



FORT BEND CENTRAL APPRAISAL DISTRICT

2801 B.F. Terry Blvd. Rosenberg, Texas 77471-5600

Phone (281) 344-8623

www.fbcad.org

How to complete a Texas Comptroller of Public Accounts form 50-129 application for 1-d-1 (open-space) Agricultural Appraisal

Please review page 5 of the application for important information before completing the application

Application for 1-d-1 (Open-Space) Agricultural Use Appraisal		Form 50-129
<h3>Important Information</h3>		
GENERAL INFORMATION		
Agricultural use includes, but is not limited to, the following activities: (1) cultivating the soil; (2) producing crops for human food, animal feed, or planting seed or for the production of fibers; (3) floriculture, viticulture and horticulture; (4) raising or keeping livestock; (5) raising or keeping exotic animals or fowl for the production of human food or fiber, leather, pelts or other tangible products having a commercial value; (6) planting cover crops or leaving land idle for the purpose of participating in a governmental program provided the land is not used for residential purposes or a purpose inconsistent with agricultural use or leaving the land idle in conjunction with normal crop or livestock rotation procedures; (7) producing or harvesting logs and posts used for construction or repair of fences, pens, barns or other agricultural improvements on adjacent open-space land having the same owner and devoted to a different agricultural use; (8) wildlife management; and (9) beekeeping.		
Wildlife management use began, was appraised as qualified open-space or timberland under Tax Code, Chapter 23, Subchapter D or E, to propagate a sustaining breeding, migrating or wintering population of indigenous wild animals for human use, including food, medicine or recreation, in at least three of the following ways: (1) habitat control; (2) erosion control; (3) predator control; (4) providing supplemental supplies of water; (5) providing supplement supplies of food; (6) providing shelters; and (7) making census counts to determine population.		
Wildlife management is defined as actively using land to protect federally listed endangered species under a federal permit if the land is included in a habitat preserve subject to a conservation easement created under Natural Resources Code Chapter 183 or part of a conservation development under a federally approved habitat conservation plan restricting the use of the land to protect federally listed endangered species or actively using land for a conservation or restoration project under certain federal and state statutes. These two types of wildlife management uses do not require showing a history of agricultural use but do require evidence identified in section 6, questions 7 and 8.		
Agricultural land use categories include: (1) irrigated cropland; (2) dry cropland; (3) improved pastureland; (4) native pastureland; (5) orchard; (6) wasteland; (7) timber production; (8) wildlife management; and (9) other categories of land that are typical in the area.		
APPLICATION DEADLINES		
The completed application must be filed with the chief appraiser before May 1 of the year for which agricultural appraisal is requested. If the application is approved, a new application is not required in later years unless the land ownership changes, eligibility ends or the chief appraiser requests a new application.		
A late application may be filed up to midnight the day before the appraisal review board approves appraisal records for the year, which usually occurs in		
DUTY TO NOTIFY AND PENALTIES:		
The property owner must notify the chief appraiser no later than the April 30 following the change in use or eligibility. A change of land use for all or part of the property will trigger substantial additional tax plus interest (a rollback tax). Payment of a penalty may also be required for failure to notify the chief appraiser of a change in agricultural use or qualification. Notice must be delivered to the chief appraiser if:		
<ul style="list-style-type: none"> the property stops being used for agriculture (e.g., voluntarily stopped farming); category of land use changes (e.g., from dry cropland to irrigated cropland); level of use changes (e.g., a substantial increase or decrease the number of cattle raised); nature of use changes (e.g., a switch from growing corn to growing ornamental plants); property owner enters, leaves or changes governmental programs (e.g., 100 acres placed in a conservation reserve program); or the land is used for something other than agriculture (e.g., to build a shopping center on most of the land). 		
DUTY TO NOTIFY FOR CERTAIN LANDOWNERS:		
If land ceases to be devoted principally to agricultural use to the degree of intensity generally accepted in the area, open-space appraisal may be retained if the chief appraiser is notified as required and the property owner:		
<ul style="list-style-type: none"> is a member of the armed services who is deployed or stationed outside of Texas who intends to return the land to the manner and to the degree of intensity that is generally accepted in the area not later than the 180th day after being deployed or stationed outside this state ceases; owns land that has previously been under open-space appraisal primarily based on its citrus production; the land is located in a pest management zone; and an agreement was executed to destroy, remove or treat all the citrus trees located on the land that are or could become infested with pests with one of the following: Texas Citrus Pest and Disease Management Corporation, Inc., the Texas Commissioner of Agriculture or the U.S. Department of Agriculture; or owns land that has previously been under open-space appraisal primarily on the basis of livestock; the land is located in a temporary quarantine area established during the tax year by the Texas Animal Health Commission for the purpose of regulating the handling of livestock and eradicating ticks or exposure to ticks under Chapter 167, Agriculture Code. 		
OTHER IMPORTANT INFORMATION		
If the initial application form does not contain all essential information, the		

