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2010 Commission Summary

35 Garden

Residential Real Property - Current

Number of Sales	57	Median	98
Total Sales Price	\$2,417,350	Mean	103
Total Adj. Sales Price	\$2,448,950	Wgt. Mean	99
Total Assessed Value	\$2,426,443	Average Assessed Value of the Base	\$38,406
Avg. Adj. Sales Price	\$42,964	Avg. Assessed Value	\$42,569

Confidence Interval - Current

95% Median C.I	95.26 to 105.96
95% Mean C.I	97.72 to 108.17
95% Wgt. Mean C.I	95.47 to 102.69

% of Value of the Class of all Real Property Value in the County	11.11
% of Records Sold in the Study Period	5.72
% of Value Sold in the Study Period	6.34

Residential Real Property - History

Year	Number of Sales	LOV	Median
2009	76	98	98
2008	72	98	98
2007	89	95	95
2006	79	95	95

2010 Commission Summary

35 Garden

Commercial Real Property - Current

Number of Sales	20	Median	99
Total Sales Price	\$319,515	Mean	108
Total Adj. Sales Price	\$319,515	Wgt. Mean	101
Total Assessed Value	\$322,198	Average Assessed Value of the Base	\$41,936
Avg. Adj. Sales Price	\$15,976	Avg. Assessed Value	\$16,110

Confidence Interval - Current

95% Median C.I	97.87 to 104.90
95% Mean C.I	88.55 to 126.62
95% Wgt. Mean C.I	88.57 to 113.11

% of Value of the Class of all Real Property Value in the County	2.03
% of Records Sold in the Study Period	11.98
% of Value Sold in the Study Period	4.60

Commercial Real Property - History

Year	Number of Sales	LOV	Median
2009	21	99	99
2008	15	99	99
2007	14	96	96
2006	17	95	95

2010 Opinions of the Property Tax Administrator for Garden County

My opinions and recommendations are stated as a conclusion based on all of the factors known to me regarding the assessment practices and statistical analysis for this county. See, Neb. Rev. Stat. §77-5027 (R. S. Supp., 2005). While the median assessment sales ratio from the Qualified Statistical Reports for each class of real property is considered, my opinion of the level of value for a class of real property may be determined from other evidence contained within this Reports and Opinions of the Property Tax Administrator. My opinion of quality of assessment for a class of real property may be influenced by the assessment practices of the county assessor.

Residential Real Property

It is my opinion that the level of value of the class of residential real property in Garden County is 98% of market value. The quality of assessment for the class of residential real property in Garden County indicates the assessment practices meet generally accepted mass appraisal practices.

Commercial Real Property

It is my opinion that the level of value of the class of commercial real property in Garden County is 99% of market value. The quality of assessment for the class of commercial real property in Garden County indicates the assessment practices meet generally accepted mass appraisal practices.

Agricultural Land or Special Valuation of Agricultural Land

It is my opinion that the level of value of the class of agricultural land in Garden County is 70% of market value. The quality of assessment for the class of agricultural land in Garden County indicates the assessment practices meet generally accepted mass appraisal practices.

It is my opinion that the level of value of the class of agricultural land receiving special valuation in Garden County is 70%. The quality of assessment for the class of agricultural land receiving special valuation in Garden County indicates the assessment practices meet generally accepted mass appraisal practices.

Dated this 7th day of April, 2010.



A handwritten signature in cursive script that reads "Ruth A. Sorensen".

Ruth A. Sorensen
Property Tax Administrator

2010 Assessment Actions for Garden County

taken to address the following property classes/subclasses:

Residential

After an analysis of the residential market it was determined, that the countywide reappraisal that was conducted on 2008 along with the follow up economic depreciation that was applied in 2009, the market was holding steady and no further adjustments would be made for 2010.

The annual maintenance was completed and the applicable property record cards were updated.

2010 Assessment Survey for Garden County

Residential Appraisal Information

1.	Valuation data collection done by:
	Assessor and staff, and on a short-term basis two part-time listers as needed.
2.	List the valuation groupings used by the County:
	Valuation Grouping 1 – Oshkosh Valuation Grouping 2 – Lewellen Valuation Grouping 3 – Lisco Valuation Grouping 4 – Rural
a.	Describe the specific characteristics of the valuation groupings that make them unique.
	Valuation Grouping 1 – is the main business hub for Garden County, here is located the hospital, nursing home, bank and school. Valuation Grouping 2 – market is influenced primarily by the proximity to Lake McConaughy. Valuation Grouping 3 – the market here is very stagnant, when a property does sell typically it will be purchased and used as lodging for the hunters. Valuation Grouping 4 – is a different market for those individuals seeking the amenities of country living.
3.	What approach(es) to value is/are used for this class to estimate the market value of properties? List or describe.
	The cost approach will carry the most weight and the sales will be used in the development of the depreciation.
4	When was the last lot value study completed?
	2008
a.	What methodology was used to determine the residential lot values?
	A market analysis of vacant lot sales and/or determining the residual value by subtracting the reproduction cost new from the sale price. A square foot price has been developed for residential lots and a per acre breakdown has been established for larger parcels.
5.	Is the same costing year for the cost approach being used for the entire valuation grouping? If not, identify and explain the differences?
	Yes (2005)
6.	Does the County develop the depreciation study(ies) based on local market information or does the County use the tables provided by their CAMA vender?

	Effective age is determined from the market and then the tables provided by the CAMA vendor are utilized.
a.	How often does the County update depreciation tables?
	At time of a reappraisal or when the market analysis shows a need.
7.	Pickup work:
a.	Is pickup work done annually and is it completed by March 19th?
	Yes
b.	By Whom?
	Assessor and staff.
c.	Is the valuation process (cost date and depreciation schedule or market comparison) used for the pickup work the same as the one that was used for the valuation group?
	Yes
8.	What is the County's progress with the 6 year inspection and review requirement? (Statute 77-1311.03)
	In 2008 a countywide reappraisal of all residential property was completed.
a.	Does the County maintain a tracking process? If yes describe.
	Yes – charts have been developed for tracking of the residential work.
b.	How are the results of the portion of the properties inspected and reviewed applied to the balance of the county?
	The results will be applied all at once to the class as a whole.

PAD 2010 R&O Statistics

Base Stat

State Stat Run

Type: Qualified

Date Range: 07/01/2007 to 06/30/2009 Posted Before: 02/15/2010

NUMBER of Sales:	57	MEDIAN:	98	COV:	19.55	95% Median C.I.:	95.26 to 105.96	(! : Derived)
TOTAL Sales Price:	2,417,350	WGT. MEAN:	99	STD:	20.13	95% Wgt. Mean C.I.:	95.47 to 102.69	
TOTAL Adj.Sales Price:	2,448,950	MEAN:	103	AVG.ABS.DEV:	14.27	95% Mean C.I.:	97.72 to 108.17	
TOTAL Assessed Value:	2,426,443							
AVG. Adj. Sales Price:	42,964	COD:	14.50	MAX Sales Ratio:	167.86			
AVG. Assessed Value:	42,569	PRD:	103.90	MIN Sales Ratio:	62.80			

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DATE OF SALE *	COUNT	MEDIAN	MEAN	WGT. MEAN	COD	PRD	MIN	MAX	95% Median C.I.	Avg. Adj. Sale Price	Avg. Assd Val
<u>Qrtrs</u>											
07/01/07 TO 09/30/07	8	96.59	98.05	97.29	4.55	100.78	90.92	108.92	90.92 to 108.92	53,550	52,097
10/01/07 TO 12/31/07	5	94.58	96.35	99.04	11.60	97.29	72.38	116.22	N/A	47,760	47,299
01/01/08 TO 03/31/08	9	98.22	106.73	98.66	12.50	108.17	91.22	132.25	91.53 to 121.51	50,944	50,263
04/01/08 TO 06/30/08	12	96.57	105.05	99.66	16.31	105.41	79.98	144.37	92.34 to 120.43	38,312	38,180
07/01/08 TO 09/30/08	7	109.14	109.19	100.49	13.63	108.66	70.68	158.39	70.68 to 158.39	37,928	38,114
10/01/08 TO 12/31/08	6	92.71	89.64	95.32	11.20	94.04	62.80	106.14	62.80 to 106.14	30,083	28,675
01/01/09 TO 03/31/09	5	105.45	112.09	101.69	22.76	110.23	79.23	167.86	N/A	58,400	59,385
04/01/09 TO 06/30/09	5	104.95	103.64	101.07	15.67	102.54	66.57	131.96	N/A	25,100	25,369
<u>Study Years</u>											
07/01/07 TO 06/30/08	34	97.02	102.57	98.64	11.92	103.98	72.38	144.37	94.55 to 107.28	46,630	45,994
07/01/08 TO 06/30/09	23	104.95	103.51	99.90	16.82	103.62	62.80	167.86	89.84 to 110.50	37,543	37,505
<u>Calendar Yrs</u>											
01/01/08 TO 12/31/08	34	98.47	103.63	98.91	14.89	104.77	62.80	158.39	94.55 to 110.50	40,125	39,687
<u>ALL</u>											
	57	98.37	102.95	99.08	14.50	103.90	62.80	167.86	95.26 to 105.96	42,964	42,569

VALUATION GROUP	COUNT	MEDIAN	MEAN	WGT. MEAN	COD	PRD	MIN	MAX	95% Median C.I.	Avg. Adj. Sale Price	Avg. Assd Val
01	27	98.37	103.26	99.84	13.43	103.42	72.38	144.37	92.68 to 114.03	37,970	37,908
02	16	98.76	105.16	101.90	19.11	103.19	62.80	167.86	94.55 to 113.53	24,796	25,268
03	3	105.96	111.26	106.44	11.54	104.53	95.57	132.25	N/A	23,333	24,836
04	11	95.26	96.71	96.56	9.85	100.16	70.68	120.43	88.27 to 107.28	87,000	84,008
<u>ALL</u>											
	57	98.37	102.95	99.08	14.50	103.90	62.80	167.86	95.26 to 105.96	42,964	42,569

STATUS: IMPROVED, UNIMPROVED & IOLL	COUNT	MEDIAN	MEAN	WGT. MEAN	COD	PRD	MIN	MAX	95% Median C.I.	Avg. Adj. Sale Price	Avg. Assd Val
1	54	98.47	103.23	99.10	13.70	104.17	66.57	167.86	95.57 to 105.96	45,151	44,743
2	3	90.92	97.93	95.65	28.33	102.39	62.80	140.07	N/A	3,583	3,427
<u>ALL</u>											
	57	98.37	102.95	99.08	14.50	103.90	62.80	167.86	95.26 to 105.96	42,964	42,569

PROPERTY TYPE *	COUNT	MEDIAN	MEAN	WGT. MEAN	COD	PRD	MIN	MAX	95% Median C.I.	Avg. Adj. Sale Price	Avg. Assd Val
01	50	97.92	102.79	98.21	15.43	104.66	62.80	167.86	94.55 to 105.96	43,689	42,908
06											
07	7	104.95	104.09	106.25	6.94	97.96	92.34	120.43	92.34 to 120.43	37,785	40,148
<u>ALL</u>											
	57	98.37	102.95	99.08	14.50	103.90	62.80	167.86	95.26 to 105.96	42,964	42,569

PAD 2010 R&O Statistics

Base Stat

State Stat Run

Type: Qualified

Date Range: 07/01/2007 to 06/30/2009 Posted Before: 02/15/2010

NUMBER of Sales:	57	MEDIAN:	98	COV:	19.55	95% Median C.I.:	95.26 to 105.96	(!: Derived)
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SALE PRICE *											Avg. Adj.	Avg.
RANGE	COUNT	MEDIAN	MEAN	WGT. MEAN	COD	PRD	MIN	MAX	95% Median C.I.	Sale Price	Assd Val	
Low \$ _____												
1 TO 4999	2	101.44	101.44	99.76	38.09	101.68	62.80	140.07	N/A	2,875	2,868	
5000 TO 9999	4	105.03	103.67	103.36	20.97	100.30	72.38	132.25	N/A	6,500	6,718	
Total \$ _____												
1 TO 9999	6	105.03	102.93	102.71	26.24	100.22	62.80	140.07	62.80 to 140.07	5,291	5,434	
10000 TO 29999	17	98.58	112.22	110.45	17.99	101.60	85.12	167.86	94.55 to 131.96	17,205	19,003	
30000 TO 59999	20	105.65	101.47	101.74	9.18	99.73	66.57	119.64	98.37 to 109.14	43,170	43,921	
60000 TO 99999	11	92.68	93.93	94.73	8.65	99.16	70.68	120.43	81.80 to 105.45	76,118	72,103	
100000 TO 149999	1	88.27	88.27	88.27			88.27	88.27	N/A	100,000	88,269	
150000 TO 249999	2	95.94	95.94	95.97	0.71	99.97	95.26	96.62	N/A	162,000	155,468	
ALL	57	98.37	102.95	99.08	14.50	103.90	62.80	167.86	95.26 to 105.96	42,964	42,569	

**2010 Correlation Section
for Garden County**

Residential Real Property

I. Correlation

The level of value for the residential real property in Garden County, as determined by the PTA is 98%. The mathematically calculated median is 98%.

RESIDENTIAL:It is the opinion of the Division that the level of value for the residential class of property in Garden County as evidenced by the calculated median from the statistical sample of 57 sales is 98%. The coefficient of dispersion and the price related differential are indicating that uniform and proportionate treatment exists within the residential class. It is believed that because of the known assessment practices the residential properties are being treated in a uniform and proportionate manner. The assessor has developed an adequate sales review process and utilizes as many sales as possible with no bias in the selection. The assessor tries to stay on task with the three year plan of assessment and six year cycle of physical inspection and review. There were no significant changes within the residential class for assessment year 2010.

There will be no non-binding recommendations made for the residential class of property.

**2010 Correlation Section
for Garden County**

II. Analysis of Sales Verification

Neb. Rev. Stat. 77-1327(2) provides that all sales are deemed to be arms length transactions unless determined to be otherwise under professionally accepted mass appraisal techniques. The county assessor is responsible for the qualification of the sales included in the state sales file.

The Standard on Ratio Studies, International Association of Assessing Officials (2007), indicates that excessive trimming (the arbitrary exclusion or adjustment of arms length transactions) may indicate an attempt to inappropriately exclude arms length transactions to create the appearance of a higher level of value and quality of assessment. The sales file, in a case of excess trimming, will fail to properly represent the level of value and quality of assessment of the population of real property.

The Division frequently reviews the procedures used by the county assessor to qualify sales to ensure bias does not exist in judgments made. Arms length transactions should only be excluded when they compromise the reliability of the resulting statistics. In cases where a county assessor has disqualified sales without substantiation, the Division may include such sales in the ratio study.

RESIDENTIAL: The sales verification process in Garden County is handled by mailing a questionnaire out to the buyer. Each class of property (residential, commercial, and agricultural) has its own unique questionnaire. The assessor has developed a tracking process for the questionnaires, each time one is returned it is noted on the spreadsheet. In Garden County the response to these questionnaires has been good.

Other sources of data collection are county board members, neighbors, and personal knowledge in some instances, and the realtors themselves have been very helpful in verifying sales data. Another useful tool has been the realtors websites which are watched and their data is compared to the property record card.

A review of the qualified and non-qualified sales revealed those deemed to be non arms length transactions were estate settlements, family transactions, exchange of property, a split and legal action. It appears no bias exists in the selection of qualified sales and the assessor is using as many as possible in the analysis of the residential class.

**2010 Correlation Section
for Garden County**

III. Measure of Central Tendency

There are three measures of central tendency calculated by the Division: median ratio, weighted mean ratio, and mean ratio. Since each measure of central tendency has strengths and weaknesses, the use of any statistic for equalization should be reconciled with the other two, as in an appraisal, based on the appropriateness in the use of the statistic for a defined purpose, the quantity of the information from which it was drawn, and the reliability of the data that was used in its calculation. An examination of the three measures can serve to illustrate important trends in the data if the measures do not closely correlate to each other.

The IAAO considers the median ratio the most appropriate statistical measure for use in determining level of value for direct equalization; the process of adjusting the values of classes or subclasses of property in response to the determination of level of value at a point above or below a particular range. Since the median ratio is considered neutral in relationship to either assessed value or selling price, its use in adjusting the class or subclass of properties will not change the relationships between assessed value and level of value already present within the class or subclass of properties, thus rendering an adjustment neutral in its impact on the relative tax burden to an individual property. Additionally, the median ratio is less influenced by the presence of extreme ratios, commonly called outliers. One outlier in a small sample size of sales can have controlling influence over the other measures of central tendency. The median ratio limits the distortion potential of an outlier.

The weighted mean ratio is viewed by the IAAO as the most appropriate statistical measure for indirect equalization. The weighted mean, because it is a value weighted ratio, best reflects a comparison of the assessed and market value of property in the political subdivision. If the distribution of aid to political subdivisions must relate to the market value available for assessment in the political subdivision, the measurement of central tendency used to analyze level of value should reflect the dollars of value available to be assessed. The weighted mean ratio does that more than either of the other measures of central tendency.

If the weighted mean ratio, because of its dollar-weighting feature, is significantly different from the median ratio, it may be an indication of other problems with assessment proportionality. When this occurs, an evaluation of the county's assessment practices and procedures is appropriate to discover remedies to the situation.

The mean ratio is used as a basis for other statistical calculations, such as the price related differential and coefficient of variation. However, the mean ratio has limited application in the analysis of level of value because it assumes a normal distribution of the data set around the mean ratio with each ratio having the same impact on the calculation regardless of the assessed value or the selling price.

	Median	Wgt. Mean	Mean
R&O Statistics	98	99	103

**2010 Correlation Section
for Garden County**

IV. Analysis of Quality of Assessment

In analyzing the statistical data of assessment quality, there are two measures upon which assessment officials will primarily rely: the Coefficient of Dispersion (COD), and the Price Related Differential (PRD). Whether such statistics can be relied upon as meaningful for the population depends on whether the sample is representative.

The COD is commonly referred to as the index of assessment inequality. It is used to measure how closely the individual ratios are clustered around the median ratio and suggests the degree of uniformity or inaccuracy resulting in the assessments. The COD is computed by dividing the average deviation by the median ratio. For example, a COD of 20 means half of the ratios are 20 percent above or below the median. The closer the ratios are grouped around the median, the more equitable the assessment of property tends to be. Conversely, if the dispersion is quite large, there is a large spread in the ratios typically indicating a large spread around the median in the assessment of property, which results in an inequity in assessment and taxes. There is no range of acceptability stated in the Nebraska statutes for the COD measure. The International Association of Assessing Officers recommended ratio study performance standards are as follows:

Single-family residences: a COD of 15 percent or less.

For newer and fairly homogeneous areas: a COD of 10 or less.

Income-producing property: a COD of 20 or less, or in larger urban jurisdictions, 15 or less.

Vacant land and other unimproved property, such as agricultural land: a COD of 20 or less.

Rural residential and seasonal properties: a COD of 20 or less.

Mass Appraisal of Real Property, International Association of Assessing Officers, (1999), p. 246.

In unusually homogeneous types of property low CODs can be anticipated; however, in all other cases CODs less than 5 percent may be indicative of non-representative samples or the selective reappraisal of sold parcels.

The PRD, also known as the index of regression, is a measurement of the relationship between the ratios of high-value and low-value properties to determine if the value of property has any influence on the assessment ratio. It is calculated by dividing the arithmetic mean ratio by the weighted mean ratio. The PRD provides an indicator of the degree to which high-value properties are over-assessed or under-assessed in relation to low-value properties. A PRD of 100 indicates there is no bias in the assessment of high-value properties in comparison to low-value properties. A PRD greater than 100 indicates the assessments are regressive, which means low-value properties tend to have a higher assessment ratio than high-value properties. The result is the owner of a low-value property pays a greater amount of tax in relation to value than the owner of a high-value property. Conversely, a PRD less than 100 indicates that high-value properties are over assessed in relation to low-value properties.

There is no range of acceptability stated in the Nebraska statutes for the PRD measure. The Standard of Ratio Studies, adopted by the International Association of Assessing Officers, July,

**2010 Correlation Section
for Garden County**

2007, recommends that the PRD should lie between 98 and 103. This range is centered slightly above 100 to allow for a slightly upward measurement bias inherent in the PRD.

The PRD is calculated based on the selling price/assessed value in the sales file. This measure can be misleading if the dollar value of the records in the sales file is not proportionate to the dollar value of records in the population.

Mass Appraisal of Real Property, International Association of Assessing Officers, (1999), p. 247.

The analysis in this section displays the calculated COD and PRD measures for Garden County, which are considered as one part of the analysis of the County's assessment practices.

	COD	PRD
R&O Statistics	14.50	103.90

RESIDENTIAL:Both qualitative measures, the coefficient of dispersion and the price related differential, are considered to be within the acceptable standards, the price related differential is over by less than one point (103.90). The consistent and conscientious assessment practices of the assessor continue to demonstrate uniform and proportionate treatment within the residential class of real property.

2010 Assessment Actions for Garden County

taken to address the following property classes/subclasses:

Commercial

Garden County has a limited amount of market information however, after an analysis of the data available to them it was determined that the countywide reappraisal that was conducted on 2009 was holding steady and no further adjustments would be necessary for 2010.

The annual maintenance was completed and the applicable property record cards were addressed.

2010 Assessment Survey for Garden County

Commercial / Industrial Appraisal Information

1.	Valuation data collection done by:
	Assessor and staff, and on a short-term basis two part-time listers as needed.
2.	List the valuation groupings used by the County:
	Valuation Grouping 1 – Oshkosh Valuation Grouping 2 – Lewellen Valuation Grouping 3 – Lisco Valuation Grouping 4 – Rural
a.	Describe the specific characteristics of the valuation groupings that make them unique.
	Valuation Grouping 1 – is the main business hub for Garden County, here is located the hospital, nursing home, bank and school. Valuation Grouping 2 – market is influenced primarily by the proximity to Lake McConaughy. Valuation Grouping 3 – the market here is very stagnant, commercial sales are rare. Valuation Grouping 4 – very few commercial sales.
3.	What approach(es) to value is/are used for this class to estimate the market value of properties? List or describe.
	The cost approach will carry the most weight and the sales will be used in the development of the depreciation. There is not sufficient data to put any reliance on the income approach.
4	When was the last lot value study completed?
	2009
a.	What methodology was used to determine the commercial lot values?
	A market analysis of vacant lot sales and/or determining the residual value by subtracting the reproduction cost new from the sale price. A square foot price has been developed for commercial lots and a per acre breakdown has been established depending on the size of the larger parcels and the amenities.
5.	Is the same costing year for the cost approach being used for entire valuation grouping? If not, identify and explain the differences?
	Yes (2005)
6.	Does the County develop the depreciation study(ies) based on local market information or does the County use the tables provided by their CAMA vender?
	Yes

a.	How often does the County update the depreciation tables?
	At time of a reappraisal or when the market analysis shows a need.
7.	Pickup work:
a.	Is pickup work done annually and is it completed by March 19th?
	Yes
b.	By Whom?
	Assessor and staff.
c.	Is the valuation process (cost date and depreciation schedule or market comparison) used for the pickup work the same as the one that was used for the valuation group?
	Yes
8.	What is the Counties progress with the 6 year inspection and review requirement? (Statute 77-1311.03)
	In 2009 a countywide reappraisal of all commercial property was completed.
a.	Does the County maintain a tracking process? If yes describe.
	Yes – charts have been developed for tracking of the commercial work.
b.	How are the results of the portion of the properties inspected and reviewed applied to the balance of the county?
	The results will be applied all at once to the class as a whole.

PAD 2010 R&O Statistics

Base Stat

State Stat Run

Type: Qualified

Date Range: 07/01/2006 to 06/30/2009 Posted Before: 02/15/2010

NUMBER of Sales:	20	MEDIAN:	99	COV:	37.81	95% Median C.I.:	97.87 to 104.90	(! : Derived)
TOTAL Sales Price:	319,515	WGT. MEAN:	101	STD:	40.68	95% Wgt. Mean C.I.:	88.57 to 113.11	
TOTAL Adj.Sales Price:	319,515	MEAN:	108	AVG.ABS.DEV:	15.87	95% Mean C.I.:	88.55 to 126.62	
TOTAL Assessed Value:	322,198							
AVG. Adj. Sales Price:	15,975	COD:	15.96	MAX Sales Ratio:	272.41			
AVG. Assessed Value:	16,109	PRD:	106.69	MIN Sales Ratio:	61.90			

Printed: 03/24/2010 14:19:03

DATE OF SALE *	COUNT	MEDIAN	MEAN	WGT. MEAN	COD	PRD	MIN	MAX	95% Median C.I.	Avg. Adj. Sale Price	Avg. Assd Val
<u>Qrtrs</u>											
07/01/06 TO 09/30/06	2	98.22	98.22	98.30	0.35	99.91	97.88	98.56	N/A	20,000	19,661
10/01/06 TO 12/31/06											
01/01/07 TO 03/31/07											
04/01/07 TO 06/30/07	1	121.40	121.40	121.40			121.40	121.40	N/A	3,500	4,249
07/01/07 TO 09/30/07	4	102.89	101.75	98.52	3.07	103.27	96.32	104.91	N/A	16,000	15,763
10/01/07 TO 12/31/07	2	85.70	85.70	78.75	9.56	108.83	77.51	93.89	N/A	29,807	23,473
01/01/08 TO 03/31/08	4	98.51	100.53	99.09	2.61	101.45	97.87	107.23	N/A	16,625	16,474
04/01/08 TO 06/30/08											
07/01/08 TO 09/30/08	1	96.24	96.24	96.24			96.24	96.24	N/A	10,900	10,490
10/01/08 TO 12/31/08	2	82.87	82.87	101.84	25.30	81.37	61.90	103.84	N/A	10,500	10,693
01/01/09 TO 03/31/09	2	101.65	101.65	102.46	1.82	99.21	99.80	103.50	N/A	9,750	9,989
04/01/09 TO 06/30/09	2	194.03	194.03	147.46	40.40	131.58	115.65	272.41	N/A	17,250	25,437
<u>Study Years</u>											
07/01/06 TO 06/30/07	3	98.56	105.95	100.16	7.95	105.77	97.88	121.40	N/A	14,500	14,523
07/01/07 TO 06/30/08	10	98.51	98.05	92.52	5.40	105.98	77.51	107.23	93.89 to 104.91	19,011	17,589
07/01/08 TO 06/30/09	7	103.50	121.91	119.59	32.29	101.94	61.90	272.41	61.90 to 272.41	12,271	14,675
<u>Calendar Yrs</u>											
01/01/07 TO 12/31/07	7	100.87	99.97	89.88	8.99	111.23	77.51	121.40	77.51 to 121.40	18,159	16,321
01/01/08 TO 12/31/08	7	98.05	94.87	99.36	7.87	95.48	61.90	107.23	61.90 to 107.23	14,057	13,967
<u>ALL</u>											
	20	99.38	107.59	100.84	15.96	106.69	61.90	272.41	97.87 to 104.90	15,975	16,109

VALUATION GROUP	COUNT	MEDIAN	MEAN	WGT. MEAN	COD	PRD	MIN	MAX	95% Median C.I.	Avg. Adj. Sale Price	Avg. Assd Val
01	13	98.05	109.44	104.47	18.56	104.76	61.90	272.41	96.24 to 104.90	14,607	15,260
02	3	107.23	102.05	81.86	13.64	124.65	77.51	121.40	N/A	20,871	17,086
03	3	103.50	102.38	103.15	1.30	99.25	99.80	103.84	N/A	13,166	13,582
04	1	115.65	115.65	115.65			115.65	115.65	N/A	27,500	31,805
<u>ALL</u>											
	20	99.38	107.59	100.84	15.96	106.69	61.90	272.41	97.87 to 104.90	15,975	16,109

STATUS: IMPROVED, UNIMPROVED & IOLL	COUNT	MEDIAN	MEAN	WGT. MEAN	COD	PRD	MIN	MAX	95% Median C.I.	Avg. Adj. Sale Price	Avg. Assd Val
1	19	99.80	109.99	100.96	14.74	108.94	77.51	272.41	97.87 to 104.91	16,763	16,925
2	1	61.90	61.90	61.90			61.90	61.90	N/A	1,000	619
<u>ALL</u>											
	20	99.38	107.59	100.84	15.96	106.69	61.90	272.41	97.87 to 104.90	15,975	16,109

