

(I) THE LAND IS LEASED AND THE NATURE OF THE FARM OR AGRICULTURAL USE OF THE LAND WHEN RELATED TO THE AMOUNT OF THE LAND IN FARM OR AGRICULTURAL USE REASONABLY WOULD BE EXPECTED TO YIELD AN AVERAGE GROSS INCOME OF AT LEAST \$2,500;

(II) THE NATURE OF THE FARM OR AGRICULTURAL USE OF THE LAND AND THE AMOUNT OF THE LAND IN FARM OR AGRICULTURAL USE REASONABLY WOULD BE EXPECTED TO YIELD AN AVERAGE GROSS INCOME OF AT LEAST \$2,500 FROM THE AGRICULTURAL PRODUCTS, IF SOLD, THAT ARE DERIVED FROM THE USE OF THE LAND;

(III) A DROUGHT OR OTHER NATURAL CAUSE HAS ADVERSELY AFFECTED THE INCOME-PRODUCING CAPABILITY OF THE LAND DURING A 3-YEAR PERIOD; OR

(IV) FOR A NEWLY ESTABLISHED FARM OR AGRICULTURAL USE, THE NATURE OF THE USE AND THE AMOUNT OF THE LAND IN FARM OR AGRICULTURAL USE REASONABLY WOULD BE EXPECTED TO YIELD AN AVERAGE GROSS INCOME OF AT LEAST \$2,500 IF THE USE HAD EXISTED FOR A 3-YEAR PERIOD.

(6) THE DIRECTOR MAY GRANT ONLY THE FOLLOWING ADDITIONAL WAIVERS:

(I) UNDER PARAGRAPH (5)(III) OF THIS SUBSECTION, FOR 1 ADDITIONAL CONSECUTIVE 3-YEAR PERIOD; AND

(II) UNDER PARAGRAPH (5)(IV) OF THIS SUBSECTION, FOR 1 ADDITIONAL CONSECUTIVE 3-YEAR PERIOD.

(7) THE GROSS INCOME REQUIREMENT OF PARAGRAPH (2) OF THIS SUBSECTION DOES NOT APPLY:

(I) IF THE OWNER IS AT LEAST 70 YEARS OF AGE AND APPLIES FOR THE EXEMPTION ON LAND THAT WAS ASSESSED ON JULY 1, 1984, ON THE BASIS OF FARM OR AGRICULTURAL USE UNDER THE LAW OR REGULATIONS OF THE DEPARTMENT THAT WERE IN EFFECT ON OR BEFORE THAT DATE;

(II) IF THE OWNER BECOMES DISABLED AND IS UNABLE TO CONTINUE THE FARM OR AGRICULTURAL USE OF THE LAND AND APPLIES FOR THE EXEMPTION ON LAND THAT IS ASSESSED ON THE BASIS OF FARM OR AGRICULTURAL USE; OR

(III) IF THE LAND IS ACTIVELY USED AS A FAMILY FARM UNIT.

(8) THE DIRECTOR MAY NOT GRANT EXEMPTIONS UNDER PARAGRAPH (7)(I) OR (II) OF THIS SUBSECTION FOR MORE THAN 2 CONSECUTIVE 3-YEAR PERIODS.

(H) EXCLUSIONS.

(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE FOLLOWING LAND DOES NOT QUALIFY TO BE ASSESSED UNDER THIS SECTION: