

Commonwealth of Kentucky
REVENUE CABINET
Department of Property Taxation

APPLICATION FOR
VALUATION, ASSESSMENT, AND TAXATION OF LAND
UNDER THE AGRICULTURAL AND HORTICULTURAL LAND USE ACT

County _____

Application is hereby made for valuation, assessment, and taxation of certain land, hereinafter more particularly described, under the Farmland Assessment Act of 1970. The land covered by this application is actively devoted to agricultural or horticultural use. The following declarations are herewith submitted in support of such application:

1. The owner(s) of the land for which this application is made is (are) _____

2. The land, for which this application is made, is located at: _____

described as _____

3. LAND CLASSIFICATIONS:		<u>Number of Acres</u>		<u>TOBACCO:</u>
1. Cultivation Base:	Class I _____	Class II _____	3. Permanent Pasture Base _____	Basic Poundage _____
	Class II _____	Class IV _____	4. Noncropland Base _____	
			(Woodland, Wasteland)	

	<u>No. of Acres</u>	<u>No. of Acres</u>
1. Land under and land used in connection with residence(s).....	_____	_____
2. Total devoted to agricultural or horticultural use.....	_____	_____
3. Total farm acreage (total lines 1 and 2)	_____	_____
4. Total acreage (if greater than line 3)	_____	_____
Specify: _____		

4. The area of such land actively devoted to agricultural or horticultural use, exclusive of the land upon which the farmhouses located and such additional land as may be actually used in connection with the farmhouse, is not less than 10 acres actively devoted to agricultural use, or 5 acres devoted to horticultural use.

SIGNATURE AND VERIFICATION

I, the undersigned, declare under the penalties provided by law, that this application, including and accompanying schedules and statements, has been examined by me and to the best of my knowledge and belief is true and correct. I further declare that I have filed a Property Tax Return stating my opinion of the fair cash value and the agricultural value of the land for which this application is made.

Dated: _____

Signature of Individual Owner or Co-owner

Name of Corporation

Dated: _____

Signature of Corporate Officer Title

RESERVED FOR OFFICIAL USE

The application is approved disapproved

Date

Property Valuation Administrator

EXPLANATION

KRS 132.010 as amended sets out definite provisions relative to certain agricultural and horticultural land.

1. On or before March 1 of any year the owner or owners of land devoted exclusively to agricultural or horticultural use on which the property valuation administrator has placed a value in excess of the agricultural or horticultural value, may file application for valuation at the agricultural or horticultural value. This application must be made with the property valuation administrator of the county in which the land is located on Revenue Form 62A351, "Application of Valuation, Assessment, and Taxation of Land under the Agricultural and Horticultural Land Use Act."
2. "Agricultural land" means any tract at least ten acres in area, exclusive of land used in conjunction with the farmhouse, that is used for agricultural purposes or for the growing of merchantable timber.
3. "Horticultural land" means any land of at least five acres in area commercially used for the cultivation of a garden, orchard, or the raising of fruits, vegetables, flowers, or ornamental plants.
4. "Agricultural or horticultural value" means a combination of representative sales prices of comparable land purchased for agricultural or horticultural use with consideration being given to the purpose of purchase, such as, improved accessibility and other like factors unduly influencing the sale price, and agricultural use value based on the income-producing capability arrived at by use of Soil Conservation Service land use classifications.
5. "Deferred tax" means the difference in the tax based on agricultural or horticultural value and the tax based on fair cash value.
6. Land devoted to agricultural or horticultural use, where the owner or owners have petitioned for, and been granted, a zoning classification other than for agricultural or horticultural purposes, is excluded from the provisions of this act.
7. When the use of a part of a tract of land which is valued and taxed as agricultural or horticultural land is changed, either by conveyance or other action of owner, the right of the remaining land to be retained in the agricultural or horticultural classification for assessment and taxation shall not be impaired provided it meets the minimum requirements for such classification.
8. Land on which there has been established a systematic pattern of change of use over a period of two years is excluded from the provisions of this act.
9. When a change in land use occurs in any tax year, the owner of such land at the time of the land use change shall be subject to the deferred tax provisions of KRS 132.454(1) for the current tax year and the preceding two tax years in which the land was valued and taxed for agricultural and horticultural purposes. (KRS 132.450(2) (f))
10. When, in the opinion of the property valuation administrator, any land on which an application has been filed has a value in excess of that for agricultural or horticultural use, he shall enter both the fair cash value and the value for agricultural or horticultural use. The agricultural use shall be used for taxation. (KRS 132.450 (2)(g))
11. When the application is denied, the property valuation administrator shall notify the property owner in the manner provided by KRS 132.450 (4). (KRS 132.450 (2)(h))
12. The property owner may appeal such ruling to the county Board of Assessment Appeals as provided in KRS 133.120 or in the case of a city or special district to the appropriate appeals body for the city or district. (KRS 132.450(2)(h))
13. The provisions of this act shall become effective on January 1, 1997, and for each year thereafter.
14. This application shall be valid until the property is transferred or the land use is changed.
15. Any taxpayer, whose land is assessed at agricultural or horticultural land use value, may elect to have the subject property assessed as other than agricultural or horticultural land by filing a statement to that effect with the property valuation administrator prior to the close of the twelve (12) day period beginning on the fourth Monday in May.