

CONSERVATION EASEMENT

Sounds interesting. Now what do I do? Steps for Creating a Conservation Easement.

1. Contact your local land trust. They will be happy to discuss your situation, your concerns, and your wishes in a confidential manner. They will provide you with further information, and may recommend professionals who have expertise in conservation easements.
2. Decide why you want to preserve your land. Is it because you love your property in its current rural state? Are you concerned about preserving farmland, or wildlife habitat or some other natural land use? Are you primarily seeking tax benefits?
3. Meet with members of your land trust to view maps and walk the property.
4. Discuss with the land trust and your legal advisors possible restrictions you want on your land. Think about all the uses you may want to retain for your property. A draft easement will be prepared for you to read to decide if changes are needed.
5. Discuss how the terms of your easement will be enforced in the future. Without necessary funds, your wishes will not be fulfilled, and tax benefits may be jeopardized. Most land trusts will want to establish a small endowment for the stewardship of your property.
6. Depending on your circumstances, you may need an appraisal, title search, environmental assessment and/or a survey of your property.
7. If your property is mortgaged, you will need the bank to sign a subordination agreement, so the easement will remain in effect, even if the bank had to foreclose one day.
8. Sign the conservation easement. Record at the registry of deeds.
9. Throughout the process, consult with your own legal, financial and other professionals as you see fit. Although the land trust will provide you with a great deal of information, they cannot give legal, financial or other planning advise.
10. Enjoy your property, secure in knowing that it is protected in perpetuity!

For more information, call the MEDINA COUNTY LAND CONSERVANCY

at (330) 239-4480; or write to P.O. Box 141 Medina, Ohio 44258;

or send us e-mail at jjholland@aol.com

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