

## **Land Preservation Procedures for Conservation Easements:**

### **Step 1: Nomination Process**

- Property owner submits a land preservation nomination form. Applications are available at the Township municipal building.
- Application is reviewed by the Township Manager and presented to the Board of Supervisors
- A site visit is scheduled to view the property. The Township Manager or Supervisor visit the site to access the property. Usually the owner's preference for donation, bargain sale or fair market value sale is noted at this time.
- Partners for possible purchase of conservation easement are identified, where applicable.
- Priority property owners are targeted and the easement purchase/donation process begins. Landowners meet with Township representatives to discuss possible options and timeframe. Other properties not targeted remain on nominated list for future inclusion.

### **Step 2: Negotiation Process**

- The appraisal is ordered after the property owner and Township agree to a price for the conservation easement. The appraisal will determine the fair market value before and after placing an easement. The difference will be conservation easement value.
- Negotiations for conservation purchase are completed (usually the landowner works with an attorney). An agreement of sale is drafted and reviewed. In short, this agreement will include, the agreement of sale, outlining the purchase price and other conditions, a conservation easement document outlining the restrictions and rights of grantor and grantee, a draft site plan showing eased and reserved areas, and right-of-way, agreement if necessary.
- The final agreement, along with the conservation easement are approved by the Board of Supervisors at a public meeting.

### **Step 3: Completing the Easement**

- If applicable, subordination of the mortgage is secured by the landowner usually working with their attorney. This step can be lengthy and landowners with mortgages are advised to start this process as soon as possible so settlement is not delayed. This process is required to insure the easement remains with the property in perpetuity and cannot be extinguished due to future foreclosures. The Township will require the lending institution to complete a subordination form. Some lending intuitions may require other documents from property owners as part of this process.
- A survey of the property is ordered. This process usually takes 2-3 months.
- Title search, baseline documentation, and environmental assessments are completed by the Township.
- Settlement is made and conservation easement recorded. The total process can take up to 180 days.

### **Step 4:**

- Each year the Township will schedule a site visit to monitor the easement. Monitoring is performed by the Natural Lands Trust.