- **Top of page 1 :**

Application for 1-d-1 (Open-Space) Agricultural Use Appraisal		Form 50-129
		20XX
		Tax Year
FORT BEND CENTRAL APPRAISAL DISTRICT		1234-56-789-1234-567 or R123456
Appraisal District's Name		Appraisal District Account Number (if known)

(a) Write: Fort Bend Central Appraisal District or FBCAD as the district at which you are making application.

- **Page 1, Section 1:**

SECTION 1: Property Owner/Applicant	
The applicant is the following type of property owner:	
<input type="checkbox"/> Individual	<input type="checkbox"/> Partnership
<input type="checkbox"/> Corporation	<input type="checkbox"/> Other (specify):
JOHN Q. PUBLIC	01/01/1900
Name of Property Owner	Date of Birth
Known access point or actual 911 address	
Physical Address, City, State, ZIP Code	
555-555-5555	Optional
Primary Phone Number (area code and number)	Email Address*
1234 Main Street, Our Town, Texas 77000	
Mailing Address, City, State, ZIP Code (if different from the physical address provided above)	

- (a) Check the appropriate type of applicant.
- (b) Write the current owner of the property.
- (c) Write the current owner’s birthdate (optional)
- (d) Write known access road or actual address if applicable.
- (e) Write phone number that the district can contact the owner.
- (f) Email is optional
- (g) Write the best address where the district can contact the owner.

- **Page 1, Section 2: If owners is applicant, they may skip this step**

SECTION 2: Authorized Representative	
If you are an individual property owner filing this application on your own behalf, skip to Section 3; all other applicants are required to complete Section 2.	
Please indicate the basis for your authority to represent the property owner in filing this application:	
<input type="checkbox"/> Officer of the company	<input type="checkbox"/> General Partner of the company
<input type="checkbox"/> Attorney for property owner	
<input type="checkbox"/> Agent for tax matters appointed under Tax Code Section 1.111 with completed and signed Form 50-162	
<input type="checkbox"/> Other and explain basis:	
John Doe	
Name of Authorized Representative	
Tax Agent	555-555-5555
Title of Authorized Representative	Primary Phone Number (area code and number)
	Optional
	Email Address*
12345 Main Street, Our Town, Texas 77000	
Mailing Address, City, State, ZIP Code	

- (a) If applicant is not the owner of the property, check the appropriate box and complete the personal information.

- **Page 1 Section 3:**

SECTION 3: Property Description and Information
Provide the descriptive information requested below for the property that is the subject of this application or attach last year's tax statement, notice of appraised value or other correspondence identifying the property.
5000
Number of Acres (subject to this application)
Legal Description, abstract numbers, field numbers and/or plat numbers:
0001 E. Alcom, Section 1, Block 1, Acres 5000

- (a) Write the acreage you are making application for.
- (b) Write the legal description of the property if the account number is unknown

- **Page 2, Section 3:**

SECTION 3: Property Description and Information (concluded)	
Select the appropriate box in response to each question below.	
1. Has the ownership of the property changed since Jan. 1 of last year or since the last application was submitted?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, the new owner must complete all applicable questions and, if the land is used to manage wildlife, sections 4 and 5 must be completed.	
2. Last year, was 1-d-1 appraisal allowed on this property by the chief appraiser of this appraisal district?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If no, all applicable questions must be completed and, if the land is used to manage wildlife, sections 4 and 5 must be completed.	
If yes, complete only those parts of sections 4 and 5 that have changed since the earlier application or any information in sections 4 and 5 requested by the chief appraiser.	
3. Is this property located within the corporate limits of a city or town?	<input type="checkbox"/> Yes <input type="checkbox"/> No