PAD 2010 R&O Statistics

Base Stat

State Stat Run

Type: Qualified

Date Range: 07/01/2006 to 06/30/2009 Posted Before: 02/15/2010

NUMBER of Sales:	20	MEDIAN:	99	COV:	37.81	95% Median C.I.:	97.87 to 104.90	(!: Derived)
TOTAL Sales Price:	319,515	WGT. MEAN:	101	STD:	40.68	95% Wgt. Mean C.I.:	88.57 to 113.11	
TOTAL Adj.Sales Price:	319,515	MEAN:	108	AVG.ABS.DEV:	15.87	95% Mean C.I.:	88.55 to 126.62	
TOTAL Assessed Value:	322,198							
AVG. Adj. Sales Price:	15,975	COD:	15.96	MAX Sales Ratio:	272.41			
AVG. Assessed Value:	16,109	PRD:	106.69	MIN Sales Ratio:	61.90			

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PROPERTY TYPE *

RANGE	COUNT	MEDIAN	MEAN	WGT. MEAN	COD	PRD	MIN	MAX	95% Median C.I.	Avg. Adj. Sale Price	Avg. Assd Val
02	1	97.88	97.88	97.88			97.88	97.88	N/A	15,000	14,682
03	19	99.80	108.10	100.99	16.63	107.04	61.90	272.41	96.32 to 104.91	16,027	16,185
04											
ALL	20	99.38	107.59	100.84	15.96	106.69	61.90	272.41	97.87 to 104.90	15,975	16,109

SALE PRICE *

RANGE	COUNT	MEDIAN	MEAN	WGT. MEAN	COD	PRD	MIN	MAX	95% Median C.I.	Avg. Adj. Sale Price	Avg. Assd Val
Low \$											
1 TO 4999	5	104.91	97.87	103.36	13.89	94.69	61.90	121.40	N/A	3,300	3,410
5000 TO 9999	3	100.87	157.69	167.26	57.04	94.28	99.80	272.41	N/A	6,000	10,035
Total \$											
1 TO 9999	8	102.89	120.30	136.70	30.31	88.01	61.90	272.41	61.90 to 272.41	4,312	5,895
10000 TO 29999	9	98.56	101.83	103.03	4.27	98.84	96.24	115.65	97.87 to 104.90	16,377	16,873
30000 TO 59999	3	96.32	90.93	89.51	7.43	101.59	77.51	98.97	N/A	45,871	41,059
ALL	20	99.38	107.59	100.84	15.96	106.69	61.90	272.41	97.87 to 104.90	15,975	16,109

OCCUPANCY CODE

RANGE	COUNT	MEDIAN	MEAN	WGT. MEAN	COD	PRD	MIN	MAX	95% Median C.I.	Avg. Adj. Sale Price	Avg. Assd Val
(blank)	2	79.89	79.89	95.63	22.52	83.54	61.90	97.88	N/A	8,000	7,650
170	5	98.97	99.69	99.24	2.00	100.46	96.24	104.90	N/A	17,780	17,644
25	1	93.89	93.89	93.89			93.89	93.89	N/A	4,500	4,225
38	1	103.84	103.84	103.84			103.84	103.84	N/A	20,000	20,767
391	1	104.91	104.91	104.91			104.91	104.91	N/A	3,500	3,672
47	1	96.32	96.32	96.32			96.32	96.32	N/A	45,000	43,345
48	1	77.51	77.51	77.51			77.51	77.51	N/A	55,115	42,721
50	1	121.40	121.40	121.40			121.40	121.40	N/A	3,500	4,249
77	1	115.65	115.65	115.65			115.65	115.65	N/A	27,500	31,805
80	1	107.23	107.23	107.23			107.23	107.23	N/A	4,000	4,289
98	5	100.87	134.54	123.50	35.69	108.94	97.87	272.41	N/A	10,300	12,720
ALL	20	99.38	107.59	100.84	15.96	106.69	61.90	272.41	97.87 to 104.90	15,975	16,109

**2010 Correlation Section
for Garden County**

Commerical Real Property

I. Correlation

The level of value for the commercial real property in Garden County, as determined by the PTA is 99%. The mathematically calculated median is 99%.

COMMERCIAL:It is the opinion of the Division that the level of value for the commercial class of property as evidenced by the calculated median from the statistical sample of 20 sales is 99%. The coefficient of dispersion is within the acceptable range and the price related differential is slightly above the prescribed parameter, this would not be uncommon within the commercial class of property because of unorganized markets and the diversity of the sales. It is believed that because of the known assessment practices the commercial properties are being treated in a uniform and proportionate manner. The assessor has developed an adequate sales review process and utilizes as many sales as possible with no bias in the selection. The assessor tries to stay on task with the three year plan of assessment and six year cycle of physical inspection and review.

There will be no non-binding recommendations made for the commercial class of property.

**2010 Correlation Section
for Garden County**

II. Analysis of Sales Verification

Neb. Rev. Stat. 77-1327(2) provides that all sales are deemed to be arms length transactions unless determined to be otherwise under professionally accepted mass appraisal techniques. The county assessor is responsible for the qualification of the sales included in the state sales file.

The Standard on Ratio Studies, International Association of Assessing Officials (2007), indicates that excessive trimming (the arbitrary exclusion or adjustment of arms length transactions) may indicate an attempt to inappropriately exclude arms length transactions to create the appearance of a higher level of value and quality of assessment. The sales file, in a case of excess trimming, will fail to properly represent the level of value and quality of assessment of the population of real property.

The Division frequently reviews the procedures used by the county assessor to qualify sales to ensure bias does not exist in judgments made. Arms length transactions should only be excluded when they compromise the reliability of the resulting statistics. In cases where a county assessor has disqualified sales without substantiation, the Division may include such sales in the ratio study.

COMMERCIAL: The sales verification process in Garden County is handled by mailing a questionnaire out to the buyer. Each class of property (residential, commercial, and agricultural) has its own unique questionnaire. The assessor has developed a tracking process for the questionnaires, each time one is returned it is noted on the spreadsheet. In Garden County the response to these questionnaires has been good.

Other sources of data collection are county board members, neighbors, and personal knowledge in some instances, and the realtors themselves have been very helpful in verifying sales data. Another useful tool has been the realtors websites which are watched and their data is compared to the property record card.

After a review of the qualified and non-qualified sales it was discovered that most non arms length transactions were for a sheriff's deed, a land split, foreclosure, and excessive amounts of personal property . It appears no bias exists in the selection of qualified sales and the assessor is using as many sales as possible in the analysis of the commercial class or property.

**2010 Correlation Section
for Garden County**

III. Measure of Central Tendency

There are three measures of central tendency calculated by the Division: median ratio, weighted mean ratio, and mean ratio. Since each measure of central tendency has strengths and weaknesses, the use of any statistic for equalization should be reconciled with the other two, as in an appraisal, based on the appropriateness in the use of the statistic for a defined purpose, the quantity of the information from which it was drawn, and the reliability of the data that was used in its calculation. An examination of the three measures can serve to illustrate important trends in the data if the measures do not closely correlate to each other.

The IAAO considers the median ratio the most appropriate statistical measure for use in determining level of value for direct equalization; the process of adjusting the values of classes or subclasses of property in response to the determination of level of value at a point above or below a particular range. Since the median ratio is considered neutral in relationship to either assessed value or selling price, its use in adjusting the class or subclass of properties will not change the relationships between assessed value and level of value already present within the class or subclass of properties, thus rendering an adjustment neutral in its impact on the relative tax burden to an individual property. Additionally, the median ratio is less influenced by the presence of extreme ratios, commonly called outliers. One outlier in a small sample size of sales can have controlling influence over the other measures of central tendency. The median ratio limits the distortion potential of an outlier.

The weighted mean ratio is viewed by the IAAO as the most appropriate statistical measure for indirect equalization. The weighted mean, because it is a value weighted ratio, best reflects a comparison of the assessed and market value of property in the political subdivision. If the distribution of aid to political subdivisions must relate to the market value available for assessment in the political subdivision, the measurement of central tendency used to analyze level of value should reflect the dollars of value available to be assessed. The weighted mean ratio does that more than either of the other measures of central tendency.

If the weighted mean ratio, because of its dollar-weighting feature, is significantly different from the median ratio, it may be an indication of other problems with assessment proportionality. When this occurs, an evaluation of the county's assessment practices and procedures is appropriate to discover remedies to the situation.

The mean ratio is used as a basis for other statistical calculations, such as the price related differential and coefficient of variation. However, the mean ratio has limited application in the analysis of level of value because it assumes a normal distribution of the data set around the mean ratio with each ratio having the same impact on the calculation regardless of the assessed value or the selling price.

	Median	Wgt. Mean	Mean
R&O Statistics	99	101	108

**2010 Correlation Section
for Garden County**

IV. Analysis of Quality of Assessment

In analyzing the statistical data of assessment quality, there are two measures upon which assessment officials will primarily rely: the Coefficient of Dispersion (COD), and the Price Related Differential (PRD). Whether such statistics can be relied upon as meaningful for the population depends on whether the sample is representative.

The COD is commonly referred to as the index of assessment inequality. It is used to measure how closely the individual ratios are clustered around the median ratio and suggests the degree of uniformity or inaccuracy resulting in the assessments. The COD is computed by dividing the average deviation by the median ratio. For example, a COD of 20 means half of the ratios are 20 percent above or below the median. The closer the ratios are grouped around the median, the more equitable the assessment of property tends to be. Conversely, if the dispersion is quite large, there is a large spread in the ratios typically indicating a large spread around the median in the assessment of property, which results in an inequity in assessment and taxes. There is no range of acceptability stated in the Nebraska statutes for the COD measure. The International Association of Assessing Officers recommended ratio study performance standards are as follows:

Single-family residences: a COD of 15 percent or less.

For newer and fairly homogeneous areas: a COD of 10 or less.

Income-producing property: a COD of 20 or less, or in larger urban jurisdictions, 15 or less.

Vacant land and other unimproved property, such as agricultural land: a COD of 20 or less.

Rural residential and seasonal properties: a COD of 20 or less.

Mass Appraisal of Real Property, International Association of Assessing Officers, (1999), p. 246.

In unusually homogeneous types of property low CODs can be anticipated; however, in all other cases CODs less than 5 percent may be indicative of non-representative samples or the selective reappraisal of sold parcels.

The PRD, also known as the index of regression, is a measurement of the relationship between the ratios of high-value and low-value properties to determine if the value of property has any influence on the assessment ratio. It is calculated by dividing the arithmetic mean ratio by the weighted mean ratio. The PRD provides an indicator of the degree to which high-value properties are over-assessed or under-assessed in relation to low-value properties. A PRD of 100 indicates there is no bias in the assessment of high-value properties in comparison to low-value properties. A PRD greater than 100 indicates the assessments are regressive, which means low-value properties tend to have a higher assessment ratio than high-value properties. The result is the owner of a low-value property pays a greater amount of tax in relation to value than the owner of a high-value property. Conversely, a PRD less than 100 indicates that high-value properties are over assessed in relation to low-value properties.

There is no range of acceptability stated in the Nebraska statutes for the PRD measure. The Standard of Ratio Studies, adopted by the International Association of Assessing Officers, July,

**2010 Correlation Section
for Garden County**

2007, recommends that the PRD should lie between 98 and 103. This range is centered slightly above 100 to allow for a slightly upward measurement bias inherent in the PRD.

The PRD is calculated based on the selling price/assessed value in the sales file. This measure can be misleading if the dollar value of the records in the sales file is not proportionate to the dollar value of records in the population.

Mass Appraisal of Real Property, International Association of Assessing Officers, (1999), p. 247.

The analysis in this section displays the calculated COD and PRD measures for Garden County, which are considered as one part of the analysis of the County's assessment practices.

	COD	PRD
R&O Statistics	15.96	106.69

COMMERCIAL: The qualitative measures are showing the coefficient of dispersion to be well within the range and the price related differential to be slightly over by 3.69 points. Because many times there are insufficient sales to analyze the diverse commercial properties a disparity may exist, coupled with the unorganized market it is not uncommon to have qualitative measures out of range. Because of the consistent and conscientious assessment practices of the assessor it is believed the commercial class of property is being treated in the most uniform and proportionate manner possible.

**Agricultural or Special
Valuation Reports**

2010 Assessment Actions for Garden County

taken to address the following property classes/subclasses:

Agricultural

The most current market data was reviewed and the 2010 agricultural land values were set accordingly.

The irrigated subclasses increased from \$100 to \$275 per acre. The dry land subclasses increased from \$40 - \$120 per acre. Grass values remained constant. The market is still reflecting increases in agricultural land values in spite of the nationwide economy.

The annual maintenance was completed within the agricultural class and the soil conversion has been changed from the alpha to the numeric notations.

2010 Assessment Survey for Garden County

Agricultural Appraisal Information

1.	Valuation data collection done by: Assessor and staff.
2.	Does the County maintain more than one market area / valuation grouping in the agricultural property class? No
a.	What is the process used to determine and monitor market areas / valuation groupings? (Neb. Rev. Stat. § 77-1363) List or describe. Class or subclass includes, but not limited to, the classifications of agricultural land listed in section 77-1363, parcel use, parcel type, location, geographic characteristics, zoning, city size, parcel size and market characteristics. Not applicable.
b.	Describe the specific characteristics of the market area / valuation groupings that make them unique? Garden County is homogeneous in geographic and soil characteristics; the county is approximately eighty-four percent grass land. The remaining land is approximately ten-percent dry, four percent irrigated and two percent waste.
3.	Agricultural Land
a.	How is agricultural land defined in this county? As set out in the policy adopted by Garden County entitled “Agricultural and Horticultural Land Definition”. The document has been inserted at the end of this agricultural appraisal information.
b.	When is it agricultural land, when is it residential, when is it recreational? Agricultural – the parcel will be used primarily for agricultural purpose. Residential – the primary use will be for residential living. Recreational – blinds will be present and agricultural uses such as grazing may occur, but it is believed the primary use of the acres with blinds would have to be recreational.
c.	Are these definitions in writing? Not for the residential, only for the agricultural and recreational.
d.	What are the recognized differences? Based on the primary use.
e.	How are rural home sites valued? Rural home sites are determined from the market. The first acre is \$9,000, unless

	abandoned.
f.	Are rural farm home sites valued the same as rural residential home sites? If no, explain:
	Yes
g.	Are all rural home sites valued the same or are market differences recognized?
	All are the same. No differences have been shown from the market.
h.	What are the recognized differences?
	Not applicable.
4.	What is the status of the soil conversion from the alpha to numeric notation?
	The numeric codes will be in place for 2010.
a.	Are land capability groupings (LCG) used to determine assessed value?
	The inventory of the acres as noted by the LCG's is helpful in determining where the majority of the acres are that are selling. For example the grass is primarily in the 4G and 4G1 groupings, these acres will carry the most weight in determining a value for the grass land. The same analysis will be used for the irrigated and dry acres in establishing values.
b.	What other land characteristics or analysis are/is used to determine assessed values?
	Land use; particularly in identifying irrigated, dry and waste acres.
5.	Is land use updated annually?
	Yes
a.	By what method? (Physical inspection, FSA maps, etc.)
	Maps from the Farm Service Agency and Natural Resource District, information statements, questionnaires, web-sites, personal property schedules, and self reporting.
6.	Is there agricultural land in the County that has a non-agricultural influence?
	Yes
a.	How is the County developing the value for non-agricultural influences?
	From an analysis of the market.
b.	Has the County received applications for special valuation?
	Yes
c.	Describe special value methodology
	The assessor has described her methodology for determining special valuation of agricultural land in the required document found behind the tab "County Reports" of

	this 2010 Reports and Opinions.
7	Pickup work:
a.	Is pickup work done annually and is it completed by March 19th?
	Yes
b.	By Whom?
	Assessor and staff.
c.	Is the valuation process (cost date and depreciation schedule or market comparison) used for the pickup work on the rural improvements the same as what was used for the general population of the valuation group?
	Yes
d.	Is the pickup work schedule the same for the land as for the improvements?
	Yes
8.	What is the counties progress with the 6 year inspection and review requirement as it relates to rural improvements? (Neb. Rev. Stat. § 77-1311.03)
	The new GIS system will be of tremendous help in reviewing the entire county.
a.	Does the County maintain a tracking process?
	Charts are being utilized to track the progress.
b.	How are the results of the portion of the properties inspected and reviewed applied to the balance of the county?
	Any changes will be applied to the agricultural class as a whole.

**AGRICULTURAL AND HORTICULTURAL LAND
DEFINITION
GARDEN COUNTY
March, 2007**

The purpose of this document is to define the guidelines used in valuing agricultural land use parcels.

If a parcel is not actively used for agricultural or horticultural purposes it will be assessed as a rural residential parcel.

I. Definition

Neb. Rev. Stat. 77-1359 Agricultural and horticultural land: terms, defined.

During the 2006 Legislative Session, LB 808 was passed which amended the definition of agricultural and horticultural land found in Neb. Rev, Stat, §77-1359 *R.R. Supp 2006*). Relevant portions or- Neb. Rev. Stat. §1359 are as follows:

The Legislature finds and declares that agricultural land and horticultural land shall be a separate and distinct class of real property for purposes of assessment. The assessed value of agricultural land and horticultural land shall not be uniform and proportionate with all other real property, but the assessed value shall be uniform and proportionate within the class of agricultural land and horticultural land.

For purposes of sections 77-1359 to 77-1363:

- (1) Agricultural land and horticultural land means a parcel of land which is primarily used for agricultural or horticultural purposes, including wasteland lying in or adjacent to and in common ownership or management with other agricultural land and horticultural land. Agricultural land and horticultural land does not include any land directly associated with any building or enclosed structure;
- (2) Agricultural or horticultural purposes means used for the commercial production of any plant or animal product in a raw or unprocessed state that is derived from the science and art of agriculture, aquaculture, or horticulture. Agricultural and horticultural purposes includes the following uses of land:
 - (a) Land retained or protected for future agricultural or horticultural purposes under a conservation easement as provided in the Conservation and Preservation Easements Act except when the parcel or a portion thereof is being used for purposes other than agricultural or horticultural purposes; and
 - b) Land enrolled in a federal or state program in which payments are received for removing such land from agricultural or horticultural production;
- (3) Farm home site means not more than one acre of land contiguous to a farm site which includes an inhabitable residence and improvements used for residential purposes, and such improvements include utility connections, water and sewer systems, and improved access

- to a public road: and
- (4) Farm site means the portion of land contiguous to land actively devoted to agriculture which includes improvements that are agricultural or horticultural in nature, including any uninhabitable or unimproved farm home site.

II. Agricultural and Horticultural Terms

Agricultural or horticultural purposes shall mean used for commercial production of any plant or animal product in a raw or unprocessed state that is derived from the science and art of agricultural, aquaculture, or horticulture. (See REG. 11.002.01H)

Building shall mean a structure designed for habitation, shelter, storage, trade, manufacture, religion, business, education and the like. A structure or edifice enclosing a space within its walls, and usually, but not necessarily covered with. (see REG. 10.001.01B).

Commercial Production shall mean agricultural and horticultural products produced for the primary purpose of obtaining a monetary profit.

Common shall mean belonging equally to, or shares alike by, two or more or all in question.

Conservation and Preservation Easements Act as found in Neb. Rev. Stat. 76-2111 through 76-2118.

See, Neb. Rev. Stat. 76-2111. *Terms, defined.* As used in the Conservation and Preservation Easements Act, unless the context otherwise requires:

(l) Conservation easement shall mean a right, whether or not stated in the form of an easement, restriction, covenant, or condition in any deed, will, agreement, or other instrument executed by or on behalf of the owner of an interest in real property imposing a limitation upon the rights of the owner or an affirmative obligation upon the owner appropriate to the purpose of retaining or protecting the property in its natural, scenic, or open condition, assuring its availability for agricultural, horticultural, forest, recreational, wildlife habitat, or open space use, protecting air quality, water quality, or other natural resources, or for such other conservation purpose as may qualify as a charitable contribution under the Internal Revenue Code.

Contiguous shall mean adjoining, in actual contact, touching at a point or along a boundary.

Farm Home Site shall mean not more than one acre of land contiguous to a farm site which includes an inhabitable residence and improvements used for residential purposes, and such improvements include utility connections, water and sewer systems, and improved access to a public road. (See, Neb. Rev. Stat. 77-1359(3)).

Farm Site shall mean the portion of land contiguous to land actively devoted to agriculture which includes improvements that are agricultural or horticultural in nature, including any inhabitable or unimproved farm home site. (See, Neb. Rev. Stat. 77-1359(4)).

Improvements shall mean any addition made to real property, amounting to more than mere repairs, such as sidewalks, streets, sewers, or utilities. (See, Title 350, Neb. Admin. Code, Chapter 10, Real Property Regulations).

Inhabitable shall mean to live or reside in.

Land enrolled in a federal or state program in which payments are received for removing such land from agricultural or horticultural production, such as:

- (1) Conservation Reserve Program (CRP)
- (2) Conservation Reserve Enhancement Program (CREP)
- (3) Environmental Quality Incentives Program (EQIP)
- (4) Stewardship Incentive Program (SIP)
- (5) Tree Assistance Program
- (6) Water Bank Program (WBP)
- (7) Wetlands Reserve Program (WRP)
- (8) Conservation Warranty Easement Deed

(See Attachment I for descriptions of each [from Nebraska DPAT Directive 07-01])

Lying in or adjacent to shall mean lying near, close or contiguous to: adjoining, neighboring.

Management shall mean the act or manner of managing; handling; direction, or control.

Ownership shall mean the legal right of possession; proprietorship.

Parcel means a contiguous tract of land determined by its boundaries, under the same ownership, and in the same tax district and section. If all or several lots in the same block are owned by the same person and are contained in the same tax district, they may be included in one parcel (Nev. Rev. Stat. 77-132).

Primarily used means for the most part. It could be determined by area used or other criteria uniformly applied. Case law usually refers to “primarily” as more than 51%.

Production shall mean the act or process of producing.

Uninhabitable or unimproved farm home site: this land shall not be classified as agricultural or horticultural land and shall not include a home site (See, Title 350, Neb. Admin. Code, Chapter 10, Real Property Regulations).

Wasteland shall mean those land types that cannot be used economically and are not suitable for recreational or agricultural use or production, Such land types include but are not limited to, blowouts, river ash (recent unstabilized alluvial deposits), marshes, badlands, large deep gullies (including streambeds and banks, bluffs, rockland, gravel areas, and saltflats), (See, Title 350, Neb. Admin. Code, Chapter 14, Agricultural Land and Horticultural Land Assessment Regulations).

Section 77-1363

Agricultural and horticultural land; classes and subclasses:

Agricultural land and horticultural land shall be divided into classes and subclasses of real property under section 77-103.1, including, but not limited to irrigated cropland, dryland cropland, grassland, wasteland, nurseries, feedlots, and orchards, so that the categories reflect uses appropriate for the valuation of such land according to law. Classes shall be inventoried by subclasses of real property based on soil classification standards developed by the Natural Resources Conservation Service of the United States Department of Agriculture as converted into land capability groups by the Property Tax Administrator. County assessors shall utilize and implement soil surveys in the assessment year after the soil survey maps become available from the Natural Resources Conservation Service of the United States Department of Agriculture. Nothing in this document shall be construed to limit the classes and subclasses of real property that may be used by county assessors or the Tax Equalization and Review Commission to achieve more uniform and proportionate valuations.

The Assessor will periodically review the parcels to verify the use of the land. To ensure the property is properly classified, the Assessor may request additional information from the property owner. The Assessor may also conduct a physical inspection of the property.

INDICATORS THAT A PARCEL OF LAND IS NOT BEING PRIMARILY USED AS AGLAND:

- (1) The parcel is not generating farm income.
- (2) There is no participation in any FSA program.
- (3) There is no participation in any farm insurance program.
- (4) The majority of land use is as a wildlife habitat,
- (5) There is little or no specialized agricultural equipment being declared on a Personal Property Schedule.

DOCUMENTS THAT COULD BE PRESENTED AS PROOF:

- (1) A 1040F Tax Form
- (2) Papers from the FSA office
- (3) An insurance policy
- (4) A Personal Property Tax Schedule
- (5) An inventory of livestock that is being kept on the land and an accounting of the time the livestock has been on the land.
- (6) Copies of Lease Agreements

Once a parcel is reviewed and determined to qualify as agricultural and horticultural land, the assessor shall continue to classify the parcel as agricultural and horticultural land and value the agricultural and horticultural land portion of the parcel at seventy-five percent (75%) of actual value. The farm site or farm home site land portion of an agricultural and horticultural parcel shall be assessed at one hundred percent (100%) or actual value.

ATTACHMENT I

Federal or State Programs

- It is recommended that when land has been used either under the wetlands reserve program or the Conservation and Preservation Easements Act the assessor read and understand the allowed practices and the restriction imposed by the conservation easement to determine whether or not the land is being preserved for agricultural or horticultural purposes or whether it is being preserved in another state such as wildlife habitat or wetlands.

It is imperative that there is a careful review of the language incorporated in all Conservation Easement Deeds.

The following includes, but is not limited to, a list of examples of federal or state programs referred to in Neb. Rev. Stat. §77-1359 (b):

A. Considered agricultural and horticultural

1. Conservation Reserve Program (CRP)

The Conservation Reserve Program (CRP) is a voluntary program for agricultural landowners. Through CRP, annual rental payments and cost-share assistance can be received to establish long-term, resource conserving covers on eligible farmland.

The Commodity Credit Corporation (CCC) makes annual rental payments based on the agriculture rental value of the land, and it provides cost-share assistance for up to 50 percent of the participant's costs in establishing approved conservation practices. Participants enroll in CRP contracts for 10 to 15 years. The program is administered by the CCC through the Farm Service Agency (FSA), and program support is provided by Natural Resources Conservation Service, Cooperative State Research and Education Extension Service, state forestry agencies, and local Soil and Water Conservation Districts.

- ▶ The conservation reserve program is a voluntary program for which a farm is left fallow for a term of years in return for an annual rental payment. The land may be returned to farming after the contract expires. This would still be considered agricultural and horticultural land.

2. Conservation Reserve Enhancement Program (CREP)

The purpose of the NPRRA CREP is to enhance the water quality and quantity of three major Nebraska watersheds (North Platte, Platte, and Republican River basins) by reducing the amount of nutrients, sediments, and chemical runoff from agriculture sources while increasing wildlife and wetland habit for birds, migrating waterfowl, and other aquatic organisms. The NRPPA plays a uniquely important water quality function in the United States because of the large number of separate rivers, strums, and lakes of national priority that receive water from Nebraska's watersheds.

The NPRRA CREP targets 100,000 acres (0.22 percent of the State's agricultural land and 2.9 percent of the proposed CREP project area) for the installation and maintenance of selected conservation practices (CPs). In order to maximize benefits, acreage will be split equally between the Republican and Platte River (including the North Platte) basins (50,000 acres each). Land placed under CREP contracts would he retired from crop production and irrigation for 10-15 years. CREP would provide the financial and technical assistance necessary to assist eligible Nebraska farmers and ranchers in establishing CPs that would conserve soil and water; filter nutrients and pesticides; and enhance and restore wildlife habitat respectively.

3. Environmental Quality Incentives Program (EQIP)

EQIP provides technical assistance, cost-share payments, incentive payments, and training to producers who enter into contracts based on an EQIP plan of operations,

EQIP offers contracts with a minimum term that ends one year after the implementation of the last scheduled practices and a maximum term of ten years. These contracts provide incentive payments and cost-shares to implement conservation practices. Persons who are engaged in livestock or agricultural production on eligible land may participate in the EQIP program. EQIP activities are carried out according to an environmental quality incentives program plan of operations developed in conjunction with the producer that identifies the appropriate conservation practice or practices to address the resource concerns. The practices are subject to NRCS technical standards adapted for local conditions. The local conservation district approves the plan. EQIP may cost share up to 75 percent of the costs of certain conservation practices. Incentive payments may be provided for up to three years to encourage producers to carry out management practices they may not otherwise use without the incentive; however, limited resource producers and beginning fanners and ranchers may be eligible for cost-shares up to 90 percent Farmers and ranchers may elect to use a certified third-party provider for technical assistance. An individual or entity may not receive, directly or indirectly cost-share or incentive payments that, in the aggregate, exceed \$450,000 for all EQIP contracts entered during the term of the Farm Bill.

