

## Land Tenure Form

APPLICANTS must complete this form when the PROJECT does not involve ACQUISITION and the site is not owned by the APPLICANT in fee simple. Indicate the page numbers where the following information can be found in the agreement.

- Type of agreement:** \_\_\_\_\_
  - Identify the type of agreement, such as a lease, joint powers agreement, easement, memorandum of understanding, etc.
  
- Parties to the signed agreement**..... Found on page(s) \_\_\_\_
  - Highlight the sections which identify the parties to the agreement.
  - The agreement must be signed by all parties.
  
- Term of the agreement** ..... Found on page(s) \_\_\_\_
  - 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 the APPROPRIATION DATE.
  
- Renewal clause** ..... Found on page(s) \_\_\_\_
  - 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)** ..... Found on page(s) \_\_\_\_

Any of the following is acceptable:

  - No termination clause - the agreement is non-revocable.
  - The termination clause may specify that the agreement is revocable for breach of the agreement/for cause.
  - The termination clause may specify that the agreement is revocable by mutual consent.

The following is not acceptable: A termination clause that allows the land owner to revoke the agreement without cause (at will) will not be approved.
  
- Site Control Roles and Responsibilities** ..... Found on page(s) \_\_\_\_
  - The APPLICANT must have the authority to construct, operate, and maintain the PROJECT in accordance with the CONTRACT provisions.
  
- Roles and responsibilities** ..... Found on page(s) \_\_\_\_
  - 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 (such as scheduling recreational programs). 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.