landowner’s principal residence or housing for seasonal or full-time farm employees is permitted pursuant to Section 14.1 (c) (6) (iv) of the Act (3 P.S. Section 914.1) (c) (6) (iv), to meet all of the criteria set forth at Section 138e.16 (a) (2), (3), (4), and (5), (relating to minimum criteria for applications) of this chapter.

Harm the economic viability of the farmland for agricultural production – To cause a particular tract of restricted land to fail to meet the criteria set forth at Section 138e.16 (a) (2), (3), (4), and (5), (relating to minimum criteria for applications) of this chapter, or to create, through subdivision, a tract of restricted land, other than a tract of two acres or less upon which construction and use of the landowner’s principal residence or housing for seasonal or full-time farm employees is permitted pursuant to Section 14.1 (c) (6) (iv) of the Act (3 P.S. Section 914.1) (c) (6) (iv), that would fail to meet the aforescribed criteria.

Land development – Either of the following activities:

1. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving a group of two or more residential buildings, whether proposed initially or cumulatively; or
2. A subdivision of land.

Land which has been devoted primarily to agricultural use – That acreage which is a part of restricted land and is harvested cropland, grazing or pasture land, land used for the production of timber and wood products, land containing non-residential structures used for agricultural production, or other acreage immediately available for agricultural production, and which excludes any acreage upon which immediate agricultural production is impracticable due to residential structures and their curtilages, wetlands, soil quality, topography or other natural or man-made features, and which further excludes any tract of two acres or less designated as the site upon which the landowner’s principal residence or housing for seasonal or full-time employees is permitted pursuant to Section 14.1 (c) (6) (iv) of the Act (3 P.S. Section 914.1) (c) (6) (iv).

Pennsylvania Municipalities Planning Code – The Act of December 21, 1988 (P.L. 1329, No. 170) (53 P.S. Section 10101-11201).

Subdivision – The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels, or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development.

CONSTRUCTION OF ONE ADDITIONAL RESIDENTIAL STRUCTURE

GENERAL

- A. In addition to the structures existing on the restricted land at the date of the granting of the easement, one additional residential structure may be constructed on the restricted land if the following apply:
- 1.) The residential structure is constructed and used as the landowner's principal residence or for the purpose of providing necessary housing for seasonal or full-time farm employees.
 - 2.) No other residential structure has been constructed on the restricted land, under the authority of Section 14.1 (c) (6) (iv) of the Act (3 P.S. Section 914.1 (c) (6) (iv) and this section, after the date of the granting of the easement.
 - 3.) The residential structure and its curtilage occupy no more than 2 acres of the restricted land.
- B. Replacement of structures – The replacement of a residential structure constructed under authority of Section 14.1 (c) (6) (iv) of the Act and this section is permitted.
- C. Reservation of right to construct after subdivision. If the restricted land is subdivided prior to the construction of a residential structure under authority of Section 14.1 (c) (6) (iv) of the Act and this section, the landowner shall do the following:
- 1.) Inform the county board of the specific subdivided tract with respect to which the right to construct and use such a residential structure is reserved.
 - 2.) Ensure that the deed to the subdivided tract with respect to which the right to construct and use such a residential structure is reserved clearly sets forth the reservation of this right.
 - 3.) Ensure that the deeds to the remaining subdivided tracts recite that no such residential structure may be constructed on the remaining subdivided tracts.

SUBDIVISION OF RESTRICTED LAND

- A. Subdivision – Subdivision of restricted land is prohibited if the landowner can accomplish the construction and use of a principal residence or housing for seasonal or full-time farm employees in accordance with Section 14.1 (c) (6) (iv) of the Act (3 P.S. Section 914.1 (c) (6) (iv), under the applicable subdivision and land

development ordinance, by a land development other than subdivision.

- B. Discretion to allow subdivision – Subdivision of restricted land may be approved by the County Board if the following conditions are met:
- 1.) Subdivision is required by the local municipality for the landowner to utilize Section 14.1 (c) (6) (iv) of the Act.
 - 2.) Preservation of economic viability for agricultural production. Subdivision of the restricted land would not harm the economic viability of the farmland for agricultural production, except to meet Section 14.1 (c) (6) (iv) of the Act.
 - 3.) Prevention of conversion to non-agriculture use; exception. Subdivision of restricted land would not convert land devoted primarily to agricultural use to another primary use except that, without regard to this requirement, a county program may permit one tract to be created by subdivision for the purpose of the construction of a principal residence for the landowner to meet Section 14.1 (c) (6) (iv) of the Act.

