

NATURE OR TYPE OF AGRICULTURAL ACTIVITY ON ALL THE TRANSFERRED LAND TOGETHER WITH THE AMOUNT OF THE LAND TRANSFERRED THAT IS IN FARM OR AGRICULTURAL USE IS REASONABLY EXPECTED TO PRODUCE AN AVERAGE ANNUAL GROSS INCOME OF \$2,500; AND

2. APPLIES FOR FARM OR AGRICULTURAL USE ASSESSMENT FOR ALL THE LAND THAT IS TRANSFERRED.

(II) IF THERE IS A FAILURE TO COMPLY WITH A DECLARATION OF INTENT FILED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH OR A FAILURE TO QUALIFY FOR THE FARM OR AGRICULTURAL USE ASSESSMENT UNDER § 19(B) OF THIS ARTICLE DURING THE PERIOD OF TIME THAT A DECLARATION OF INTENT IS IN EFFECT, THE GRANTEE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH OWES:

1. THE AGRICULTURAL LAND TRANSFER TAX THAT WOULD HAVE BEEN PAYABLE AT THE TIME OF TRANSFER; AND

2. INTEREST AT A RATE OF 12% ANNUALLY FROM THE DATE OF TRANSFER TO THE GRANTEE WHO SIGNED THE DECLARATION OF INTENT TO FARM.

(III) THE AMOUNT OF TAX AND INTEREST OWED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH IS A LIEN ON LAND THAT WAS TRANSFERRED. THE LIEN IS DUE ON THE EARLIER DATE OF:

1. THE NEXT DATE ON WHICH PROPERTY TAX ON THE LAND IS DUE UNDER § 48 OF THIS ARTICLE; OR

2. THE DATE OF THE NEXT TRANSFER OF ANY PART OF THE LAND BEFORE THE PROPERTY TAX ON THE LAND IS DUE UNDER SUB-SUBPARAGRAPH (1) OF THIS SUBPARAGRAPH.

[(3)] (4) Land or interests in land transferred to the State of Maryland.

(G) (1) A WRITTEN INSTRUMENT CONVEYING TITLE TO LAND OF LESS THAN 20 ACRES THAT IS ELIGIBLE FOR FARM OR AGRICULTURAL USE ASSESSMENT UNDER § 19(B) OF THIS ARTICLE IS SUBJECT TO THE AGRICULTURAL LAND TRANSFER TAX AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION IF THE GRANTEE:

(I) FILES WITH THE SUPERVISOR BEFORE TRANSFER A DECLARATION OF INTENT TO FARM THE LAND THAT SPECIFIES THAT PART OF THE TRANSFERRED LAND:

1. WILL REMAIN IN FARM OR AGRICULTURAL USE FOR AT LEAST 5 FULL CONSECUTIVE TAXABLE YEARS; AND

2. IS REASONABLY EXPECTED TO PRODUCE AN AVERAGE ANNUAL GROSS INCOME OF \$2,500 BASED ON THE NATURE AND TYPE OF AGRICULTURAL ACTIVITY TOGETHER WITH THE AMOUNT OF LAND THAT IS IN FARM OR AGRICULTURAL USE; AND