

# Wayne County Board of the Assessment and Revision of Taxes

WAYNE COUNTY COURTHOUSE 925 COURT STREET HONESDALE, PA 18431

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April 16, 2008

RE: Clean & Green Act 319/156/235 /Gas & Oil Leasing

To Whom It May Concern:

Leasing for gas or oil exploration on its own is not a breach of the Preferential Assessment regulations. The actual drilling for gas or oil on a property under Preferential Assessment is considered a breach of the Assessment regulations.

Before any drilling the Preferential Assessment regulations require a 30-day notice in writing to the Wayne County Chief Assessor, to avoid a \$100.00 civil penalty.

When drilling occurs roll-back taxes plus penalty and interest are due on all property recorded in the Preferential Assessment document. The roll-back taxes plus penalty and interest are for the time period the Preferential Assessment has been received not to exceed 7 years.

The drilling area (5acres) will be changed to the land use category of ineligible and assessed at normal market value. The remaining Preferential Assessed land will remain as before.

A revised Preferential Assessment document is needed for each individual ineligible area (drilling site). There is no processing fee for the additional document but only a fee for recording with the Wayne County Register and Recorders Office.

When an additional breach(s) occur on enrolled Preferential Assessed land the rollback, penalty and interest will be applied only for the time since the last breach not to exceed 7 years.

When the oil company is done drilling and the ineligible land has been returned back to a Preferential Assessment land use category it may again receive a Preferential Assessment. This would require a revised Preferential Assessment document and recording.

The fees for recording depend on how many pages are in the contract. The Wayne County Register and Recorders Office fees as of today are: \$18.50 for the 1<sup>st</sup> 4 pages and 1<sup>st</sup> 4 names, \$2.00 for each additional page after that, plus \$0.50 per names over 4.

The above procedure has been confirmed as correct in the opinion of officials at the Pennsylvania Department of Agriculture Bureau of Farmland Preservation the overseer of the PREFERENTIAL ASSESSMENT OF FARMLAND AND FOREST LAND UNDER THE CLEAN AND GREEN ACT.

Sincerely,

John F. Nolan, CPE  
Chief Assessor