

For VMRC Use Only:  
 Date: \_\_\_\_\_ District \_\_\_\_\_  
 Transfer No: \_\_\_\_\_  
 From: \_\_\_\_\_ To: \_\_\_\_\_

Commonwealth of Virginia  
 MARINE RESOURCES COMMISSION  
 380 Fenwick Road, Bldg. 96  
 Fort Monroe, VA 23651

**APPLICATION FOR TRANSFER OF OYSTER PLANTING GROUND**

Please Print using Black Ink - For additional instructions see sheet # 3

All Current leaseholder(s) \_\_\_\_\_

I \_\_\_\_\_  
 (We): \_\_\_\_\_

Name(s) of Current Leaseholders and/or Estates of Transferor(s) Please list only those parties transferring their interest in the lease(s) (Please Print )  
 Pursuant to the Code of Virginia and subject to the approval by the Chief Engineer, request to transfer

To: \_\_\_\_\_

Responsible Lessee: \_\_\_\_\_ Birthdate: \_\_\_/\_\_\_/\_\_\_ MRC ID# \_\_\_\_\_  
 (if multiple leaseholders)

911 Address: \_\_\_\_\_  
 Number Street City State Zip Code

Mailing Address \_\_\_\_\_  
 Number Street P.O. Box # City State Zip Code

E-mail Address \_\_\_\_\_ Telephone: \_\_\_\_\_

Contact Person (if other than responsible lessee): \_\_\_\_\_ C/O or agent \_\_\_\_\_ OR if signing as: POA \_\_\_\_\_ Corporate Officer \_\_\_\_\_  
 (Check only one above)

Mailing address for contact person: \_\_\_\_\_  
 Number Street P.O. Box # City State Zip Code

E-mail Address \_\_\_\_\_ Telephone: \_\_\_\_\_  
 Work/Cell Home

Federal Employer Identification Number (FEIN), also known as Federal Tax Identification Number, if applicable: \_\_\_\_\_

Oyster planting ground lease number \_\_\_\_\_ plat number \_\_\_\_\_ \*only one lease per transfer

Check Appropriate Authorization for your Signature:

All current and prospective leaseholders must sign (for deceased leaseholders either the beneficiary, representative, or all heirs must sign) and complete page 3. (See page 2 of this sheet for additional instructions).

- \_\_\_\_ Lessee(s)
- \_\_\_\_ Power of Attorney(POA)
- \_\_\_\_ Executor(s)
- \_\_\_\_ Administrator(s)
- \_\_\_\_ Beneficiary
- \_\_\_\_ All Heirs

\_\_\_\_\_  
 Signature Date  
 \_\_\_\_\_  
 Signature Date  
 \_\_\_\_\_  
 Signature Date  
 \_\_\_\_\_  
 Signature Date

Is Lessee deceased? Yes \_\_\_ date of death \_\_\_\_\_  
 If yes, please provide a copy of death certificate  
 If yes, is there a will? Yes \_\_\_ No \_\_\_  
 If yes, please provide a copy of the will, and if no, provide document of qualification of the personal representative

I, \_\_\_\_\_ certify that \_\_\_\_\_

\_\_\_\_\_ signed the above.

\_\_\_\_\_  
 City/County State Commission Expires Signature (Notary or MPO) Date

**FOR VMRC USE ONLY:** Lease transfer approved \_\_\_\_\_ Lease transfer denied \_\_\_\_\_ Rationale for denial of transfer of lease and/or a portion of lease:

I hereby approve the above transfer(s) to be effective on \_\_\_\_\_, 20\_\_

New Lease number \_\_\_\_\_

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Revised 8-29-2019

NOTE: PURSUANT TO THE CODE OF VIRGINIA 28.2-625, TRANSFER OF OYSTER PLANTING GROUND LEASES, WITH ANY CORRECTION OR NEW PLAT AS DEEMED NECESSARY BY THE COMMISSIONER, SHALL BE APPROVED ONLY IF THE COMMISSIONER BELIEVES THE TRANSFER AND ASSIGNMENT IS IN THE PUBLIC INTEREST AFTER CONSIDERING THE FACTORS IN THE CODE OF VIRGINIA, 28.2-1205 SUBSECTION A, AND THE PUBLIC BENEFITS AND IMPACTS OF SHELLFISH AQUACULTURE. NO LEASE SHALL BE TRANSFERRED IF THE LEASEHOLDER HAS BEEN DENIED RENEWAL UNDER PROVISIONS OF 28.2-613 THE CODE OF VIRGINIA.

COMPLETION OF PAGE THREE OF THIS TRANSFER FORM IS REQUIRED FOR NECESSARY REVIEW AS NOTED ABOVE.

