

# WALLER COUNTY APPRAISAL DISTRICT

900 13<sup>TH</sup> STREET  
PO BOX 887  
HEMPSTEAD, TEXAS 77445  
(979)921-0060  
(979)921-0377(FAX)  
[www.waller-cad.org](http://www.waller-cad.org)

Property Owner:

In accordance to Section 23.54(e) of the Texas Property Tax Code, enclosed you will find the timber use application forms for 2016. We have mailed these to you for at least one of the following reasons:

- (1) Ownership or name change
- (2) Acreage change
- (3) Use of land change
- (4) Request by owner
- (5) Request by appraisal district

In order to be considered for agricultural special use evaluation, **this application must be filled out completely and returned with supporting documentation before MAY 2, 2016.** Applications filed after May 2nd will receive a 10% penalty for filing late. Applications received after the roll is certified (mid-July) will be too late to consider.

**Failure to comply with the above request will result in the loss of the timber special use evaluation for 2016.**

Additional information can be found on our website: [www.waller-cad.org](http://www.waller-cad.org). If you have any questions, please contact this office.

Chris Barzilla  
Chief Appraiser  
Waller County Appraisal District



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**APPLICATION FOR OPEN-SPACE LAND (1-d-1 TIMBER LAND)**

**IMPORTANT INFORMATION FOR APPLICANTS**

In order to claim open-space timber land appraisal, this application must be timely filed after January 1 and no later than April 30 of this year. **THIS APPLICATION WILL NOT BE APPROVED WITHOUT A CURRENT TIMBER MANAGEMENT PLAN AND PROOF OF MANAGEMENT ACTIVITIES.**

Step 1: Owner's Name & Address

Date of Birth: \_\_\_\_\_

Step 2: Property Description

LEGAL DESCRIPTION:

PROP ID:

SCHOOL DIST:

Step 3:  
Describe Prior  
Appraisal

(a) Have you previously been allowed an open-space timber land appraisal on this property by the chief appraiser of the Waller County Appraisal District?

YES  NO

(b) Has the information reported previously in your application for the prior open-space timber land appraisal changed?

YES  NO

Step 4:  
Describe the  
property's use

1. List the principal use of the land listed under the legal description for the past seven years. Include both the use of the land for the production of timber or forest products and any non-timber uses of the land.

YEAR	TIMBER-USE	ACRES	NON-TIMBER-USE	ACRES
Current				
1				
2				
3				
4				
5				
6				
7				

<p>Step 4:</p> <p>Describe the property's use (continued)</p>	<p>2. Is the land listed under legal description currently and actively devoted principally to the production of timber or forest product?</p> <p style="text-align: center;"><input type="checkbox"/> YES <span style="margin-left: 200px;"><input type="checkbox"/> NO</span></p> <p>3. Is the land listed under legal description located within the corporate limits of a city or town?</p> <p style="text-align: center;"><input type="checkbox"/> YES <span style="margin-left: 200px;"><input type="checkbox"/> NO</span></p> <p>4. Is the land which is the subject of this application owned by a nonresident alien, who is required by federal law or federal rules to register the person's ownership or acquisition of this land?</p> <p style="text-align: center;"><input type="checkbox"/> YES <span style="margin-left: 200px;"><input type="checkbox"/> NO</span></p>
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<p>Step 5: Sign the application.</p>	<p><b>If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code Section 37.10</b></p> <p><b>I certify that the information given on this form is true and correct.</b></p>	
<p>Authorized Signature: <b>SIGN HERE</b></p>		<p>Date:</p>
<p>Printed Name:</p>		<p>Phone Number:</p>

<p>Step 6:</p> <p>Return the completed application with the requested documentation.</p>	<p>The application and supporting documents must be timely submitted between January 1 and May 2nd to the <b>WALLER COUNTY APPRAISAL DISTRICT</b>. Our office hours are from 8AM to 5PM, Monday – Friday. Contact us if you have any questions.</p>
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Texas Constitution, Article VIII, Section 1-d-1;  
Texas Property Tax Code, Chapter 23, subchapter E.

**OTHER IMPORTANT INFORMATION**

An application for open-space timber land appraisal does not have to be filed annually once such appraisal is granted. However, the chief appraiser may require a new application to be file to confirm that the land is currently eligible for open-space timber land appraisal.

If the use of all or part of qualifying land changes to a nonqualifying use, the land which changes use will be subject to a rollback in taxes for each of the preceding five years in which open-space timber land appraisal has been granted.

In addition, a penalty will be imposed if the owner fails to notify the chief appraiser in writing before May 1 after the eligibility for open-space timber appraisal ends. This penalty will be equal to 10% of the difference between the taxes imposed on the property in each year that the property was erroneously allowed the special appraisal and the taxes that would otherwise have been imposed.

If the application is granted after being filed late, the owner is liable for a penalty of 10% of the difference in the amount of tax imposed on the property and the amount that would be imposed if the property were taxed at market value. This is on property that the application was filed after April 30 deadline but before the property was certified in mid July.

The Texas Supreme Court has ruled that an identical provision prohibiting special appraisal for land owned by a foreign government, corporation or other legal entity in which a nonresident alien or foreign government owns a majority interest is unconstitutional. The Court's reasoning would apply to §(2) and (3), which are reflected in Question #4, however, neither of these provisions has explicitly been held unconstitutional.