

Notice of Funding Restrictions Guidelines

A recipient of OHF funding for interest in real property is required to file a notice of funding restriction, per MS 97A.056, subd 15 (c). There is a field in the Initial Land Reporting Form to attach the Notice of Funding Restrictions (NOFR). As part of the final report approval process, review of each NOFR will take place to ensure compliance with this section. If the NOFR does not meet the requirements set forth in law, the final report will not be accepted.

(c) A recipient of funding who acquires an interest in real property under paragraph (a) must separately record a notice of funding restrictions in the appropriate local government office where the conveyance of the interest in real property is filed. The notice of funding agreement **must** contain:

(1) a legal description of the interest in real property covered by the funding agreement;

(2) a reference to the underlying funding agreement; (i.e. as appropriated in ML 2009, Ch. 172, Article 1, Section 2, Subd 5(b))

(3) a reference to this section; and (For ML 2009 Appropriations: ML 2009, Ch. 172, Art. 1, Sec. 2, Subd 14, for ML 2010 Appropriations: ML 2010, Ch. 361, Art. 1, Sec. 2, Subd. 13, for ML 2011 Appropriations: ML 2011, First Special Session, Ch. 6, Art. 1, Sec. 2, subd 13, for ML 2012 and subsequent appropriations MS 97A.056, subd 15)

(4) the following statement: "This interest in real property shall be administered in accordance with the terms, conditions, and purposes of the grant agreement controlling the acquisition of the property. The interest in real property, or any portion of the interest in real property, shall not be sold, transferred, pledged, or otherwise disposed of or further encumbered without obtaining the prior written approval of the Lessard-Sams Outdoor Heritage Council or its successor. The ownership of the interest in real property transfers to the state if: (1) the holder of the interest in real property fails to comply with the terms and conditions of the grant agreement or accomplishment plan; or (2) restrictions are placed on the land that preclude its use for the intended purpose as specified in the appropriation."