PAYMENTS REQUIRED TO TRANSFER LEASE (\*SEE NOTE BELOW FOR RIPARIAN GROUND TRANSFER FEE):

RENT FOR LEASE FOR THE CURRENT RENT YEAR MUST BE PAID.

TRANSFER APPLICATION FEE:	\$300.00 FOR EACH LEASE 0.01-4.99 ACRE IN SIZE	FEE NON-REFUNDABLE
	\$500.00 FOR EACH LEASE 5.00-25.00 ACRE IN SIZE	FEE NON-REFUNDABLE
	\$1,000.00 FOR EACH LEASE 25.01-250 ACRE IN SIZE	FEE NON-REFUNDABLE

If the rent for the current lease year has not been paid the transfer cannot be processed.

*NOTE:	RIPARIAN TRANSFER APPLICATION FEE IS \$5.00	FEE NON-REFUNDABLE
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MAKE CHECKS PAYABLE TO "TREASURER OF VA" AND MAIL TO THE ADDRESS BELOW:

Virginia Marine Resources Commission (VMRC)  
 Attn: Engineering/Surveying Department  
 380 Fenwick Road, Bldg. 96  
 Fort Monroe, VA 23651

ALL CURRENT LEASEHOLDERS (OR THEIR REPRESENTATIVE) AND PROSPECTIVE APPLICANTS (OR THEIR REPRESENTATIVE) MUST SIGN THIS TRANSFER.

IF A POWER OF ATTORNEY SIGNS, SUBMIT A COPY OF THE DOCUMENTATION OF POWER OF ATTORNEY.

IF THE LEASEHOLDER IS DECEASED, ONE OF THE FOLLOWING MUST BE CHECKED ON THE FRONT TO DENOTE YOUR AUTHORIZATION TO SIGN: EXECUTOR(S), ADMINISTRATOR(S) OR ALL HEIRS OF THE ESTATE (FOR ALL HEIRS, NOTE THE SPECIAL CONDITIONS BELOW)

Please note that pursuant to the Code of Virginia (28.2-613), if a leaseholder died testate (with a will), the deceased person's interest can be transferred by the named beneficiary, at any time after the date of death of the leaseholder but within eighteen months of the date of death of the deceased leaseholder. If the leaseholder dies intestate (without a will), a personal representative (qualified by the local Clerk of Circuit Court) may transfer the interest within eighteen months of the date of death of the leaseholder. If there is no qualification on the leaseholders estate (meaning no one has qualified by the Clerk of the Circuit Court) within one year of the date of death, a transfer can then be executed by all of the lawful heirs within the next six months thereafter. To obtain any oyster ground lease (or interest therein) a person, persons, and/or corporation(s) must meet the legal requirements to hold oyster lease ground in the Commonwealth of Virginia (28.2-604).

\*For riparian leases, the lease must be in the exact same name as the adjoining upland property. Transfer of the adjoining highland property shall require a transfer of the riparian assignment within eighteen months after the transfer of the highland ownership (28.2-601).

**IF YOU HAVE FURTHER QUESTIONS, CALL 757-247-2226 FOR APPLICATION ASSISTANCE  
OR 757-247-2230 FOR MAPPING ASSISTANCE.**



Pursuant to 28.2-625, a lease transfer, with any correction or new plat deemed necessary by the Commissioner shall be approved only if the Commissioner believes the transfer or assignment is in the public interest after considering the factors in subsection A of the Code of Virginia 28.2-1205 and the public benefits and impacts of shellfish aquaculture.

Current leaseholder(s) please provide information related to the following:

1. Has the current lease been used for traditional shelling of the bottom or to cultivate existing shell resources for the most recent assignment and/or prior renewal? Yes \_\_\_\_ No \_\_\_\_
  
2. Was there any planting of spat and/or seed oysters on bottom since the most recent assignment and/or prior renewal? Yes \_\_\_\_ No \_\_\_\_ Uncertain \_\_\_\_
  
3. Has the lease been used for placement of structures on-bottom for shellfish production during the most recent assignment and/or prior renewal? Yes \_\_\_\_ No \_\_\_\_
  
4. Was there clam cultivation using traditional methods on bottom during the most recent assignment and/or prior renewal? Yes \_\_\_\_ No \_\_\_\_
  
5. Was the lease used for any other purpose? Yes \_\_\_\_ No \_\_\_\_

If yes please explain: \_\_\_\_\_

Party requesting transfer must answer questions below:

1. Will the lease be used for on bottom traditional harvest, seed planting, shell or cultch planting?  
\_\_\_\_ Yes \_\_\_\_ No
  
2. Will the lease be used for on bottom structures not to exceed 12-inches in height?  
\_\_\_\_ Yes \_\_\_\_ No
  
3. Will the lease be used for any other purpose and if so please explain?  
\_\_\_\_ Yes \_\_\_\_ No