The Republican River Basin EQIP program ("Nebraska Ground and Surface Water Conservation Special Incentive") will be funded to pay irrigators not to irrigate for four years. Payments of \$50 per acre for three years will be funded through the federal government and the state of Nebraska. Payments from the federal government are \$50 per acre at the end of irrigation seasons in 2005, 2006, and 2007 with no payment in 2008, the fourth year. Department of Natural Resources (State) will pay \$ 100 per acre before 2005 irrigation season ends. The total payment over the four years is equal to \$2.50 per acre.

4. Stewardship Incentive Program

The Stewardship Incentive Program (SIP) provides technical assistance and cost-shared payments to NIPF landowners to help them develop and implement their Forest Stewardship Plans. The SIP provides landowners with assistance in undertaking a variety of forest enhancement and protection activities that might otherwise not be accomplished.

How does the Stewardship Incentive Program work?

Under this program, the Federal Government may reimburse the landowners up to 75 percent of approved expenses, to a maximum of \$10,000/year/landowner, in exchange for an agreement to install and maintain SIP practices for a minimum of 10 years. Practices supported under this program include:

- 1) Forest Stewardship Plan Development
- 2) Reforestation & Afforestation
- 3) Forest & Agroforest Improvement
- 4) Windbreak & Hedgerow Establishment
- 5) Soil & Water Protection Improvement
- 6) Riparian & Wetland Protection & Improvement
- 7) Fisheries Habitat Enhancement
- 8) Wildlife Habitat Enhancement
- 9) Forest Recreation Enhancement

Landowner responsibilities include installing the practice(s) in accordance with standards, excluding non-compatible land uses, protecting and caring for the practice(s) for 10 years following completion, and paying for their share of the cost of installation,

This program is administered in cooperation with State forestry and other resource management agencies, and each State determines which of the allowable practices it will fund and at what level, based on local issues and priorities.

Who is eligible for the Stewardship Incentive Program?

The SIP is directly linked to the Forest Stewardship Program. Participation in this program requires that the landowner develop an approved Forest Stewardship Plan. Generally, SIP participants own less than 1,000 acres of forested land, but waivers are available for up to 5,000 acres of forested land.

5. Tree Assistance Program

This program provides assistance to tree, bush and vine owners who have trees, bushes or vines lost by natural disaster. The statute authorizes payments only for eligible owners who actually replant or rehabilitate eligible trees, bushes and vines and who produce annual crops from trees for commercial purposes.

6. Water Bank Program

The Water Bank Program (WBP) was established by Congress in 1970 for several purposes: to preserve and improve wetlands as habitat for migratory waterfowl and other wildlife, to conserve surface waters, to reduce runoff and soil erosion, to contribute to flood control, to improve water quality, to increase subsurface moisture, and to enhance the natural beauty of the landscape. Landowners with significant migratory waterfowl habitat on their property can enter into a ten-year agreement with the ASCS to manage the land so that habitat values will be maintained or improved. The ASCS makes payments to landowners on an annual, per acre basis to help offset management costs. Agreements are renewable.

How the Water Bank Program works:

NRCS biologists work with landowners to develop a management plan that will be implemented over the life of the agreement. These management programs typically focus on providing nesting, brood-rearing, and wintering habitat for migrating and resident birds, both by planting and by maintaining flooded areas during the appropriate seasons. After the management plan has been worked out, the landowner enters into an agreement with the ASCS, committing to make the habitat improvements and maintain them for ten years. Landowner payment rates vary by county, but all are made on a per acre, yearly basis

Lands eligible under this program are specifically defined, but in general they are inland freshwater wetlands, as well as certain adjacent uplands-such as those suitable for nesting-that add substantial habitat value to the wetland. The minimum total area eligible for enrollment is 10 acres, encompassing at least two acres of wetlands. Further, to be eligible for the WBP, the land must not have changed ownership during the two-year period immediately prior to the start of the proposed agreement. Land accepted into the WBP that meets the requirements of the Conservation Reserve Program (CRP) may be included in the CRP as well.

Agreements are reviewed at the beginning of the fifth year of the contract, at which time payment rates may be adjusted to reflect current land values. Uses of the land under agreement may include hunting and, on a limited basis, vegetation-management practices such as grazing. If the management plan involves activities that require permits, obtaining these is the responsibility of the landowner, with assistance available from NRCS staff.

B. Not considered agricultural and horticultural

- **In August, 2006, the Tax Equalization and Review Commission issued a Decision in *Wetland Renovations, LLC v. Adams County Board of Equalization*, (Case Nos. 05A-U83 and 05A-084), in which the Commission ruled that the land encumbered by the Wetlands Reserve Program easement could not be used for agricultural purposes, and therefore CAN NOT be characterized as agricultural and horticultural land as defined in Nebraska law. Therefore such land CAN NOT be valued as agricultural and horticultural land.**

1) Wetlands Reserve Program (WRP)

The Wetlands Reserve Program (WRP) is administered by the Natural Resources Conservation Service (NRCS) in agreement with the Farm Service Agency (FSA) and in consultation with the U.S. Fish and Wildlife Service (FWS) and other cooperating agencies and organizations.

WRP program objectives are to: purchase conservation easements from, or enter into cost-share agreements with, willing owners of eligible land; the duration of a WRP easement is either permanent or 30 years, and restoration cost-share agreement is generally 10 years; help eligible landowners, protect, restore, and enhance the original hydrology, native vegetation, and natural topography of eligible lands, restore and protect the functions and values of wetlands in the agricultural landscape, help achieve the national goal of no net loss of wetlands, and improve the general environment of the country.

- ▶ Wetlands reserve program land is land which is voluntarily converted to wetlands and habitat and almost always includes a Conservation Warranty Easement Deed which transfers all farming, grazing, and development rights to a third party for a perpetual term.

2) Conservation Warranty Easement Deed

This deed transfers the right to farm, hay, or graze land that has been enrolled in one of the conservation programs. The deed transfers these rights for 30 years or "permanently" depending on the landowner's agreement. The landowner (grantor) reserves the rights to fishing, hunting, egress, ingress, and mineral interests. They also may be granted other limited haying, grazing, or timber harvesting provided it is not inconsistent with the conservation practices on the parcel. The document itself is usually the permanent or 30-year deed through the Commodity Credit Corporation (CCC) or a permanent easement to the Natural Resources Conservation Service (NRCS).

Proportionality Among Study Years

The following tables represent the distribution of sales among each year of the study period in the original sales file, the sales that were added to each area, and the resulting proportionality.

Preliminary Results:

Study Year	County	Area 1
07/01/06 - 06/30/07	10	10
07/01/07 - 06/30/08	11	11
07/01/08 - 06/30/09	11	11
Totals	32	32

Added Sales:

Study Year	Total	Mkt 1
7/1/06 - 6/30/07	0	0
7/1/07 - 6/30/08	0	0
7/1/08 - 6/30/09	0	0
	0	0

Final Results:

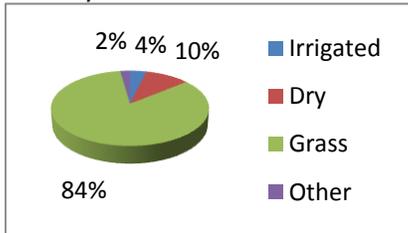
Study Year	County	Area 1
07/01/06 - 06/30/07	10	10
07/01/07 - 06/30/08	11	11
07/01/08 - 06/30/09	11	11
Totals	32	32

Representativeness by Majority Land Use

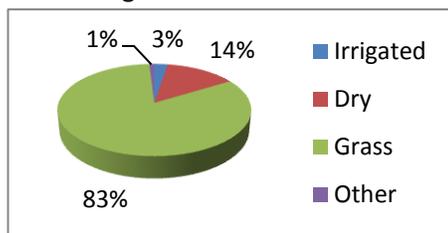
The following tables and charts compare the makeup of land use in the population to the make up of land use in both the sales file and the representative sample.

	Entire County		
	county	sales file	Sample
Irrigated	4%	3%	3%
Dry	10%	14%	14%
Grass	84%	83%	83%
Other	2%	1%	1%

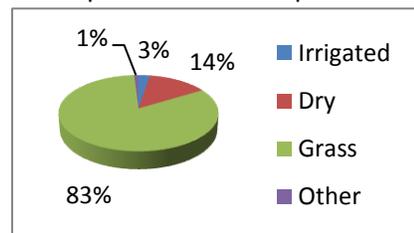
County



Original Sales File



Representative Sample



Adequacy of Sample

	County Total	Mrkt Area 1
Number of Sales - Original Sales File	32	32
Number of Sales - Expanded Sample	32	32
Total Number of Acres Added	0	0

Ratio Study

Final Statistics

County
sales

32

Median	70%	AAD	9.47%
Mean	69%	COD	13.58%
W. Mean	67%	PRD	102.89%

Preliminary Statistics

Median	65%	AAD	10.48%
Mean	63%	COD	16.14%
W. Mean	62%	PRD	101.29%

Majority Land Use

95% MLU	Irrigated		Dry		Grass	
	# Sales	Median	#	Median	# Sales	Median
County	0	N/A	6	71.77%	17	69.85%
Mkt Area 1	0	N/A	6	71.77%	17	69.85%

80% MLU	Irrigated		Dry		Grass	
	# Sales	Median	#	Median	# Sales	Median
County	1	69.00%	7	64.99%	19	70.07%
Mkt Area 1	1	69.00%	7	64.99%	19	70.07%

**Janet L. Shaul
Garden County Assessor
P O Box 468
Oshkosh, NE 69154
308-772-4464
gcasr1@embarqmail.com**

Ruth Sorensen
February 17, 2010
Property Tax Administrator
DOR, Property Assessment Division
P O Box 98919
Lincoln NE 68509-8919

Dear Ms Sorensen;

Below is information regarding the procedures and methodologies used in Garden County to implement special valuation on qualified parcels of agricultural and horticultural land (per PAT Regulation 11-005.04).

1. *Methodology for determining special valuation of agricultural land (uninfluenced value).*

The 2010 ag land valuations were determined by using the compilation and statistics received from the PAT of all ag sales deemed qualified in the required three-year sales period, the number of acres in each classification of land that sold, and the median of market value of each classification (at approximately 75%). Because the sales do not indicate any specific market areas, the value for each class (i.e. 3G1, 3G, etc.) will remain the same per class throughout the County.

The acceptable level of assessment for agricultural land is from 69% to 75%. Garden County sales in the three-year sales period indicate grass values are 70% for both 95% and 80% majority land use. Therefore, all grass values will remain the same. Two qualified sales of irrigated land showed a median in the 45% - 60% range, depending on majority land use. Every year irrigated sales are few, but consistently low. Therefore we will raise all classes of irrigated land values. This will improve our overall statistics. We had eight sales of dryland, and the median is around 53% (again depending on majority land use). We will raise all dryland classifications to bring this class of land in acceptable ranges.

2. *Methodology for determining recapture valuation of agricultural land (market value).*

In each three year sales period, we generally have a very small number of land sales along the North Platte River (most of which are not representative in the number of acres purchased).these sales are primarily for recreational purposes (goose hunting, etc.). Much of the land along the river, however, is used just for agricultural purposes. In an attempt to fairly and accurately value this land, we have implemented Special Valuation in Garden County. Taxpayers who own land near the river, with adjoining accretion and river acres, file a Form 456 (Special Valuation Application) .As a rule of thumb, the land owners that have hunting blinds but that also use the land for ag purposes (usually cattle grazing) have completed these forms by

considering each blind to be one acre of recreational land, and the rest as agricultural land. The acres with blinds are then valued as recreational at 100% of market per sales. The remaining land is valued as agricultural, *if used as such*, and is based on approximately 75% of market. *One very important point to remember in Garden County is that a State Game Refuge lies along the river 110 yards out from the banks of the North Platte River, and landowners cannot fish, carry firearms or hunt on any of this land. (See attached copies of NE Statutes 37-706, 37-707, 37-708 and 37-712).*

Above are the methods Garden County uses to determine valuations for ag properties and recreational properties. The methods were decided on after much market analysis, deliberation and thought, and we feel it is the most equitable and uniform method of dealing with the above addressed land.

Sincerely,

*Janet L. Shaul
Garden County Assessor*

37-706. Game refuges; establishment; description.

(1) For the better protection of birds and the establishment of breeding places therefore, the following area within the State of Nebraska is hereby set aside, designated, and established as a state game refuge: All that portion of the State of Nebraska on the North Platte River and for one hundred ten yards back of the banks of said stream on the land side in Garden County, Nebraska.

(2) For the better protection of birds and the establishment of breeding and resting places therefore, the following areas within the State of Nebraska are hereby set aside, designated, and established as state game refuges: (a) All that portion of the State of Nebraska on the Platte River and for one hundred ten yards on each side of the banks of said stream from the west line of Dodge County and Saunders County east and southeast to the bridge across said Platte River, west of Venice, Nebraska, on U.S. Route No. 30A and State Route No. 92; (b) all that portion of the State of Nebraska embracing the channel or channels of the Niobrara River and for one hundred ten yards back from the banks of such stream on the land side in Boyd and Holt Counties, extending from the west line of Boyd and Holt Counties on the west to State Highway No. 11 on the east; and (c) all that portion of the State of Nebraska on the North Platte River, and for one hundred ten yards on each side of the banks of the stream in sections twenty-one, twenty-six, twenty-seven, twenty-eight, thirty-four, thirty-five, and thirty-six, township fourteen north, range thirty, west of the sixth principal meridian, Lincoln County, Nebraska.

(3) For purposes of sections [37-701](#) to [37-708](#), the banks of said stream means the banks of the river which are the elevation of ground which confines the water at a level not exceeding flood stage.

Source:Laws 1925, c. 107, § 1, p. 295; C.S.1929, § [37-412](#); R.S.1943, § [37-412](#); Laws 1947, c. 135, § 1, p. 379; Laws 1965, c. 200, § 1, p. 603; R.S.1943, (1993), § [37-412](#); Laws 1998, LB 922, § 320; Laws 1999, LB 176, § 94; Laws 2004, LB 826, § 3.

Annotations

- Game Refuge Act was sustained as constitutional against contention that it was special law for protection of game and fish. *Bauer v. State Game, Forestation and Parks Com.*, 138 Neb. 436, 293 N.W. 282 (1940).

