**Prepared by:**

Name:

Model Amendment of Grant of Conservation Easement and Declaration of Covenants to Address the Conservation and Preservation Easements Act

**Alternative A**



Address:

Telephone:

**Return to:**

Name:

Address:

**Tax parcel(s):**

First [or whichever] Amendment of [title of the granting document]

THIS AMENDMENT dated as of \_\_\_\_\_\_\_\_\_\_\_ is by and between \_\_\_\_\_\_\_\_\_\_\_\_ (the “Owners”) and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (the “Holder”).

**Background.** Holder is the holder of the conservation easement pursuant to the [title of the granting document] dated \_\_\_\_\_ and recorded \_\_\_\_\_ in the recorder of deeds of \_\_\_\_\_ County, Pennsylvania. Owners are the owners of the property subject to the conservation easement. The property is described in exhibit A, which is incorporated herein.

**Amendment.** The following provisions are incorporated into the [title of the granting document]:

The conservation easement is governed by and shall be interpreted in accordance with Pennsylvania’s Conservation and Preservation Easements Act of 2001 (P.L. 390, No. 29) (notwithstanding the date of the original grant).

Notice: The conservation easement may impair the development of coal interests including workable coal seams or coal interests that have been severed from the property.

*(The preceding notice is given to Owners solely to comply with the Conservation and Preservation Easements Act.)*

The [title of the granting document], as modified by this amendment, continues in full force and effect and remains legally binding upon Owners, Holder, and the property in perpetuity.

INTENDING TO BE LEGALLY BOUND, the Owners and Holder, by their respective duly authorized representatives, have signed and delivered this amendment as of the date first written above.

Witness/Attest:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (SEAL)

Owner’s Name:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (SEAL)

Owner’s Name:

**Prepared by:**

Name:

Model Amendment of Grant of Conservation Easement and Declaration of Covenants to Address the Conservation and Preservation Easements Act

**Alternative B**



Address:

Telephone:

**Return to:**

Name:

Address:

**Tax parcel(s):**

First [or whichever] Amendment of [title of the granting document]

THIS AMENDMENT dated as of \_\_\_\_\_\_\_\_\_\_\_ is by and between \_\_\_\_\_\_\_\_\_\_\_\_ (the “Owners”) and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (the “Holder”).

**Background.** Holder is the holder of the conservation easement pursuant to the [title of the granting document] dated \_\_\_\_\_ and recorded \_\_\_\_\_ in the recorder of deeds of \_\_\_\_\_ County, Pennsylvania (that document together with subsequent amendments, if any, the “Grant”). Owners are the owners of the property subject to the conservation easement. The property is described in exhibit A, which is incorporated herein.

**Amendment.** The Grant is hereby amended and restated as if fully rewritten herein with the addition of the following provisions, which are incorporated into the Grant:

The conservation easement is governed by and shall be interpreted in accordance with Pennsylvania’s Conservation and Preservation Easements Act of 2001 (P.L. 390, No. 29).

Notice: The conservation easement may impair the development of coal interests including workable coal seams or coal interests that have been severed from the property.

*(The preceding notice is given to Owners solely to comply with the Conservation and Preservation Easements Act.)*

INTENDING TO BE LEGALLY BOUND, the Owners and Holder, by their respective duly authorized representatives, have signed and delivered this amendment as of the date first written above.

Witness/Attest:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (SEAL)

Owner’s Name:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (SEAL)

Owner’s Name:

[NAME OF HOLDER]

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (SEAL)

Name:

Title:

This document is based on the

**Model Amendment of Grant of Conservation Easement**

**and Declaration of Covenants to Address the Conservation and Preservation Easements Act**

(v. 2021.11.24) provided by WeConservePA.

WeConservePA encourages users to consider a more expansive amendment or an amendment and restatement of the original grant to address other possible easement deficiencies in order to fully bring older easement documents up to current easement drafting standards. WeConservePA provides models and guidance at [WeConservePA.org](https://weconservepa.org/tools/).

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Nothing contained in this document, which was prepared in the context of Pennsylvania law, is intended to be relied upon as legal advice or to create an attorney-client relationship. There is no guarantee that it is up to date or error free. It should be revised under the guidance of legal counsel to reflect the specific situation.

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF :

ON THIS DAY \_\_\_\_\_\_\_\_\_\_\_\_\_, before me, the undersigned officer, personally appeared \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged that he/she/they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Notary Public

Print Name:

COMMONWEALTH OF PENNSYLVANIA :

SS

COUNTY OF :

ON THIS DAY \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ before me, the undersigned officer, personally appeared \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, who acknowledged him/herself to be the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, a Pennsylvania non-profit corporation, and that he/she as such officer, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by her/himself as such officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Notary Public

Print Name: