

PLEASE COMPLETE THE FORM IN ITS ENTIRETY



CHESTER COUNTY SC
Office of the Assessor
1476 J A Cochran Byp, Post Office Box 580
Chester, SC 29706
Phone: (803) 377-4177
Website: www.chestercounty.org

**Agricultural
Real Property
Application
Due January 15th**

Parcel ID Number: - - - - List agricultural use: _____

Property Address: _____ Tax Year: _____

IDENTIFY THE NUMBER OF ACRES FOR EACH TYPE

Dormant land does not qualify under South Carolina Law.

Timberland: _____ Type of Timber: _____ Cropland: _____ Type of Crop: _____

Pasture land: _____ Type of Livestock: _____ Home Site: _____ Wetlands: _____

Restrictive Covenants? Yes No Agricultural Use Allowed? Yes No _____

OTHER TIMBERLAND TRACTS OF LAND (IF THIS PARCEL IS LESS THAN 5 ACRES)

The tract of land is under the same management as another qualifying timberland tract.

List Parcel ID: - - - - County: _____

The tract of land is contiguous to another qualifying timberland tract that is at least five acres.

List Parcel ID: - - - -

The tract is owned in combination with non-timberland tracts that qualify as agricultural real property.

List Parcel ID: - - - -

NON-TIMBERLAND TRACTS OF LAND AND CROP (IF THIS PARCEL IS LESS THAN 10 ACRES)

The tract of land is contiguous to other tracts that qualify, with identical ownership which, when added together, meet the minimum acreage requirements.

List Parcel ID: - - - - County: _____

The person making application earned at least \$1,000 gross farm income in at least three of the past five years or at least three of the first five years of the initial application. Proof must be submitted to the Assessor annually. Did you file a farm income tax return? Yes No *If qualifying under this consideration and the owner fails to meet the income requirement, the property is subject to rollback tax.*

The property has been owned by the current owner or an immediate family member of the current owner for at least 10 years ending January 1, 1994, and the property has been continuously classified as agricultural real property since tax year 1994. A member of the immediate family is a person related to the current owner within the third degree of consanguinity.

PENALTY OF PERJURY, FRAUD AND ROLLBACK TAX

It is unlawful for a person to knowingly and willfully make a false statement on this application. A person violating the provisions of this section is guilty of a misdemeanor and upon conviction, must be fined not more than \$200. In making this application, I CERTIFY the property, which is the subject of this application, meets the requirements to qualify as agricultural real property as of January 1 of the current tax year. I also authorize the Assessor to verify farm income with the Department of Revenue and Taxation, the Internal Revenue Service, or the Agricultural Stabilization and Conservation Service. I understand that if the use is changed on all or any portion of this tract after it has been placed in an agricultural classification, that portion which is changed will be subject to a rollback tax lien.

Owner Name: _____ Daytime Phone/Cell: _____

Signature: _____ Date: _____

If the owner is a corporation or other legal entity, does the entity have more than ten shareholders? Yes No

An inspection of your property is necessary for qualification. Provide Gate Code: _____

For Office Use Only Initials of Reviewing official _____ Approved _____ Disqualified _____ Date: _____

Soil Type/ Acres: _____ Soil Type/ Acres: _____ Soil Type/ Acres: _____

Submitting this application does not allow you to delay paying taxes that are billed. Penalties & interest will NOT be waived.

DEFINITION OF AGRICULTURAL REAL PROPERTY - S.C. CODE 12-43-230 (a)

Agricultural real property shall mean any tract of real property which is used to raise, harvest, or store crops or feed, breed or manage livestock, or to produce plants, trees, fowl or animals useful to man, including the preparation of the products raised thereon for man's use and disposed of by marketing or other means. It includes but is not limited to such real property used for agriculture, grazing, horticulture, forestry, dairying, and mariculture. In the event at least 50% of a real property tract shall qualify as "agricultural real property", the entire tract shall be so classified, provided no other business for profit is being operated thereon. The term "agricultural real property" shall not include any property used as the residence of the owner or others in that the taxation of such property is specifically provided for in Section 12-43-230 of the South Carolina Code of Laws and Department of Revenue Regulation 117-124.7. Property to be Subject to Roll-Back Taxes: It is understood by "Property Owner" that when real property which is in agricultural use and is being valued, assessed and taxed as agricultural real property and is applied to a use other than agricultural, it shall be subject to additional taxes referred to as roll back taxes.

QUALIFICATION REQUIREMENTS - S.C. CODE 12-43-220 (d)(1)

Agricultural real property which is actually used for such agricultural purposes shall be taxed on an assessment equal to:

A. Four percent of its fair market value for such agricultural purposes for owners or lessees who are individuals or partnerships and certain corporations which do not:

- (1) Have more than 10 shareholders.
- (2) Have as a shareholder a person (other than an estate) who is not an individual.
- (3) Have a nonresident alien as a shareholder.
- (4) Have more than one class of stock.

B. Six percent of its fair market value for such agricultural purposes for owners or lessees who are corporations except for certain corporations specified in (A) above. (S.C. Code 12-43-220(d)(1))

TIMBERLAND

Timberland tracts must be five acres or more. Tracts of timberland must be devoted to growing trees for commercial use. Tracts of timberland less than five acres qualify if any of the following conditions are met:

1. Contiguous to a qualifying tract.
2. Under the same management system as a qualifying tract.
3. Owned in combination with non-timberland tracts that qualify as agricultural real property.

NON-TIMBERLAND - The following uses do not qualify: (1) recreation; (2) hunting clubs; (3) fishing clubs; (4) vacant land lying dormant. Non-timberland (cropland) tracts must be ten acres or more. Tracts of non-timberland less than ten acres qualify if any of the following are met:

1. If contiguous tracts with identical ownership meet the minimum acreage requirements when added together.
2. If a person making application earned at least \$1,000 gross farm income in at least three of the five taxable years preceding the year of application or at least three of the first five years if this is an initial application, and
3. If the property has been owned by current owner of an immediate family member of the current owner for at least ten years ending January 1, 1994 and the property was classified as agricultural real property for tax year 1994.

NOTICE OF A CHANGE IN USE - S.C. CODE 12-43-220 (d)(3)

The owner shall notify the assessor within six months of a change in use. For failure to notify the assessor of a change in use, in addition to any other penalties provided by law, a penalty of ten percent and interest at the rate of one-half of one percent a month must be paid on the difference between the amount that was paid and the amount that should have been paid, but not less than thirty dollars nor more than the current year's taxes.

ROLL-BACK TAXES

It is understood by "Property Owner" that when real property which is in agricultural use and is being valued, assessed and taxed as agricultural-real property and is applied to a use other than agricultural, it shall be subject to additional taxes referred to as roll-back taxes. The amount of the rollback taxes is equal to the sum of the differences, if any, between the taxes paid or payable on the basis of the fair market value for agricultural purposes and the taxes that would have been paid or payable if the real property had been valued, assessed, and taxed as other real property in the taxing district for the current tax year (the year of change in use) and each of the immediately preceding 3 tax years.

FILING REQUIREMENT WITH THE ASSESSOR'S OFFICE - PLEASE KEEP A COPY FOR YOUR FILES.

MAIL or DELIVER ORIGINAL APPLICATION TO:

Chester County Assessor, 1476 J A Cochran Byp, P O Box 580, Chester, SC 29706

If this application is not filed by the close of business (5pm) on or before the first penalty date for taxes due for the first tax year in which the special assessment is claimed, the agricultural classification must be denied for that tax year. An inspection of your property may be necessary for qualification.