37-707. Game refuges; boundaries; marking; Department of Natural Resources; duties; access to property; when.

(1) The commission is directed to place suitable signs showing the boundaries of the refuges, as designated in section [37-706](#), using the map adopted by the Department of Natural Resources pursuant to this section, on all roads leading into such refuges.

(2)(a) The Department of Natural Resources shall adopt and promulgate rules and regulations determining the boundaries of the state game refuges. The department's determination shall be based on the definitions in sections [37-701](#) to [37-708](#) and shall include maps showing such boundaries.

(b) The department shall make the initial boundary determinations for the state game refuge in Garden County by March 1, 2005. The department shall make the initial boundary determinations for the remaining state game refuges by January 1, 2006.

(c) Until the initial determinations are made pursuant to subdivision (a) of this subsection, the boundaries that have been determined and maintained by the commission shall remain in effect.

(d) The department shall update any boundary determination required by subdivision (a) of this subsection whenever it determines that there has been a substantial change in the location of the banks of said stream used for locating such boundary.

(e) To the extent necessary to fulfill their obligations under sections [37-701](#) to [37-708](#) and pursuant to notice as provided in subdivision (f) of this subsection, the department and the commission shall have access at all reasonable times to all properties to which access is needed to fulfill such obligations. Entry upon such properties for the purposes set forth in such sections shall not be considered trespass.

(f) Notice of intent to enter upon property for the purposes of subdivision (2)(e) of this section shall be satisfied by publishing such notice at least once each week for three consecutive weeks in a legal newspaper published or of general circulation in the county or counties in which such property and such game refuge are located.

Source:Laws 1939, c. 43, § 2, p. 202; C.S.Supp.,1941, § [37-429](#); R.S.1943, § [37-419](#); Laws 1947, c. 135, § 3, p. 380; R.S.1943, (1993), § [37-419](#); Laws 1998, LB 922, § 321; Laws 2004, LB 826, § 4.

Annotations

- Game Refuge Act was sustained as constitutional against contention that it was special law for protection of game and fish. Bauer v. State Game, Forestation and Parks Com., 138 Neb. 436, 293 N.W. 282 (1940).

37-708. Game refuges; prohibited acts; exceptions.

(1) It shall be unlawful within the boundaries of the state game refuges designated in section [37-706](#) for any person (a) to hunt or chase with dogs any game birds, game animals, or other birds or animals of any kind or description whatever, (b) to carry firearms of any kind, or (c) from October 15 through January 15 each year to operate a motorboat as defined in section [37-1204](#).

(2) This section shall not prevent highway or railroad transport of firearms or dogs across the refuge, retrieval of game birds lawfully killed from such refuge, or the taking of fur-bearing animals by the use of traps during lawful open seasons on the refuge.

(3) This section shall not prevent the commission from issuing such permits as may be necessary for the killing of animal or bird predators that may endanger game birds or game animals or the domestic property of adjacent landowners or from issuing permits as provided in sections [37-447](#) to [37-452](#) for the taking of deer from such refuges whenever the number of deer on such refuges is deemed detrimental to habitat conditions on the refuges or to adjacent privately owned real or personal property.

(4) This section shall not prevent the owners of land or dwellings or their relatives or invitees from operating any motorboat within the boundaries of the refuge for purposes of access by the most direct route to and from such land or dwellings.

Source:Laws 1939, c. 43, § 3, p. 202; C.S.Supp.,1941, § [37-430](#); R.S.1943, § [37-420](#); Laws 1947, c. 135, § 4, p. 380; Laws 1965, c. 202, § 1, p. 605; Laws 1993, LB 235, § 20; R.S.1943, (1993), § [37-420](#); Laws 1998, LB 922, § 322.

Annotations

- Game Refuge Act was sustained as constitutional against contention that it was special law for protection of game and fish. Bauer v. State Game, Forestation and Parks Com., 138 Neb. 436, 293 N.W. 282 (1940).

37-712. State Wild Game Preserve; firearms, hunting, and fishing prohibited.

Except as provided in section [37-713](#), it shall be unlawful for any person to carry firearms, hunt, or fish within the limits of the State Wild Game Preserve.

Source:Laws 1927, c. 30, § 3, p. 147; C.S.1929, § [37-417](#); R.S.1943, § [37-417](#); Laws 1961, c. 169, § 4, p. 503; R.S.1943, (1993), § [37-417](#); Laws 1998, LB 922, § 326.

**Agricultural or Special
Valuation Correlation**

2010 Correlation Section

For Garden County

Agricultural Land

I. Correlation

The level of value for the agricultural land in Garden County, as determined by the PTA is 70%. The mathematically calculated median is 70%.

AGRICULTURAL LAND:

Garden County is on the western edge of the Nebraska Sand Hills, an expanse of a large sand-dune area under which the Ogallala aquifer lies. There are numerous small lakes throughout the northern part of the county. The North Platte River flows across the southern part and it is widely recognized as a hunting haven for geese, among other abundant wildlife in the county such as deer, antelope, and some elk. At the southern end of Garden County is where the cropland will be located. Primary roads running through the county are highways 26 from east to west and 27 coming up from Deuel County; the county is also supported on the north by highway 2.

The county is homogenous enough in makeup that no market areas have been created. A review of the agricultural sales over the three year study period indicate 10 sales occurred from 7/01/06 to 6/30/07, 11 sales occurred from 7/01/07 to 6/30/08 and 11 sales occurred from 7/01/08 to 6/30/09. The market for agricultural land in Garden County has steadily increased over the last several years. The sales are evenly distributed over the study period, taking away any bias in the time frame. The sample is also a good representation of the land use in Garden County as a whole. With approximately 84% grass, followed by some dry land and then irrigated.

Even though the sample was balanced the assessor also took into consideration all available market data from the adjoining counties of Grant, Arthur, Keith, Deuel, Cheyenne, Morrill and Sheridan in establishing market value. As a result of the agricultural analysis no sales were brought into the sample, and the values increased accordingly. The irrigated went up ranging from 13% to 73% depending on the subclass, the dry land went up ranging from approximately 13% to 52% depending on the subclass, and the grass was not changed for 2010.

Garden County has achieved good equalization within the agricultural class and has a level of value of 70% of market as well as a calculated median of 70% as noted in the 2010 Analysis of Agricultural Land.

There will be no non-binding recommendations made for the agricultural class of property.

SPECIAL VALUE:

A review of the agricultural land values in Garden County in areas that have other non-agricultural influences indicates that the values used are similar to other areas in the County where there are no non-agricultural influences. Therefore, it is the opinion of the Property Tax Administrator that the level of value for Special Valuation of agricultural land in Garden County is 70%

2010 Correlation Section

For Garden County

II. Analysis of Sales Verification

Neb. Rev. Stat. 77-1327(2) provides that all sales are deemed to be arms length transactions unless determined to be otherwise under professionally accepted mass appraisal techniques. The county assessor is responsible for the qualification of the sales included in the state sales file.

The Standard on Ratio Studies, International Association of Assessing Officials (2007), indicates that excessive trimming (the arbitrary exclusion or adjustment of arms length transactions) may indicate an attempt to inappropriately exclude arms length transactions to create the appearance of a higher level of value and quality of assessment. The sales file, in a case of excess trimming, will fail to properly represent the level of value and quality of assessment of the population of real property.

The Division frequently reviews the procedures used by the county assessor to qualify sales to ensure bias does not exist in judgments made. Arms length transactions should only be excluded when they compromise the reliability of the resulting statistics. In cases where a county assessor has disqualified sales without substantiation, the Division may include such sales in the ratio study.

AGRICULTURAL LAND:

The sales verification process in Garden County is handled by mailing a questionnaire out to the buyer. Each class of property (residential, commercial, and agricultural) has its own unique questionnaire. The assessor has developed a tracking process for the questionnaires, each time one is returned it is noted on the spreadsheet. In Garden County the response to these questionnaires has been good.

Other sources of data collection are county board members, neighbors, and personal knowledge in some instances, and the realtors themselves have been very helpful in verifying sales data. Another useful tool has been the realtor's websites which are watched and their data is compared to the property record card.

After reviewing both the qualified and non-qualified sales it has been determined the assessor has utilized as many sales as possible in the analysis of the agricultural class. Those disqualified were transactions such as seller financed, family, exchanges, foreclosure, partial interest, and centrally assessed.

2010 Correlation Section

For Garden County

III. Measures of Central Tendency

There are three measures of central tendency calculated by the Division: median ratio, weighted mean ratio, and mean ratio. Since each measure of central tendency has strengths and weaknesses, the use of any statistic for equalization should be reconciled with the other two, as in an appraisal, based on the appropriateness in the use of the statistic for a defined purpose, the quantity of the information from which it was drawn, and the reliability of the data that was used in its calculation. An examination of the three measures can serve to illustrate important trends in the data if the measures do not closely correlate to each other.

The IAAO considers the median ratio the most appropriate statistical measure for use in determining level of value for direct equalization; the process of adjusting the values of classes or subclasses of property in response to the determination of level of value at a point above or below a particular range. Since the median ratio is considered neutral in relationship to either assessed value or selling price, its use in adjusting the class or subclass of properties will not change the relationships between assessed value and level of value already present within the class or subclass of properties, thus rendering an adjustment neutral in its impact on the relative tax burden to an individual property. Additionally, the median ratio is less influenced by the presence of extreme ratios, commonly called outliers. One outlier in a small sample size of sales can have controlling influence over the other measures of central tendency. The median ratio limits the distortion potential of an outlier.

The weighted mean ratio is viewed by the IAAO as the most appropriate statistical measure for indirect equalization. The weighted mean, because it is a value weighted ratio, best reflects a comparison of the assessed and market value of property in the political subdivision. If the distribution of aid to political subdivisions must relate to the market value available for assessment in the political subdivision, the measurement of central tendency used to analyze level of value should reflect the dollars of value available to be assessed. The weighted mean ratio does that more than either of the other measures of central tendency.

If the weighted mean ratio, because of its dollar-weighting feature, is significantly different from the median ratio, it may be an indication of other problems with assessment proportionality. When this occurs, an evaluation of the county's assessment practices and procedures is appropriate to discover remedies to the situation.

The mean ratio is used as a basis for other statistical calculations, such as the price related differential and coefficient of variation. However, the mean ratio has limited application in the analysis of level of value because it assumes a normal distribution of the data set around the mean ratio with each ratio having the same impact on the calculation regardless of the assessed value or the selling price.

	Median	Wgt.Mean	Mean
R&O Statistics	70	67	69

2010 Correlation Section

For Garden County

IV. Analysis of Quality of Assessment

In analyzing the statistical data of assessment quality, there are two measures upon which assessment officials will primarily rely: the Coefficient of Dispersion (COD), and the Price Related Differential (PRD). Whether such statistics can be relied upon as meaningful for the population depends on whether the sample is representative.

The COD is commonly referred to as the index of assessment inequality. It is used to measure how closely the individual ratios are clustered around the median ratio and suggests the degree of uniformity or inaccuracy resulting in the assessments. The COD is computed by dividing the average deviation by the median ratio. For example, a COD of 20 means half of the ratios are 20 percent above or below the median. The closer the ratios are grouped around the median, the more equitable the assessment of property tends to be. Conversely, if the dispersion is quite large, there is a large spread in the ratios typically indicating a large spread around the median in the assessment of property, which results in an inequity in assessment and taxes. There is no range of acceptability stated in the Nebraska statutes for the COD measure. The International Association of Assessing Officers recommended ratio study performance standards are as follows:

Single-family residences: a COD of 15 percent or less.

For newer and fairly homogeneous areas: a COD of 10 or less.

Income-producing property: a COD of 20 or less, or in larger urban jurisdictions, 15 or less.
Vacant land and other unimproved property, such as agricultural land: a COD of 20 or less.

Rural residential and seasonal properties: a COD of 20 or less.

Mass Appraisal of Real Property, International Association of Assessing Officers, (1999), p. 246.

In unusually homogeneous types of property low CODs can be anticipated; however, in all other cases CODs less than 5 percent may be indicative of non-representative samples or the selective reappraisal of sold parcels.

The PRD, also known as the index of regression, is a measurement of the relationship between the ratios of high-value and low-value properties to determine if the value of property has any influence on the assessment ratio. It is calculated by dividing the arithmetic mean ratio by the weighted mean ratio. The PRD provides an indicator of the degree to which high-value properties are over-assessed or under-assessed in relation to low-value properties. A PRD of 100 indicates there is no bias in the assessment of high-value properties in comparison to low-value properties. A PRD greater than 100 indicates the assessments are regressive, which means low-value properties tend to have a higher assessment ratio than high-value properties. The result is the owner of a low-value property pays a greater amount of tax in relation to value than the owner of a high-value property. Conversely, a PRD less than 100 indicates that high-value properties are over assessed in relation to low-value properties.

2010 Correlation Section

For Garden County

There is no range of acceptability stated in the Nebraska statutes for the PRD measure. The Standard of Ratio Studies, adopted by the International Association of Assessing Officers, July, 2007, recommends that the PRD should lie between 98 and 103. This range is centered slightly above 100 to allow for a slightly upward measurement bias inherent in the PRD.

The PRD is calculated based on the selling price/assessed value in the sales file. This measure can be misleading if the dollar value of the records in the sales file is not proportionate to the dollar value of records in the population.

Mass Appraisal of Real Property, International Association of Assessing Officers, (1999), p. 247.

The analysis in this section displays the calculated COD and PRD measures for Garden County, which are considered as one part of the analysis of the County's assessment practices.

	COD	PRD
R&O Statistics	13.58	102.89

AGRICULTURAL LAND:

The COD and PRD have both met the acceptable standards. Through a thorough sales review process and market analysis the assessor has achieved uniform and proportionate assessment within the agricultural land class.

