

THE CONSERVATION FUND

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What is a conservation easement?

- ❖ A conservation easement is a voluntary legal agreement between a landowner and a land trust or governmental entity that permanently restricts subdivision and development to protect conservation values such as open space, agricultural use, wildlife habitat, scenic or historic resources.
- ❖ A conservation easement allows the property to remain in private ownership. Land encumbered by a conservation easement may be sold, mortgaged, and passed on to future generations.
- ❖ Conservation easements are a form of deed restriction, and are binding on all current and future owners of the land.
- ❖ No two conservation easements are alike. Each is tailored to a specific piece of land and the needs and desires of the landowner.
- ❖ Conservation easements tie water resources to the land and permanently restrict development so the land will always be available for agricultural use.
- ❖ Conservation easements are a recognized land protection mechanism under both federal and state law.
- ❖ In some cases, landowners can receive financial compensation for placing a conservation easement on their property. Landowners often use the proceeds from a conservation easement to plan or save for retirement, reduce debt, resolve estate planning and succession issues, or make investments to sustain operation of the property.
- ❖ The value of a conservation easement is determined by a qualified real estate appraiser who has the special expertise to make such a determination.