PROCEDURES AND REQUIREMENTS OF SUBDIVISION

Landowners proposing to subdivide eased land shall be subject to the following procedures and requirements:

1. Requests for subdivision approval shall be submitted, in writing, to the County Board in care of the Conservation District. Requests shall include the following maps, information, etc.
 - A. Written request for subdivision approval including description of subdivision and reason for subdivision.
 - B. A map or sketch, at a scale sufficient to clearly show the following:
 - 1.) Location of crop land, pasture land, woodland and other lands.
 - 2.) Roads, streets, driveways, utility right-of-way, streams.
 - 3.) Location of existing buildings, sheds, barns, dwellings, and other structures.
 - 4.) Delineation of proposed subdivision.
 - 5.) Indication of which parcel either created by subdivision or remaining after subdivision on which the additional residential structure permitted by Section 14.1 (c) (6) (iv) of the Act (3 P.S. Section 914.1 (c) (6) (iv) and this section may be constructed.

2. The County Board will note receipt of the request for subdivision approval at its next regularly scheduled meeting following the submission of the request for subdivision approval to the Conservation District.
3. The County Board may agree to permit a parcel of land subject to an Agricultural Conservation Easement to be subdivided after the granting of such easement after appropriate review as follows:
 - A. Upon receipt of the application, the County Board shall cause to be forwarded written notification thereof to the County Zoning Office, County Planning Office, and County Farmland Preservation office, herein referred to as the reviewing agencies. Each reviewing agency shall have 60 days from receipt of such notification to review, comment, and make recommendations to the Board.
 - B. After reviewing the application and the comments and recommendations submitted by the reviewing agencies, the County Board shall approve or reject the application to subdivide within 120 days after the date of its filing unless the time is extended by mutual agreement of the landowner and reviewing agencies.
 - C. If the application to subdivide land is approved by the County Board, a copy of the application, along with the comments and recommendations of the reviewing agencies, shall be forwarded to the State Board for review and approval or disapproval. When reviewing an application to subdivide land subject to an Agricultural Conservation Easement, the State Board shall consider only whether the application complies with the conditions under which subdivisions are permitted by the approved county program. The State Board shall notify the County Board of its decision regarding the application.
 - D. If the application to subdivide is rejected by the County Board, the application shall be returned to the landowner with a written statement of the reasons for such rejection. Within 30 days after the receipt of the statement of rejection, the landowner may appeal the rejection in accordance with 2 P.A.C.S. Chapter 5 Subchapter B (relating to practice and procedure of local agencies) and Chapter 7 Subchapter B (relating to judicial review of local agency action).
4. Approval of the County Board, or failure to act by the County Board as per Section shall not be construed to provide approval of the State Board

or any other Governmental Unit with authority to approve or disapprove subdivisions.

5. Subdivisions approved prior to the construction of additional residential structure.
 - A. If County Board and State Board approval is granted for subdivision of eased land prior to the construction of one additional residential structure as permitted by Section 14.1 (c) (6) (iv) of the Act and this section, the landowner must do the following:
 - 1.) Ensure that the deed to the parcel created by or remaining after subdivision upon which the additional residential structure may be constructed clearly reserves the right to construct this residential structure.
 - 2.) Ensure that the deeds to all other parcels created by subdivision or remaining after subdivision clearly state that no residential structures of any kind may be constructed on the eased parcels.
 - 3.) Prior to recording deeds to parcels created by subdivision or remaining after subdivision, the landowner requesting subdivision approval shall forward copies of the deed for each such parcel for County Board review and approval.
 - 4.) Within 15 days of recording deeds to tracts created by subdivision or remaining after subdivision, the landowner at the time of subdivision shall forward a copy of all recorded deeds to all parcels created by subdivision or remaining after subdivision to the County Board in care of the Conservation District.
 - 5.) The parcel for which the right to construct the allowed additional residential structure shall be the same parcel indicated in Procedures and Requirements of Subdivision, Item (1) (B) (5) of this program.
6. Recording of Article
 - A. Upon approval of this Subdivision/Land Development Section of the Program, by the County Board and State Board, or upon approval of the Program by the State Board, in which this section is included, the County Board shall record this section at the County Recorder of Deeds Office.
 - B. All deeds conveying an Agricultural Conservation Easement to the County of Perry, the State of Pennsylvania, or to both the County and State, jointly shall incorporate, by referencing the location of

such filing, the provisions of this section into the Deed of Agricultural Conservation Easement.