

COUNTY OF KAUAI
 DEPARTMENT OF FINANCE
 REAL PROPERTY ASSESSMENT DIVISION
 4444 RICE ST., SUITE 454, LIHU'E, KAUA'I, HAWAII 96766-1326
 Phone: (808) 241-4224

PETITION TO DEDICATE LAND FOR AGRICULTURAL USE

NEW PETITION

PETITION TO CHANGE USE (SEE)**

Prepare 2 copies of this petition. Copies must be signed by all parties having legal interest in the petitioned land (for example, husband and wife). A separate petition shall be required for each individual parcel, or apartment or unit of a condominium property regime. Submit all petitions to the Director of Finance by **JULY 1st**. A tax map or facsimile showing the area to be dedicated, the homesite area if any, non-dedicated and unsuitable area, must accompany each copy of petition.

| | | |
|--|---|--|
| 1. Owner's name and/or names: | 3. Island KAUA'I | 5. CHECK STATE LAND USE DISTRICT <input type="checkbox"/> Agricultural (complete No. 16) <input type="checkbox"/> Rural <input type="checkbox"/> Urban <input type="checkbox"/> Conservation |
| 2. Mailing Address of Assessment Notice _____ | 4. Telephone No. _____ Bus/Cell No. _____ Email Address | |
| 6. Present uses of parcels: | 7. Specific Agricultural or Ranching Use(s): | |

8. I dedicate my land to the following agricultural uses: (Be specific—such as pineapple, vegetable crops, fruit crop, flower crop, poultry, cattle pasture, etc.) Note: A statement of the petitioner's pasture rotation, crop cycle planting, harvesting or marketing schedule of products, livestock or animals shall be submitted. Per the Ordinance 915: "Petitioned areas less than 100 acres in size must have the petitioned area entirely in cultivation and/or production at the time of filing of the petition to dedicate". "For petitioned areas of 100 acres or more, the larger of 100 acres or 50% of the petitioned area must be in cultivation and/or production at the time of the filing of the application to dedicate. Any approved petitioned areas that exceed the 100 acres or 50% requirement, but not yet in cultivation and/or production at the time of filing, shall be planted at a rate of 10% per year, each year thereafter."

| Tax Key | Area of Parcel | Agricultural or Ranching Use | Area To Be Dedicated | Unusable Area Ag. District Only | Non-Dedicated Area Use |
|------------|----------------|------------------------------|----------------------|---------------------------------|------------------------|
| | | | | | homesite |
| | | | | | |
| Total Area | | | | | |

9. **I hereby petition to change the dedicated use of Petition No. _____ dedicated _____ by changing the _____ use _____ to _____ use _____. Items 10 thru _____ existing dedicated _____ area _____ new _____ area _____ filled in only if petitioner's land is leased. If it is, a copy of the lease document must be attached hereto. Only one copy of lease document needs to accompany a set of the petition.

| | | |
|---|---|---|
| 10. Lessor's name and mailing address: | 11. Term of lease (years) | 12. Lease rental schedule: |
| 13. Expiration of lease | 14. Lease document is attached: (check one) Yes <input type="checkbox"/> No <input type="checkbox"/> | 15. Is lease recorded at the Bureau of Conveyances? Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 16. As a petitioner of land(s) situated within the State's Agricultural Land Use District, I hereby petition that the Period of Dedication be (check one) <div style="display: flex; justify-content: space-around;"> 10 Years <input type="checkbox"/> 20 Years <input type="checkbox"/> </div> | | |

To facilitate statute-required investigation of this petition, I hereby grant to the Real Property Assessment Division a right of entry to land described above as well as access to existing soil survey information and to interpretive data compiled from this source.

I hereby declare that my land can be best used for the foregoing purpose or changes and if this petition is approved, I will use my land for such purposes in accordance with applicable ordinances.

I understand that failure to observe the restrictions of the use of this land shall cancel the dedication and special tax assessment privilege retroactive to the date of the dedication, and that additional taxes and penalties, due and owing as a result of a breach of the dedication shall be a paramount lien upon the property, in accordance with applicable ordinances.

| | |
|--|--|
| DO NOT WRITE HERE | |
| Date Received: _____ | |
| Assessor: _____ | |
| <input type="checkbox"/> 10-Year Dedication | |
| <input type="checkbox"/> 20-Year Dedication | |
| ----- | |
| Petition No. _____ Copy No. _____ | |
| Checked: Pertinent items properly completed. | |

| | |
|------------------------------|------|
| Signature of Owner or Agent* | Date |
| Signature of Owner or Agent* | Date |
| Signature of Owner or Agent* | Date |
| Signature of Owner or Agent* | Date |

***An agent acting on the behalf of the owner or lessor must submit written proof of agency status to assessor.**

For owners to petition to change or amend the dedicated use

1. Check change at top right. Submit tax map or facsimile showing change.
2. Complete items 1, 2, 3, 4, 5, & 9. For item 9 write in the Petition Number and effective tax year as noted on the Notice of Approval and complete appropriately.
3. All parties having legal interest shall sign and date the petition.

For Petitions To Dedicate Land Within All Districts.

Please state the annual gross income from the Specific Agricultural crop or Livestock for the immediate past five years.

| Specific Agricultural crop or *Specific Livestock Production | Year | Gross Income |
|---|-------|--------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

General Excise License No. _____ **Date License Issued** _____

***Note:** The term specific livestock shall mean the production of livestock products under confined or controlled conditions for:

- Swine or hog – feeder hogs, market hogs, breeder hogs.
- Poultry – egg, meat birds, or chicks.
- Feedlot – beef cattle, hog, calf.
- Aquaculture – fish (type of), shrimp, prawn, etc.
- Dairy

AG DEDICATION PETITION FILING REQUIREMENTS
(Petition Filing will not be accepted unless all items are completed)

- 1) Petition filled out completely and signed by all owners of record and/or all trustees AND Contact information included
- 2) New or Change of Use? (check box)
- 3) Present Use and Agricultural Use(s) indicated
- 4) Initial that you have read & understand item #8
- 5) All areas of the parcel described in table provided as:
 - > used for commercial ranching or farming,
 - > plus all areas not farmed or ranched
 - > plus any and all lands ascribed to the dwelling(s), access driveways, landscaping or surrounding yard areas
- 6) Item #9 is ONLY for EXISTING Ag Dedications
- 7) The Lessee Section is to be completed if you are using a lessee to farm or ranch your land. Items 10 thru 15 must be completed and the lease or license provided as signed by owner and lessee(s). **Please note that unless the lease has been recorded at the State Bureau of Conveyance and the term is for the duration of the 10 or 20 years petitioned -we will only contact you – the Owner - for any additional information required.**
- 8) Item 16 must be completed

- Initial all three sentences above the signature lines as read and understood.
- An agent acting on the behalf of the owner or lessor must submit written proof of agency status to assessor.
- All Owners of Record MUST SIGN and DATE
- For Petitions on Parcels of less than 5 acres – the applicant must provide proof of sales of farm or ranch products for the previous five years, in the form of Federal Schedule F Profit and Loss Statements.
- GE Tax License number to be provided
- A Plot Plan (Map or Imagery) MUST be included, showing all areas petitioned as described in the table provided.
- A Marketing Plan, describing how the products will be marketed and where they will be sold.
- A Planting Plan for areas yet to be planted or periodically left as fallow over the course of the dedication must be provided – or a Pasture Rotation Schedule to be provided for ranching occurring over contiguous or non-contiguous parcels during the course of the 10 or 20 year period.