

Revenue Ruling 29-96-1 Economic Development Tax Incentives

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Economic Development Tax Incentives -- Definition of Business Location. THE TERM "BUSINESS LOCATION" USED IN SECTION 77-27,189 MEANS ONE CONTINUOUS PARCEL OF REAL PROPERTY OR TWO OR MORE PARCELS OF REAL PROPERTY THAT ARE CONTIGUOUS.

Advice has been requested as to whether the term "business location" used in section 77-27,189 of the Employment Expansion and Investment Incentive Act (LB 270) would include two plant sites located on two parcels of real property owned by one person and separated by one or more parcels of real property owned by other persons.

Business location includes a single parcel of real property or two or more parcels of real property that are adjacent and contiguous, but not separated by any other real property. The term contiguous means parcels that are touching or have a common boundary between them. Parcels of real property are not contiguous if they are separated by any other real property with different ownership. In addition, two noncontiguous parcels of property connected by personal property, an easement, or other interest in real property that does not include the surface estate are not one location.

Two parcels of property that are separated by a public street, public park, railroad track, or natural geographic feature, such as a creek, will be considered one location for purposes of this Act if, by extending the boundary lines of the two parcels to the center of the public street, public park, railroad track or natural geographic feature, the parcels touch or have a common boundary.

For purposes of this revenue ruling, ownership would include rental of real property.

APPROVED:

M. Berri Balka
State Tax Commissioner

September 24, 1996
