AFFIDAVIT FOR AGRICULTURAL BUILDING

Exemption from Building Permit

I/We _____ ("Owner")
print name(s)

after being duly sworn, depose and state as follows:

1. Owner owns the following real property located in Whiteford Township, Monroe County, Michigan.

   Tax or parcel ID Number: _____
   Commonly known as _____
   Building size Length: _____ Width: _____ Height: _____

   Legal Description: Land in Whiteford Township

2. Owner intends to construct a building on the property without a building permit from Whiteford Township because the building will be used solely for "agricultural purposes" as defined in the State Construction Code (Act 230 of 1972, as amended).

3. "Agricultural purposes" is defined by the State Construction Code as: ". . . of, or pertaining to, or connected with, or engaged in agriculture or tillage that is characterized by the act or business or cultivating or using land and soil for the production of crops, for the use of animals or humans, and includes, but is not limited to, purposes related to agriculture, farming, dairying, pasturage, horticulture, floriculture, viticulture, and animal and poultry husbandry."

4. Owner agrees with Whiteford Township, whose principal office is located at 8000 Yankee Rd, Suite 100, Ottawa Lake, Michigan 49267 (hereinafter "Township") that the following shall be covenants running with said property:

   A. Owner shall not store any items within the building not related to agricultural purposes.

B. All applicable zoning regulations shall apply to the building including, but not limited to, height restrictions; front, side and rear setbacks, and lot or parcel coverage requirements.

C. Owner shall obtain approval for the building from all other reviewing/approving authorities such as Michigan Environment, Great Lakes and Energy, Monroe County Health Department, and Monroe County Road Commission.

D. If the use of the building is not in accordance with the foregoing definition of "agricultural purposes", Owner shall immediately apply for, pay, and obtain a building permit from the Township and shall be responsible for complying with all the then applicable Building Code provisions including, but not limited to, applying for all electrical, plumbing and building permits, the submission of building plans for review and approval and exposing covered areas such as footing and walls for inspection.

E. Owner shall notify in writing any subsequent owner or party having interest in the property of the foregoing covenants running with the land.

F. Owner and any subsequent owner understand that the building has never been inspected to ensure its construction meets the State Construction Code.

G. Owner and any subsequent owner will be responsible for informing anyone entering said building that it has never been inspected to ensure minimum life and safety of occupants.

H. Owner agrees and understands that the building shall not be used for retail business, will not be open to the public or used for residential use or storage.

I. Owner shall submit sufficient evidence that the building shall be used for agricultural use. Such evidence may include a lilt of what property will be stored in the building, invoices of equipment or a copy of an Application for Farmland Agreement (i.e. the P.A. 116 Application) covering the property.

J. Owner shall submit a legible, handwritten site plan showing the location of the building and that it complies with Whiteford Township's Zoning Ordinance front, rear and side yard setbacks.

K. Owner and any subsequent owner will be responsible for informing their home owners insurance carrier that the building has not been inspected to ensure that that it complies with the State Construction Code.

L. Owner shall defend, indemnify and hold the Township, its officers, officials and employees harmless from all claims, injuries (both personal and

economic), damages, losses or suits arising out of and resulting from owner's representations in this affidavit.

M. The foregoing covenants running with the land shall be binding upon and inure to the benefit of the Owner, any subsequent owner, or the heirs, successors, or assigns thereof.

IN WITNESS WHEREOF, the undersigned executed this Affidavit on the _____, 20__.

OWNER(S):

_____ _____

Print Name: _____ Pint Name: _____

Phone No: _____ Phone No: _____

Email: _____ Email: _____

STATE OF _____}
COUNTY _____}

On _____, the foregoing instrument was acknowledged before me by _____ known to be to the person who signed the above document.

_____

Notary Public
_____ County, _____
Commission expires: _____

Drafted by and send recorded document to:
Frederick Lucas
Attorney at Law
7577 US 12
Onsted, MI 49265

AGRICULTURAL AFFIDAVIT CHECK LIST

Per Ordinance No. 68-A3 Building and Uses 8.01

11. All agricultural and farm buildings on property located in the agricultural district shall require a building permit unless the applicant obtains an exemption and submits sufficient evidence to reasonably prove that the building is intended to be used for agricultural purposes. **Such evidence must include a business plan stating the intended use of the building, whether the building will be accessible to the general public and whether it will be used for retail or storage.**

Please complete the following information as evidence of a business plan:

NAME OF COMPANY (if applicable)

_____

NUMBER OF ACRES FARMED: _____

NUMBER OF YEARS FARMING: _____

NUMBER OF ACRES OWNED: _____

TYPE OF CROPS PRODUCED:

_____

INTENDED USE OF ACCESSORY BUILDING:

_____

_____

ADDITIONAL INFORMATION PERTINANT TO YOUR FARMING OPERATION:

_____

_____