

**NATURE EDUCATION FACILITIES PROGRAM
LAND TENURE FORM**

APPLICANT _____ **PROJECT NAME** _____

This form is required for all PROJECT sites not owned in fee simple by the applicant. To complete the form and requirements, the applicant must:

- Attach a copy of the land tenure agreement
- Highlight the sections of the agreement that meet the requirements listed below
- Indicate the page numbers showing where the information can be found

Type of Agreement _____
Identify the type of agreement, e.g., lease, joint powers agreement, easement, memorandum of understanding, etc.

Parties to the Signed Agreement Page ____
• Highlight the sections which identify the parties to the agreement.
• The agreement must be signed by all parties.

Term of the Agreement Page ____
• All grant amounts up to \$1,000,000 require at least 20 years of land tenure.
• All grant amounts greater than \$1,000,000 require at least 30 years of land tenure.
• OGALS will start counting the 20 or 30 year land tenure requirement from 07/01/09, the date of APPROPRIATION. Therefore, all land tenure agreements must extend to at least 06/30/29 or 06/30/39 depending on the grant amount requested.

Renewal Clause Page ____
The renewal clause must include an option, which can be non-binding, for the applicant/grantee to renew the agreement beyond the original 20 or 30 year term requirement.

Termination (Revocability) Page ____
Any of the following is acceptable:
• No termination clause - the agreement is non-revocable.
• Termination clause specifies that the agreement is revocable:
 ○ For breach of the contract provisions, i.e., for cause.
 ○ By mutual consent.

The following is not acceptable and will not be approved: Termination clause allows the land owner to revoke the agreement without cause, i.e., at will.

Site Control, Roles and Responsibilities Page ____
The applicant must have the authority to construct, operate, and maintain the project in accordance with the contract provisions.
• The agreement must authorize the applicant to proceed with the construction project. The applicant may delegate construction to other entities.
• The agreement gives applicant permission to operate the project site. The applicant may delegate operational roles to other entities.
• The agreement identifies which entity is responsible for maintenance of the project site. Entities other than the applicant may have this role.