Total Real Property Sum Lines 17, 25, & 30	Records : 4,458	Value : 344,779,770	Growth 1,111,534	Sum Lines 17, 25, & 41
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Schedule I : Non-Agricultural Records

	Urban		SubUrban		Rural		Total		Growth
	Records	Value	Records	Value	Records	Value	Records	Value	
01. Res UnImp Land	71	153,326	16	48,307	27	91,743	114	293,376	
02. Res Improve Land	641	1,939,661	74	811,005	160	1,931,934	875	4,682,600	
03. Res Improvements	643	21,383,808	75	3,170,802	165	8,759,854	883	33,314,464	
04. Res Total	714	23,476,795	91	4,030,114	192	10,783,531	997	38,290,440	691,016
% of Res Total	71.61	61.31	9.13	10.53	19.26	28.16	22.36	11.11	62.17
05. Com UnImp Land	13	33,125	4	13,675	2	4,125	19	50,925	
06. Com Improve Land	119	419,413	11	146,725	18	363,453	148	929,591	
07. Com Improvements	119	4,018,777	11	743,248	18	1,260,823	148	6,022,848	
08. Com Total	132	4,471,315	15	903,648	20	1,628,401	167	7,003,364	141,953
% of Com Total	79.04	63.85	8.98	12.90	11.98	23.25	3.75	2.03	12.77
09. Ind UnImp Land	0	0	0	0	0	0	0	0	
10. Ind Improve Land	0	0	0	0	0	0	0	0	
11. Ind Improvements	0	0	0	0	0	0	0	0	
12. Ind Total	0	0	0	0	0	0	0	0	0
% of Ind Total	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
13. Rec UnImp Land	0	0	0	0	0	0	0	0	
14. Rec Improve Land	0	0	0	0	0	0	0	0	
15. Rec Improvements	0	0	0	0	0	0	0	0	
16. Rec Total	0	0	0	0	0	0	0	0	0
% of Rec Total	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Res & Rec Total	714	23,476,795	91	4,030,114	192	10,783,531	997	38,290,440	691,016
% of Res & Rec Total	71.61	61.31	9.13	10.53	19.26	28.16	22.36	11.11	62.17
Com & Ind Total	132	4,471,315	15	903,648	20	1,628,401	167	7,003,364	141,953
% of Com & Ind Total	79.04	63.85	8.98	12.90	11.98	23.25	3.75	2.03	12.77
17. Taxable Total	846	27,948,110	106	4,933,762	212	12,411,932	1,164	45,293,804	832,969
% of Taxable Total	72.68	61.70	9.11	10.89	18.21	27.40	26.11	13.14	74.94

Schedule II : Tax Increment Financing (TIF)

	Urban			SubUrban		
	Records	Value Base	Value Excess	Records	Value Base	Value Excess
18. Residential	0	0	0	0	0	0
19. Commercial	0	0	0	0	0	0
20. Industrial	0	0	0	0	0	0
21. Other	0	0	0	0	0	0
	Rural			Total		
	Records	Value Base	Value Excess	Records	Value Base	Value Excess
18. Residential	0	0	0	0	0	0
19. Commercial	0	0	0	0	0	0
20. Industrial	0	0	0	0	0	0
21. Other	0	0	0	0	0	0
22. Total Sch II				0	0	0

Schedule III : Mineral Interest Records

Mineral Interest	Records	Urban Value	Records	SubUrban Value	Records	Rural Value	Records	Total Value	Growth
23. Producing	0	0	0	0	28	148,820	28	148,820	0
24. Non-Producing	0	0	0	0	10	39,757	10	39,757	0
25. Total	0	0	0	0	0	0	38	188,577	0

Schedule IV : Exempt Records : Non-Agricultural

	Urban Records	SubUrban Records	Rural Records	Total Records
26. Producing	67	3	25	95

Schedule V : Agricultural Records

	Urban		SubUrban		Rural		Total	
	Records	Value	Records	Value	Records	Value	Records	Value
27. Ag-Vacant Land	0	0	29	1,228,918	2,717	225,121,762	2,746	226,350,680
28. Ag-Improved Land	0	0	24	1,291,785	486	46,242,996	510	47,534,781
29. Ag Improvements	0	0	24	1,044,638	486	24,367,290	510	25,411,928
30. Ag Total							3,256	299,297,389

Schedule VI : Agricultural Records :Non-Agricultural Detail

	Urban			SubUrban			Growth
	Records	Acres	Value	Records	Acres	Value	
31. HomeSite UnImp Land	0	0.00	0	5	5.00	7,500	
32. HomeSite Improv Land	0	0.00	0	16	18.25	149,000	
33. HomeSite Improvements	0	0.00	0	16	0.00	733,550	
34. HomeSite Total							
35. FarmSite UnImp Land	0	0.00	0	0	0.00	0	
36. FarmSite Improv Land	0	0.00	0	22	70.34	146,171	
37. FarmSite Improvements	0	0.00	0	23	0.00	311,088	
38. FarmSite Total							
39. Road & Ditches	0	0.00	0	0	63.40	0	
40. Other- Non Ag Use	0	0.00	0	0	0.00	0	
	Records	Acres	Value	Records	Acres	Value	Growth
31. HomeSite UnImp Land	90	95.50	263,000	95	100.50	270,500	
32. HomeSite Improv Land	301	382.79	2,830,500	317	401.04	2,979,500	
33. HomeSite Improvements	306	0.00	15,424,713	322	0.00	16,158,263	0
34. HomeSite Total				417	501.54	19,408,263	
35. FarmSite UnImp Land	36	99.58	127,493	36	99.58	127,493	
36. FarmSite Improv Land	433	1,480.57	3,118,459	455	1,550.91	3,264,630	
37. FarmSite Improvements	473	0.00	8,942,577	496	0.00	9,253,665	278,565
38. FarmSite Total				532	1,650.49	12,645,788	
39. Road & Ditches	0	2,898.20	0	0	2,961.60	0	
40. Other- Non Ag Use	0	0.00	0	0	0.00	0	
41. Total Section VI				949	5,113.63	32,054,051	278,565

Schedule VII : Agricultural Records :Ag Land Detail - Game & Parks

	Urban			SubUrban		
	Records	Acres	Value	Records	Acres	Value
42. Game & Parks	0	0.00	0	0	0.00	0
	Rural			Total		
	Records	Acres	Value	Records	Acres	Value
42. Game & Parks	0	0.00	0	0	0.00	0

Schedule VIII : Agricultural Records : Special Value

	Urban			SubUrban		
	Records	Acres	Value	Records	Acres	Value
43. Special Value	0	0.00	0	49	6,261.51	3,413,365
44. Recapture Value N/A	0	0.00	0	0	0.00	0
	Rural			Total		
	Records	Acres	Value	Records	Acres	Value
43. Special Value	3,167	1,030,119.15	277,753,382	3,216	1,036,380.66	281,166,747
44. Market Value	0	0	0	0	0	0

* LB 968 (2006) for tax year 2009 and forward there will be no Recapture value.

Schedule IX : Agricultural Records : Ag Land Market Area Detail

Market Area 1

Irrigated	Acres	% of Acres*	Value	% of Value*	Average Assessed Value*
45. 1A1	0.00	0.00%	0	0.00%	0.00
46. 1A	3,593.03	9.11%	3,503,212	12.68%	975.00
47. 2A1	1,782.68	4.52%	1,515,290	5.49%	850.01
48. 2A	4,556.90	11.55%	3,417,704	12.37%	750.01
49. 3A1	315.15	0.80%	204,852	0.74%	650.01
50. 3A	12,969.38	32.88%	8,430,172	30.52%	650.01
51. 4A1	10,756.04	27.27%	6,991,492	25.32%	650.01
52. 4A	5,469.45	13.87%	3,555,176	12.87%	650.01
53. Total	39,442.63	100.00%	27,617,898	100.00%	700.20
Dry					
54. 1D1	0.00	0.00%	0	0.00%	0.00
55. 1D	66,817.11	62.60%	30,068,016	68.27%	450.00
56. 2D1	118.68	0.11%	47,472	0.11%	400.00
57. 2D	19,960.90	18.70%	6,986,465	15.86%	350.01
58. 3D1	184.84	0.17%	64,698	0.15%	350.02
59. 3D	11,261.50	10.55%	3,941,618	8.95%	350.01
60. 4D1	5,728.59	5.37%	2,005,092	4.55%	350.01
61. 4D	2,657.09	2.49%	930,020	2.11%	350.01
62. Total	106,728.71	100.00%	44,043,381	100.00%	412.67
Grass					
63. 1G1	0.00	0.00%	0	0.00%	0.00
64. 1G	4,022.56	0.46%	1,139,341	0.59%	283.24
65. 2G1	543.27	0.06%	136,030	0.07%	250.39
66. 2G	7,508.75	0.87%	1,845,426	0.95%	245.77
67. 3G1	1,795.18	0.21%	430,553	0.22%	239.84
68. 3G	39,634.04	4.57%	9,684,912	5.01%	244.36
69. 4G1	113,749.50	13.11%	25,835,744	13.37%	227.13
70. 4G	700,369.04	80.72%	154,216,990	79.79%	220.19
71. Total	867,622.34	100.00%	193,288,996	100.00%	222.78
Irrigated Total					
Irrigated Total	39,442.63	3.80%	27,617,898	10.33%	700.20
Dry Total					
Dry Total	106,728.71	10.29%	44,043,381	16.48%	412.67
Grass Total					
Grass Total	867,622.34	83.67%	193,288,996	72.33%	222.78
Waste					
Waste	15,673.09	1.51%	391,928	0.15%	25.01
Other					
Other	7,529.39	0.73%	1,901,135	0.71%	252.50
Exempt					
Exempt	338.41	0.03%	0	0.00%	0.00
Market Area Total					
Market Area Total	1,036,996.16	100.00%	267,243,338	100.00%	257.71

Schedule X : Agricultural Records :Ag Land Total

	Urban		SubUrban		Rural		Total	
	Acres	Value	Acres	Value	Acres	Value	Acres	Value
76. Irrigated	0.00	0	1,630.17	1,111,105	37,812.46	26,506,793	39,442.63	27,617,898
77. Dry Land	0.00	0	138.50	53,145	106,590.21	43,990,236	106,728.71	44,043,381
78. Grass	0.00	0	3,841.52	862,339	863,780.82	192,426,657	867,622.34	193,288,996
79. Waste	0.00	0	10.18	255	15,662.91	391,673	15,673.09	391,928
80. Other	0.00	0	642.00	191,188	6,887.39	1,709,947	7,529.39	1,901,135
81. Exempt	0.00	0	0.00	0	338.41	0	338.41	0
82. Total	0.00	0	6,262.37	2,218,032	1,030,733.79	265,025,306	1,036,996.16	267,243,338

	Acres	% of Acres*	Value	% of Value*	Average Assessed Value*
Irrigated	39,442.63	3.80%	27,617,898	10.33%	700.20
Dry Land	106,728.71	10.29%	44,043,381	16.48%	412.67
Grass	867,622.34	83.67%	193,288,996	72.33%	222.78
Waste	15,673.09	1.51%	391,928	0.15%	25.01
Other	7,529.39	0.73%	1,901,135	0.71%	252.50
Exempt	338.41	0.03%	0	0.00%	0.00
Total	1,036,996.16	100.00%	267,243,338	100.00%	257.71

2010 County Abstract of Assessment for Real Property, Form 45 Compared with the 2009 Certificate of Taxes Levied (CTL)

35 Garden

	2009 CTL County Total	2010 Form 45 County Total	Value Difference (2010 form 45 - 2009 CTL)	Percent Change	2010 Growth (New Construction Value)	Percent Change excl. Growth
01. Residential	37,543,254	38,290,440	747,186	1.99%	691,016	0.15%
02. Recreational	0	0	0		0	
03. Ag-Homesite Land, Ag-Res Dwelling	19,102,953	19,408,263	305,310	1.60%	0	1.60%
04. Total Residential (sum lines 1-3)	56,646,207	57,698,703	1,052,496	1.86%	691,016	0.64%
05. Commercial	6,842,213	7,003,364	161,151	2.36%	141,953	0.28%
06. Industrial	0	0	0		0	
07. Ag-Farmsite Land, Outbuildings	12,576,470	12,645,788	69,318	0.55%	278,565	-1.66%
08. Minerals	262,727	188,577	-74,150	-28.22	0	-28.22
09. Total Commercial (sum lines 5-8)	19,681,410	19,837,729	156,319	0.79%	420,518	-1.34%
10. Total Non-Agland Real Property	76,327,617	77,536,432	1,208,815	1.58%	1,111,534	0.13%
11. Irrigated	19,510,007	27,617,898	8,107,891	41.56%		
12. Dryland	33,334,404	44,043,381	10,708,977	32.13%		
13. Grassland	193,186,528	193,288,996	102,468	0.05%		
14. Wasteland	391,929	391,928	-1	0.00%		
15. Other Agland	1,878,265	1,901,135	22,870	1.22%		
16. Total Agricultural Land	248,301,133	267,243,338	18,942,205	7.63%		
17. Total Value of all Real Property (Locally Assessed)	324,628,750	344,779,770	20,151,020	6.21%	1,111,534	5.87%

**2009 Plan of Assessment for Garden County
Assessment Years 2010, 2011 and 2012
Date: June 15, 2009**

Plan of Assessment Requirements:

Pursuant to Nebraska Laws 2005, LB 263, Section 9, on or before June 15 each year, the assessor shall prepare a plan of assessment (herein after referred to as the “plan”), which describes the assessment actions planned for the next assessment year and two years thereafter. The plan shall indicate the classes or subclasses of real property that the county assessor plans to examine during the years contained in the plan of assessment. The plan shall describe all the assessment actions necessary to achieve the levels of value and quality of assessment practices required by law, and the resources necessary to complete those actions. On or before July 31 each year, the assessor shall present the plan to the County Board of Equalization and the assessor may amend the plan, if necessary, after the budget is approved by the County Board of Commissioners. A copy of the plan and any amendments thereto shall be mailed to the Department of Property Assessment and Taxation on or before October 31 each year.

Real Property Assessment Requirements:

All property in the State of Nebraska is subject to property tax unless expressly exempt by Nebraska Constitution, Article VIII, or is permitted by the Constitution and enabling legislation adopted by the legislature. The uniform standard for the assessed value of real property for tax purposes is actual value, which is defined by law as “the market value of real property in the ordinary course of trade.” Nebraska Rev. Stat. §77-112 (Reissue 2003).

Assessment levels required for real property are as follows:

- 1) 100% of actual value for all classes of real property excluding agricultural and horticultural land;
- 2) 75% of actual value for agricultural land and horticultural land;
- 3) 75% of special value for agricultural and horticultural land which meets the qualifications for special valuation under §77-1344 and 75% of its recapture value as defined in §77-1343 when the land is disqualified for special valuation under §77-1347.

