

**FSA-2318**

(Proposal 4)

**U.S. DEPARTMENT OF AGRICULTURE**

Farm Service Agency

Position 1

**AGREEMENT FOR DISPOSITION OF JOINTLY-OWNED PROPERTY***(See Page 2 for Privacy Act and Public Burden Statements.)***PART A - JOINTLY OWNED PROPERTY**

1. The undersigned owners, now own or will obtain legal title to undivided interest in the following property:

**PART B - AGREEMENT**

2. This agreement is made in consideration of loans made by the United States of America, acting through the U.S. Department of Agriculture, Farm Service Agency (called the "Government") to one or more of the undersigned owners with which to purchase or refinance indebtedness against interests in said property, and in consideration of the other mutual agreements herein contained. This agreement shall be binding on all of the undersigned owners, their heirs, administrators, executors, successors, and assigns.

The undersigned owners, therefore, each agree:

3. Not to sell or transfer their interests in said property without the prior written consent of all other owners and that any such sale or transfer shall be made expressly subject to the provisions of this agreement.
4. If any or all of the owners desire to dispose of their interests in said property, or if it appears that forced disposition is likely, actions for disposition will be taken in the following priority order:
  - (a) Any or all of the other owners shall have the option to purchase such interests for not more than market value as determined by the Government.
  - (b) If such option is not exercised within 30 days after written consent is obtained, the owners may sell or transfer their interests to other parties. If the interests being sold are under lien to the Government, such interests will not be sold under this agreement for less than market value as determined by the Government.
  - (c) In the event a satisfactory solution cannot be worked out in accordance with the above, the Government may take possession of, sell, convey title to, and deliver possession of such interests to the purchaser. Such sale may be made in a manner determined by the Government to be most advantageous to all interested parties. The sale proceeds, less sales costs, shall be distributed to the owners in proportion to their interests in the property or to their respective lienholders. The authority conferred on the Government is irrevocable as long as such liens of the Government remain in effect and for a period of 30 days thereafter.

*The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.*

**PART B - AGREEMENT (CONTINUED)**

5. On (a) \_\_\_\_\_, the owners have executed this agreement and listed their undivided interests in said property and the names of their respective lienholders.

(b) Owner Name	(c) Owner Signature	(d) Undivided Interest (%)	(e) Lienholder Name	(f) Lienholder Telephone Number

**PART C - LIENHOLDER CONSENT (TO BE COMPLETED IMMEDIATELY PRIOR TO SALE)**

6. The undersigned, holding liens on all or part of the property described in the foregoing agreement, do hereby agree that the ownership interests of (a)

\_\_\_\_\_

\_\_\_\_\_

may be sold by the Government as provided in this agreement.

(b) Lienholder Name	(c) Lienholder Signature	(d) Date

**NOTE:** *The following statements are made in accordance with the Privacy Act of 1974 (5 USC 552a): the Farm Service Agency (FSA) is authorized by the Consolidated Farm and Rural Development Act, as amended (7 USC 1921 et seq.), or other Acts, and the regulations promulgated thereunder, to solicit the information requested on its application forms. The information requested is necessary for FSA to determine eligibility for credit or other financial assistance, service your loan, and conduct statistical analyses. Supplied information may be furnished to other Department of Agriculture agencies, the Internal Revenue Service, the Department of Justice or other law enforcement agencies, the Department of Defense, the Department of Housing and Urban Development, the Department of Labor, the United States Postal Service, or other Federal, State, or local agencies as required or permitted by law. In addition, information may be referred to interested parties under the Freedom of Information Act, to financial consultants, advisors, lending institutions, packagers, agents, and private or commercial credit sources, to collection or servicing contractors, to credit reporting agencies, to private attorneys under contract with FSA or the Department of Justice, to business firms in the trade area that buy chattel or crops or sell them for commission, to Members of Congress or Congressional staff members, or to courts or adjudicative bodies. Disclosure of the information requested is voluntary. However, failure to disclose certain items of information requested, including Social Security Number or Federal Tax Identification Number, may result in a delay in the processing of an application or its rejection.*

*According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0560-XXXX. The time required to complete this information collection is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. **RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.***