

Application Process for the Rural Preserve Property Tax Program

First available for the 2011 Assessment.

Step 1: Contact the Sherburne County Assessor's Department (763-241-2880 or 1-800-438-0577)

- If the property is part of an agricultural homestead and/or enrolled in the Green Acres program, the property owner arranges an appointment with Gerald E. Kritzeck, John Cullen or Jeanne Henderson.
- Assessor meets with the property owner to verify:
 - o property contains at least 10 acres of 2b rural vacant land; and
 - o there are no delinquent property taxes owed on the land.

If the property meets these requirements, the property owner will be provided with aerial photographs containing parcel identification numbers and eligible 2b acres delineated by the assessor along with the Rural Preserve Property Tax Program application.

- Property owner contacts Sherburne Soil and Water Conservation District Office to complete Step 2.

Step 2: Contact the Sherburne Soil and Water Conservation District Office (763-241-1170, ext.3)

- Property owner arranges an appointment with the soil and water conservation Resource Conservationist to address the development of a conservation management plan. Fees are discussed and the covenant is reviewed. A list of certified plan writers will be provided.
- Resource Conservationist completes site visit. (if plan writer **Fee \$125.00**)
- A conservation management plan is completed and signed by the property owner.
- Plan is approved by the authorized SWCD representative **Fee \$200.00** (may take a week).
- Property owner meets with the SWCD to obtain two copies of the approved plan and completed covenant.
 - o The covenant must include the legal description and/or parcel number of each property being enrolled in the Rural Preserve program.
 - o The covenant must also include the conservation management plan map listing the acres and how the land is being used.
- Property owner takes information to the Sherburne County Recorder's Office to complete Step 3.

Step 3: Contact the Sherburne County Recorder's Office (763-241-2915 or 1-800-719-2826)

- Recorder verifies the covenant meets recording standards and will collect a fee of \$46 for each document (multiple parcels under the same ownership may be included under one covenant) filed.
- Recorder assigns the covenant a recording number that must be included on the Rural Preserve program application.
- The recorded covenant is returned to the property owner. (May take up to 2 weeks.)
- Property owner contacts the Sherburne County Assessor's Department to complete Step 4.

Step 4: Contact the Sherburne County Assessor's Department (763-241-2880 or 1-800-438-0577)

- Property owner contacts Sherburne County Assessor's Department to schedule an appointment to complete the application process for Rural Preserve Property Tax Program.
- Required documentation:
 1. Completed application for Rural Preserve Property Tax Program; and
 2. Copy of signed and approved Conservation Management Plan; and
 3. Copy of Recorded Covenant; and
 4. Property Tax Statement(s); and
 5. Verification from the Auditor/Treasurers Department of no delinquent taxes owed.
- Sherburne County Assessor reviews documentation.
- If the Sherburne County Assessor approves the application, the property is enrolled in the Rural Preserve Property Tax Program for the current assessment year provided that the application was filed by May 1st. **Annual re-application is not required.**
- If the Sherburne County Assessor denies the application, the property owner is notified of the reason for denial.

Frequently Asked Questions: The Rural Preserve Property Tax Program

Why was the Rural Preserve Property Tax Program created?

The Rural Preserve Property Tax Program is a property tax relief program that provides a value and tax deferral similar to Green Acres for land subject to a higher valuation due to development or recreational influences. It was created during the 2009 legislative session as a result of changes made to the Green Acres program. Non-productive, rural vacant land that used to be eligible for Green Acres must either be removed from the program or enrolled into the Rural Preserve Property Tax Program. Additionally, property owners who did not participate in Green Acres can enroll their non-productive, rural vacant land into the Rural Preserve Property Tax Program if it is part of an agricultural homestead property.

When must a property owner decide to either remove the non-productive, land from the Green Acres program or enroll it in the Rural Preserve Property Tax Program?

A property owner has until May 1, 2010 to make a decision regarding participation in the Green Acres program to avoid a payback of deferred taxes for withdrawal but has until May 1, 2013 to complete the transition into the Rural Preserve Property Tax Program. If a property owner does nothing at all, this land will be withdrawn from Green Acres for the 2013 assessment and 3 years' deferred taxes will be due.

Who determines what property qualifies for the Rural Preserve Property Tax Program?

The application process starts at the County Assessor's Office. The assessor determines what property qualifies for the Rural Preserve Property Tax Program. The property owner is given a map that delineates the number of acres eligible for enrollment because this information must be provided to the County Soil and Water Conservation District in order to initiate the plan development process.

Is there a cost to have a conservation management plan completed?

The County Soil and Water Conservation District may establish a fee for writing and approving a plan that is comparable to the fees charged by other plan certification programs. The Sherburne Soil and Water Conservation District will be charging \$125 for the conservation plan and \$200 for plan approval.

How long will it take to get a conservation management plan written and approved?

The timeline to get a conservation management plan completed will vary based upon the number of requests and available writers. Delays have been experienced in the development of plans for other certification programs. Property owners should plan ahead and allow enough time to get a plan written and approved to meet the May 1, 2013 deadline.

Can a forest stewardship plan or other conservation plan be substituted for a conservation management plan?

Maybe, if it meets the required plan format. The County Soil and Water Conservation District will determine if another plan satisfies the minimum criteria outlined for the Rural Preserve Property Tax Program.

What conditions may be placed on land subject to a conservation management plan?

The County Soil and Water Conservation District will work with the land owner to achieve acceptable conservation practices and cover types. The plan may limit the disturbance of cover during the nesting season, control all noxious and invasive weeds, minimize resource damage caused by erosion, and maintain the health of plants/trees.

Can a property enrolled in the Rural Preserve Property Tax Program be sold?

Yes, a property enrolled in the Rural Preserve Property Tax Program can be sold. The recorded covenant runs with the land and the covenant continues even if there is a change in ownership. The new owner is required to abide by the agreement set forth in the conservation management plan.

Can a property enrolled in Rural Preserve Property Tax Program be removed from the program at any time?

A property enrolled in Rural Preserve Property Tax Program can be removed from the program, but its removal is not immediate because it is subject to a recorded covenant for a minimum of 10 years. After 5 years in the program, a request to cancel the covenant can be made. It takes another 5 years to terminate the covenant. After termination, the land owner pays back 3 years of deferred taxes.

Does enrollment in the Rural Preserve Property Tax program automatically expire after 10 years?

The recorded covenant on the property does not automatically expire after 10 years. If owner requests termination of the Covenant, the Assessors Department must be provided with written notification 5 years prior to the requested termination date. Upon termination of the Covenant, a 3 year payback of deferred taxes will be billed to property owner.

Can a property owner enroll property that was once in the Rural Preserve Property Tax Program?

Yes, non-productive, rural vacant land can be enrolled in Rural Preserve Property Tax Program if the program requirements are met. However, the property is not eligible for re-enrollment for 3 years after the termination of the recorded covenant.