1. If ownership of the property has changed in **ANY** way (ownership, name change, spelling, marriage, death, etc.), the applicant **MUST** Check “yes” and complete the entire application in full.
 - a. If ownership has not change in **ANY** way, but the owner has received an application from the district, the applicant **MUST** complete the entire application in full.
2. If ownership of the property has not changed in **ANY** way and the property was appraised as 1-d-1 (open space) agricultural appraisal in the previous year, the applicant may check “Yes”.
 - a. The applicant **MUST** complete all sections of information that has changed since the last application was submitted.
3. Is the property within a city limit? Check “Yes” or “No”.

- **Page 2, Section 4**

SECTION 4: Property Use		
Provide complete answers to the following questions. List the agricultural use of the property according to the agricultural land categories listed in the important information section of this form. Divide the total acreage according to individual uses to which the land is principally devoted.		
1. Describe the current and past agricultural uses of this property as described in Section 3, starting with the current year and working back 5 years or until 5 out of 7 years of agricultural use is shown. Five years of continuous agricultural use may be required if the land is located within the corporate limits of a city or town.		
Year	Agricultural Use Category of Land (Lists all that apply)	Acres Principally Devoted to Agricultural Use
Current	Row Crop	5000
1	Row Crop	5000
2	Row Crop	5000
3	Row Crop	5000
4	Improved Pasture	5000
5	Improved Pasture	5000
6	Improved Pasture	5000
7	Improved Pasture	5000

1. In the box marked “Current” record the application year, the use of the property, and the amount of acres that are to be used.
 - a. In the spaces below the current year information, record the history of use. Working backwards in time.

2. (a) List the livestock, exotic animals or exotic fowl raised or the type of wildlife managed on the property and the number of acres used for each activity. Attach a list if the space is not sufficient.		
Livestock, Exotic or Wildlife	Number of Acres	
Cattle	5000	
N/A		

2. Describe the current use of the property if used for livestock. If property is used for something other than livestock, record **N/A** in these areas.
 - a. Record the type of livestock and amount of acreage used to raise the livestock.

- **Page 2 Section 4 (cont.)**

(b) How many head of livestock or exotic animals are raised on the property (average per year)?

Livestock or Exotics	Number of Head
Cattle	1000
N/A	

- b. Record the amount of livestock and average total herd to be grazing the property. (If multiple accounts/parcels are under one fence, record the total head within said fence.)

3. List the crops grown (including ornamental plants, flowers or grapevines) and the number of acres devoted to each crop. Attach a list if the space is not sufficient.

Type of Crop	Number of Acres
Cotton	2500
Corn	2500
N/A	

3. Describe the current crops and acres used of the property to grow said crops. If the property is used for something other than the growing of crops, mark this space **N/A**.
- a. **List any properties that you may own, lease or lease to, that will assist you, if needed, in meeting the acreage requirements for the applied for agricultural use in the space below #3. (bottom of page 2)**

- **Page 3, Section 4 (cont.)**

4. List the participation in any government programs for planting cover crops or land lying idle and the number of acres devoted to each program. Attach a list if the space is not sufficient.

Program Name	Number of Acres
XYZ Program	500
NA	

4. List any government program that is claimed on the property and the acreage involved in said program. If property is not in a program, mark this space **N/A**.

- **Page 3, Section 4 (concluded)**

5. If the property is now used for any nonagricultural activities, list all nonagricultural uses and the number of acres devoted to each use. Attach a list if the space is not sufficient.

Nonagricultural Use	Number of Acres
Home Site	2
Stable	5
N/A	

5. Describe the non-agricultural use of the property and acreage, if a portion of the property is not intended to be used for agricultural use. If all of the property is used for agricultural use, then mark this area **N/A**.

- **Page 3, Section 5**

➤ **Complete this section ONLY if applying for Wildlife Management Use and submit a Wildlife Management Plan with the application**

SECTION 5: Wildlife Management Use

Complete this section only if the land is used for wildlife management. If the land is not used for wildlife management, do not complete this section.

1. If the land is used to manage wildlife, list at least three of the wildlife management practices being used (listed and described in the important information section of this form).