Reference, Neb. Rev. Stat. §77-201 (R. S. Supp 2004).

General Description of Real Property in Garden County:

	<u>Parcels</u>	<u>% of Total Parcels</u>	<u>% of Taxable Base Of Real Estate</u>
Residential	993	22.34	11.57
Commercial	170	3.82	2.12
Agricultural	3,247	73.05	86.23
Mineral	35	.79	.08

Garden County has 1,036,981.77 acres of agricultural land; 3.78% consists of irrigated land, 83.71% consists of grassland, 10.28% is dryland, and 2.23% is waste etc. Garden County has a State Game Refuge which lies 210 yards back from the river banks of the North Platte River (NE Statute 37-706). In the northern half of the county lies Crescent Lake National Wildlife. It is a Federal refuge consisting of approximately 45,698 acres.

New Property: For assessment year 2009, several building permits and/or Information Statements and zoning permits were filed for new property construction/additions in the county. The 2009 yearly pickup work included these permits, which included newly constructed buildings, removed/deteriorated improvements, updating any land uses, etc. These were listed and appraised along with the countywide commercial reappraisal implemented this year.

Current Resources:

A. *Staff/Budget/Training:*

The Assessor's staff consists of the assessor, deputy assessor, and one full-time clerk.

We will submit a budget for around \$76,000 (not fully determined yet) for the office and around \$30,000 for appraisal work (this figure includes payments for the GIS system being implemented). The assessor and deputy obtain the required hours of training necessary to retain assessor's certificates.

B. *Cadastral Maps accuracy/condition, other land use maps, aerial photos:*

The Garden County Cadastral Maps were prepared in the 1970's (as closely as we can determine). The assessor and staff keep ownership current, and all split outs are updated on the maps. We also have aerial photos of all land in the county, and mylar overlays with soil types and acres. These aeriels were purchased in 1997 from the Bureau of Land Management in Cheyenne. In March of 2005, we had aerial photos taken of all improvements in the county.

C. *Property Record Cards:*

The Garden County Assessor's property record cards are very complete, detailed and current. The record cards contain the following:

- Owner's name and address
- 911 address (situs)
- Parcel identification number
- Pricing sheets of houses, garages and out buildings which include all information and notes about each improvement, Replacement Cost New with depreciation applied for current condition, location, etc. Current values are shown and necessary information showing how the values are derived
- Numbered photos depicting each improvement
- Sketches of all buildings
- Cadastral map page and aerial map number
- Tax district code which includes all districts to which each parcel pays taxes (school, county, community college Natural Resource District, ESU District, Ag Society Airport Authority, Fire and Cemetery Districts, etc.)
- School District number, fire District and Cemetery District (i.e. 21f3c3)
- PAT'S six digit school codes
- Aerial photo
- Notes concerning inspections
- A summary sheet with a correlation statement explaining the three approaches to value

D. *Software for CAMA, Assessment Administration:*

The Garden County Assessor's office has contracted with MIPS/County Solutions for CAMA pricing and an administrative package. This works very well. We are in the process of implementing a GIS system in the Assessor's office.

Current Assessment Procedures for Real Property:

A. Discover, List and Inventory all property:

The appropriate paperwork for Real Estate Transfers is completed as soon as possible after they are brought to our office by the County Clerk's personnel. Ownership changes, etc. are completed in the computer, on the property record card and folder, in the real estate books, in the cadastral map, on index cards, on a tablet of changes for the Treasurer's office, and on soil mylars if the sale includes agricultural land.

Methods of discovering changes in real estate include county zoning permits, city building permits, information from realtors and appraisers, reports by taxpayers and neighbors, ongoing inspections by staff as we travel throughout the county, and a variety of other sources. New pivots listed on Personal Property Schedules indicate newly irrigated land.

B. Data Collection:

We perform extensive pick-up work each year. Data and information is collected by two staff members, under guidance from Jerry Knoche, our contracted appraiser.

C. Review assessment sales ratio studies before assessment actions:

We monitor sales of each classification of property; sales studies are ongoing, and are used extensively for valuation updates each year. This information is also used to prepare depreciation tables. We prepare spread sheets of residential, commercial and agricultural sales each year based on the qualified sales rosters. We also prepare maps with ag sales plotted to indicate any potential market areas of value, etc. We run miscellaneous "what-ifs" to determine the most appropriate percentage increases/decreases to apply to bring values within the required statistical ranges.

D. Approaches to Value:

1) Market Approach; sales comparisons:

As mentioned above we perform extensive sales studies, and the market approach is shown by the current adjusted valuations.

2) Cost Approach; cost manual used and date of manual and latest depreciation study:

The date of the Marshal & Swift manual used on all residential improvements is 2005. Our records have the Replacement Cost New of improvements, with depreciation applied for the current condition, location, etc. This reflects the cost approach.

3) Income Approach; income and expense data collection/analysis from the market:

In a rural county like Garden County, for most properties the income approach is not applicable or workable.

4) Land valuation studies, establish market areas, special value for agricultural land:

As stated above, we complete extensive sales studies, prepare various spread sheets of sales, plat all sales on a map of the county to indicate any potential areas of market, etc. We also run various "what ifs" using numerous potential changes in values to different classes of land to determine the most equitable and appropriate overall increases/decreases in values to achieve the required statistics for levels of values.

E. Reconciliation of Final Value and Documentation:

Our property record cards have all necessary information to show values, how values were arrived at, etc. On improved parcels we have the Replacement Cost New of improvements and physical, locational and any functional depreciations appropriate for the final values. Each file with improvements contains a correlation section that summarizes the results of each approach to

value that has been completed for each parcel. We have appraisal information with depreciation tables, cost tables, etc. easily available for anyone who wishes to view it.

F. Review assessment sales ratio studies after assessment actions:

All assessment actions are taken with the assessment sales ratio studies in mind, to insure that the actions taken result in the proper valuations to meet the required statistics.

G. Notices and Public Relations:

The assessor and staff believe in keeping the public informed of laws and requirements of the office. Articles are put in the paper about homestead exemptions, personal property filing deadlines, valuation changes, budgets of all taxing entities to inform taxpayers where their tax dollars go, etc.

Level of Value, Quality, and Uniformity for assessment year 2009:

<u>Property Class</u>	<u>Median</u>	<u>Coefficient of Dispersion</u>	<u>Price Related Differential</u>
Residential	98	15.82	109.84
Commercial	99	8.54	103.78
Agricultural	71	19.70	108.66

Assessment Actions Planned for Assessment Year 2010:

Residential:

In 2008 we implemented a countywide residential reappraisal. All residential properties were repriced with current information and with the applicable effective ages and depreciations. For 2009 we adjusted the economic depreciation in Lewellen due to a decreased market. This assisted us in reaching the required range of value. For 2010 we will continue to monitor residential sales and make any appropriate adjustments. We will also inspect/appraise any properties for which building permits or Information Statements have been completed, along with any other changes that come to our attention.

Commercial:

In August, 2008 our contracted appraiser, Jerry Knoche, trained our staff in listing property. All commercial properties were inspected, and Jerry created a depreciation table using sales in the appropriate time frame. Effective ages of improvements were determined using appropriate price per square foot figures derived from sales. All commercial properties were repriced with current information and using the applicable effective ages and depreciations. All commercial lots were repriced with recent information. New values were implemented in 2009.

Agricultural Land:

As stated earlier, all arm's length sales are very closely studied, and if our stats are out of range for 2010, values will again be adjusted. We will continue to monitor land use changes, new pivots, etc. on personal property schedules, etc. and update land records accordingly. On June 23, 2008 the Garden County Board of Commissioners signed a contract with GIS Workshop to attain a GIS system for the Assessor's office. This was the first step toward implementing the new soil survey. We are currently adding parcel ID numbers, and in June of this year we are scheduled to get the land use from GIS Workshop. We hope to have all work finished to be able to implement the numerical soil survey now available.

Special Value:

Agland: As with agricultural land, sales will be monitored. Because we have so few sales of river land in each three-year sales period, any changes in value are hard to determine and/or justify.

Assessment Actions Planned for Assessment Year 2011:

We will continue doing pickup work on residential and commercial properties, and continue to monitor land use changes, sales, etc., and value all classes of property accordingly. We will also make preparations for reviewing one-sixth of the county.

Assessment Actions Planned for Assessment Year 2012:

We will continue the above.

Other Functions Performed by the Assessor's Office, But Not Limited to:

1. Record maintenance, mapping updates, and ownership change.
2. Annually prepare and file Assessor Administrative Reports required by law/regulation:
 - a. Real Estate Abstract and Personal Property Abstract
 - b. Assessed Value Update showing the current value of real estate in sales
 - c. Assessor Survey
 - d. Report Sales information for PA&T rosters
 - e. School District Taxable Value Report
 - f. Homestead Exemption Tax Loss Report
 - g. Certificate of Taxes Levied Report
 - h. Report of current values for properties owned by Board of Education Land & Funds
 - i. Report of all Exempt Property and Taxable Government Owned Property
 - j. Annual Plan of Assessment Report
 - k. Average Residential Value for Homestead Exemption purposes
3. Personal Property: administer annual filing of approximately 550 schedules, prepare subsequent notices for incomplete filings or failure to file and penalties applied, as required.
4. Permissive Exemptions: administer annual filings of applications for new or continued exempt use, review and make recommendations to county board.
5. Taxable Government Owned Property: annual review of government owned property not used for public purpose, send notices of intent to tax, etc.
6. Homestead Exemptions: administer approximately 150 annual filings of applications, approval/denial process, taxpayer notifications, and taxpayer assistance.
7. Send "Notice Valuation Change" notices for all properties on which values changed by June 1st.
8. Centrally Assessed: review of valuations of entities as certified by PA&T for railroads and public service entities, establish assessment records and tax billing for tax list.
9. Certify total valuations of real estate, personal property and centrally assessed companies to all taxing entities by August 20th.
10. Annual Inventory: update report designating personal property of the Assessor's office by August 25th each year.
11. Agland Trust Report: Prepare and submit to the Secretary of State a list of all Trusts owning ag land.
12. Tax Increment Financing: management of record/valuation information for properties in community redevelopment projects for proper reporting on administrative reports and allocation of ad valorem tax.

13. Tax Districts and Tax Rates: management of school district and other tax entity boundary changes necessary for correct assessment and tax information; input/review of tax rates used for tax billing process.
10. Tax Lists: prepare and certify tax lists to county treasurer for real property, personal property, and centrally assessed.
11. Tax List Corrections: prepare tax list correction documents for county board approval.
12. County Board of Equalization: attend county board of equalization meetings for valuation protests – assemble and provide information.
13. TERC Appeals: prepare information and attend taxpayer appeal hearings before TERC, defend valuation.
14. TERC Statewide Equalization: attend hearings if applicable to county, defend values, and/or implement orders of the TERC.
15. Education: Assessor and/or Appraisal Education: attend meetings, workshops, and educational classes to obtain required hours of continuing education to maintain assessor certification and/or appraiser license, etc. Anyone currently holding an assessor’s certificate is required to obtain a minimum of 60 hours every 4 years.
16. Prepare, maintain and update a Garden County Procedures Manual.

Conclusion

The main goal for Garden County is equalization and uniformity of valuation of all property in the county. The first step is to assure good record keeping and constant analysis of sales information. The Garden County Assessor and staff strive very diligently to complete all duties and responsibilities required of the office, while doing so within the budget we are allowed.

We run an efficient, user-friendly office which both serves the public and obeys the Nebraska Statutes, Regulations, and Directives that we are obligated to follow. I believe we do so in a very appropriate, congenial manner.

Respectfully submitted:

Janet L. Shaul, Garden County Assessor

Date

We hereby accept the

**2009 Plan of Assessment for Garden County
Assessment Years 2010, 2011 and 2012**

As presented to us by Janet L. Shaul, Garden County Assessor, on July 13, 2009 per Nebraska Department Of Property Assessment and Taxation Directive 05-04 and Nebraska Statute 77-1311.02.

Garden County of Equalization:

Terry McCord

Date: _____

Ronald Shearer

Robert Radke

2010 Assessment Survey for Garden County

I. General Information

A. Staffing and Funding Information

1.	Deputy(ies) on staff
	1
2.	Appraiser(s) on staff
	0
3.	Other full-time employees
	0
4.	Other part-time employees
	1
5.	Number of shared employees
	0
6.	Assessor's requested budget for current fiscal year
	\$97,320
7.	Adopted budget, or granted budget if different from above
	Same
8.	Amount of the total budget set aside for appraisal work
	Not applicable.
9.	Appraisal/Reappraisal budget, if not part of the total budget
	\$67,210
10.	Part of the budget that is dedicated to the computer system
	\$8,600
11.	Amount of the total budget set aside for education/workshops
	\$2,000
12.	Other miscellaneous funds
	0
13.	Was any of last year's budget not used:
	Yes, \$4,867

B. Computer, Automation Information and GIS

1.	Administrative software
	MIPS/County Solutions
2.	CAMA software
	MIPS/County Solutions
3.	Cadastral maps: Are they currently being used?
	Yes
4.	Who maintains the Cadastral Maps?
	Assessor and staff.
5.	Does the county have GIS software?
	In the developmental stages with GIS Workshop.
6.	Who maintains the GIS software and maps?
	Just getting started.
7.	Personal Property software:
	MIPS/County Solutions

C. Zoning Information

1.	Does the county have zoning?
	Yes
2.	If so, is the zoning countywide?
	Yes
3.	What municipalities in the county are zoned?
	Oshkosh and a 1 mile radius around town, also Lewellen.
4.	When was zoning implemented?
	1998 - rural

D. Contracted Services

1.	Appraisal Services
	Jerry Knoche assists with real property appraisal work as needed. Pritchard & Abbott for producing mineral interests.
2.	Other services
	None

Certification

This is to certify that the 2010 Reports and Opinions of the Property Tax Administrator have been sent to the following:

One copy by electronic transmission and one printed copy by hand delivery to the Tax Equalization and Review Commission.

One copy by electronic transmission to the Garden County Assessor.

Dated this 7th day of April, 2010.



A handwritten signature in cursive script that reads "Ruth A. Sorensen".

Ruth A. Sorensen
Property Tax Administrator

Valuation History Charts