

Residential Building Permit Applicant,

The document on the next page is a Right to Farm Notice Covenant waiver. Put simply, it creates an easement agreement for your property that persists into the future, regardless of who owns the property. In signing the Right to Farm Notice Covenant waiver, you agree you are aware that you are purchasing property/building a home in an area with a significant agricultural sector and that you are aware that nearby agricultural operations will likely produce noises/smells/sounds/etc. throughout the year. In signing the Right to Farm Notice Covenant waiver, you waive your right to sue individuals who are engaged in agricultural operations that produce noises/smells/sounds/etc. near your property/home.

The Right to Farm Notice Covenant waiver must be completed, notarized, and registered with the Roberts County Register of Deeds (\$30 fee). The Register of Deeds is a notary public and can notarize the document for you. The Register of Deeds will provide the Planning & Zoning/Equalization office a copy of this document after it has been registered, which will be kept on file with your parcel's information. The Register of Deeds will mail the original document back to you after it has been registered. The Zoning Administrator will require confirmation from the Register of Deeds that you have submitted the Right to Farm Notice Covenant waiver for registration before issuing your residential building permit. Alternatively, the Zoning Administrator may issue your residential building permit with the condition that you complete and register a Right to Farm Notice Covenant waiver with the Register of Deeds within a certain time frame. **Failure to register a Right to Farm Notice Covenant waiver with the Register of Deeds may result in your building permit being invalidated.**

Department of Equalization:	rc-doe@robertscosd.gov	605-698-3205
Planning & Zoning:	rc-zoning@robertscosd.gov	605-698-3205
Register of Deeds:	rcrod@robertscosd.gov	605-698-7152

This document was prepared by:

Name: _____

Address: _____

Phone: _____

Right to Farm Notice Covenant

You are hereby notified that the property you are purchasing/building on is in or near agricultural land, agricultural operations, or agricultural processing facilities or operation. You may be subject to inconvenience or discomfort from lawful agricultural operations permitted by Roberts County zoning regulations. Agricultural operations may include, but are not limited to, the following: the cultivation, harvesting, and storage of crops; livestock production; ground rig or aerial application of pesticides or herbicides; the application of fertilizer, including animal manure; the operation of machinery; the application of irrigation water; and other accepted and customary agricultural activities conducted in accordance with Federal, State, and County laws. Discomforts and inconveniences may include, but are not limited to: noise, odors, fumes, dust, smoke, burning, vibrations, insects, rodents, and/or the operation of machinery (including aircraft) during any 24-hour period. If you live near an agricultural area, you should be prepared to accept such inconveniences or discomforts as a normal and necessary aspect of living in an area with a strong rural character and an active agricultural sector. You are also notified that there is the potential for agricultural operations to expand. This notification shall extend to all landowners, their heirs, successors, or assigns and because it is required pursuant to obtaining a building permit, may not be removed from the record title without consent of the Roberts County Board of Adjustment.

Legal Description: _____

Signature of Owner: _____ Date: _____

State of South Dakota, County of Roberts

On this the ____ day of _____, 20____, before me, _____, the undersigned officer, personally appeared _____, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that _____ executed the same for the purposes contained.

In witness whereof I hereunto set my hand and official seal.

Signature: _____

My commission expires: _____