A.	N/A or Habitat Control
B.	Predator Control
C.	Providing Shelter

1. List 3 wildlife management practices that will be performed as part of the properties Wildlife Management Plan

2. Indicate the property's agricultural land use category (described in the important information section of this form) for the tax year preceding the land's conversion to wildlife management use. For example, if the land was categorized as native pasture before conversion to wildlife management, native pasture would be the response to this request as it is the category of use prior to conversion.

Improved Pasture

2. Indicate the agricultural use of the property for the year prior to converting to Wildlife Management Appraisal

- **Page 3, Section 5 (cont.)**

3. Attach the wildlife management plan for the property using the appropriate Texas Parks & Wildlife Department form (obtained at www.tpwd.texas.gov/landwater/land/private/agricultural_land/).	
4. Was the land subject to wildlife management a part of a larger tract of land qualified for 1-d-1 or timberland appraisal on Jan. 1 of the previous year?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5. Is any part of the land subject to wildlife management managed through a wildlife management property association?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, attach a written agreement obligating the owners in the association to perform wildlife management practices necessary to qualify wildlife management land for 1-d-1 appraisal.	
6. Is any part of the land located in an area designated by Texas Parks and Wildlife Department as a habitat for an endangered species, a threatened species or a candidate species for listing by as threatened or endangered?	<input type="checkbox"/> Yes <input type="checkbox"/> No
7. (a) Is the land that is the subject of this application subject to a permit issued under Federal Endangered Species Act Section 7 or 10(a)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
(b) If yes, is the land included in a habitat preserve and subject to a conservation easement created under Texas Natural Resources Code Chapter 183 or part of a conservation development under a federally approved habitat conservation plan?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes to questions 7(a) and (b), provide evidence of the permit and of the conservation easement or habitat conservation plan. Your application cannot be approved without this evidence.	
8. Is the land that is the subject of this application actively used for a conservation or restoration project providing compensation for natural resources damage under one or more of the following laws:	
Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. Section 9601 et seq.)	<input type="checkbox"/> Yes <input type="checkbox"/> No
Oil Pollution Act (33 U.S.C. Section 2701 et seq.)	<input type="checkbox"/> Yes <input type="checkbox"/> No
Federal Water Pollution Control Act (33 U.S.C. Section 1251 et seq.)	<input type="checkbox"/> Yes <input type="checkbox"/> No
Texas Natural Resources Code Chapter 40	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes to any of the above, provide evidence of the conservation easement, deed restriction or settlement agreement with the Texas Commission on Environmental Quality. Applications without this evidence cannot be approved.	

➤ **Complete #3-#8 check boxes as needed**

- **Page 4 Section 6**

SECTION 6: Conversion to Timber Production	
1. Was the land subject to this application converted to timber production after Sept. 1, 1997?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, on what date was it converted to timber production?	<input type="text"/>
2. Does the property owner wish to have the land subject to this application continue to be appraised as 1-d-1 land?	<input type="checkbox"/> Yes <input type="checkbox"/> No

➤ **Complete this section ONLY if converting to Timber Production**

- Page 4 Section 7

SECTION 7: Certification and Signature	
NOTICE REGARDING PENALTIES FOR MAKING OR FILING AN APPLICATION CONTAINING A FALSE STATEMENT: If you make a false statement on this form, you could be found guilty of a Class A misdemeanor or a state jail felony under Penal Code Section 37.10.	
"I, <u>John Q. Public</u> , swear or affirm the following:	
Printed Name of Property Owner or Authorized Representative	
1. that each fact contained in this application is true and correct;	
2. that the property described in this application meets the qualifications under Texas law for the special appraisal claimed;	
3. that I have read and understand the <i>Notice Regarding Penalties for Making or Filing an Application Containing a False Statement.</i> "	
sign here →	<u>1/1/2000</u>
Signature of Property Owner or Authorized Representative	Date

- Read the **BOLD FONT** warning before signing the application.
- Property owner or representative **MUST** record name to swear or affirm.
- Property owner or representative **MUST** sign and date the application in order for it to be valid.
- If the property is the subject of a lease, please be sure to submit a copy of the lease for our records.

Review the application for errors and blank spaces. Submit the application timely to the district by mail or in person. ***Persons submitting applications in person can and should request a date stamped copy at the time of submission.***