



HISTORY

Until the mid-1950's Beaufort County could be described as an undiscovered, sea-island paradise, known mostly to its own residents and those lucky few who had learned about it through friends or by chance, as sometimes happened to lost motorists who wandered off Highway 17. But this is no longer the case. As Beaufort's secret became more widely known, its scenic quality began to change. The population growth of the 1960's and 1970's brought some degree of visual blight, enough so that there was a general community awareness that Beaufort's scenic character was in danger of being lost.

Three local citizens: Marguerite Broz, John M. Trask Jr. and Betty Waskiewicz decided that "something had to be done." As Beaufort's secret became more widely known, its scenic natural beauty began to change. The result was the founding of the Beaufort County Open Land Trust, **the first Land Trust in South Carolina**. Since that time numerous other land trust organizations have been started across our state and nation. With support from our members, we partner with our community and local governments to protect your favorite places—properties that provide breathtaking open spaces, clean water resources, healthy wildlife habitat, and viable agriculture along with conserving resources for healthy, sustainable communities.

OUR WORK

Due to increasing population and development, the integrity of our natural ecosystems is threatened. Sprawling development consumes forests, agricultural lands, and vital groundwater recharge areas at a pace that greatly exceeds that which population growth requires. The tendency for communities to grow inefficiently and allow inappropriate development of natural areas erodes our "sense of place" and greatly impacts our quality of life. Development of critical ecological lands significantly degrades wildlife habitat and recreational opportunities while jeopardizing the integrity of environmental processes required for the maintenance of a healthy watershed.

Beaufort County Open Land Trust permanently protects land by working with private citizens and communities. The Trust accepts donations of properties and helps landowners establish legal restrictions that limit harmful use and development. To carry out its purpose, the Trust acquires strategically important parcels of land, negotiates appropriate agreements, seeks financial support, and promotes public interest in and awareness of the Lowcountry environment.

DONATE YOUR LAND

A donation of land is one of the most generous gifts a landowner can make to the Open Land Trust. A gift of land can offer relief from the expenses and responsibilities of ownership and provide a number of tax benefits, including a federal income tax deduction. There is also a planned giving option that allows a landowner to donate land to us while continuing to live on it.

What are my options?

Conservation easements can be donated or sold to a land trust. We work with landowners to determine whether their land can be conserved by an easement donation or an easement sale.

An appraisal by an independent, qualified appraiser determines the amount that is either claimed as a tax deduction in the case of an easement donation, or as a purchase price in the case of an easement sale.

There are several other options in addition to selling or donating a conservation easement, these include making a land gift or land purchase, or using a planned giving tool such as a bequest.

Many of the options offer financial or tax benefits which can: enable future land investments or improvements; help in the transfer of land to the next generation; or be part of a charitable gift planning.

What is a conservation easement?

A conservation easement is a legal agreement that ensures a property will never be subdivided or developed, and protects the ecological, scenic and recreational values inherent to the Lowcountry.

Landowners who enter into this agreement with us continue to own the conserved property and pay property taxes, yet are free to sell the land. They also may continue to use the land for farming, forestry, recreation, education and other activities that sustain the property's special resources. Once finalized, a conservation easement will be tied to the land, whether the land is sold or remains in the family. This legal continuity will provide you the assurance that the land you cared for will be protected, even if you sell or convey your property.

Taking the next step

By discussing your unique property with you, we can assess the conservation opportunities best suited to the property's resources, your financial or charitable objectives, and your vision for the future of your land.

Please call us at 843-521-2175 to learn more about how to conserve your land, or land in your community, and be a part of keeping Lowcountry special for future generations

PLANNED GIVING

Donating Land by Will:

If you want to own and control your land during your lifetime, but assure its protection after your death, you can donate it by will. You should make sure the chosen recipient is willing and able to receive the gift.

Land Donations That Establish a Life Income:

If you have land you would like to protect by donating it to a land trust, but need to receive income during your lifetime, you might use a charitable gift annuity. In a charitable gift annuity, you agree to transfer certain property to a charity, and the charity agrees to make regular annuity payments to one or two beneficiaries you specify for life. Your gift of land usually qualifies for a charitable income tax deduction at the time of the gift, based on the value of the land less the expected value of the annuity payments.

Another option for donating property and receiving regular income is a charitable remainder unitrust. You place the land in a trust, first putting a conservation easement on it if it is to be protected. Then the trustee sells the land and invests the net proceeds from the sale. One or more beneficiaries you specify receive payments each year for a fixed term or for life, then the trustee turns the remaining funds in the trust over to the land trust. The gift qualifies for a charitable income tax deduction when the land is put in the trust, based on the value of the land less the expected value of the payments. Charitable gift annuities and charitable remainder unitrusts are most useful for highly appreciated land, the sale of which would incur high capital gains tax.

Charitable Gifts:

Your gift can take multiple forms and can help you address a variety of personal financial goals. Do you want to make a significant gift during your lifetime, or would a gift as part of your estate work better? Do you have a particular asset that you are thinking of donating? Do you want to increase your retirement income, or is your primary goal estate preservation? Are you carrying excess life insurance or a large balance in your retirement plan?

We are ready to work with you and your advisers to craft the gift plan that satisfies you. Here are some additional ways opportunities to learn more about giving opportunities:

-Smart and creative gift planning can help you meet your financial objectives, as well as your charitable goals. Explore the many ways you can help protect the lands and waters you love while maximizing your philanthropic giving.

-Gift and estate planning is an extraordinarily flexible and simple way to meet your philanthropic and financial goals. Whatever your stage in life, your financial circumstances and your charitable goals, let us show you how you can make a gift that benefits you and your loved ones as well as the natural world you care about.

TAX BENEFITS

Special Tax Incentives for Donating Conservation Easements

When you donate a conservation easement on your land, you may be eligible for a charitable tax deduction for your federal and, in some cases, state income taxes.

A number of principles and I.R.S. criteria apply to the donation of conservation easements. In general, a donation can be eligible for an income tax or estate tax deduction if the conservation easement conserves land that: involves significant farmland, forestland, or open space that either provides scenic enjoyment for the public, furthers public conservation policies, or includes important historic lands or buildings; or includes relatively natural habitats for fish, wildlife, plants, or similar ecosystems; or is used by the public for outdoor recreation or education.

We work closely with landowners to prepare conservation easements that protect high quality resources that benefit the Lowcountry and the health and future of our state. It is important to speak with your own attorney or tax adviser if you are interested in seeking a tax deduction.

In order to claim an income or estate tax deduction, a landowner must first obtain a qualified independent appraisal. Appraisals of conservation easements must meet certain time requirements and include factual information required by the I.R.S.

A donor of a qualified conservation easement may deduct up to 30 percent of his or her adjusted gross income. This is deductible against the donor's federal and, in some cases, state income taxes. If the value of the gift is not used up in the first year, the unused portion may be carried forward for five additional years. Special rules apply to the deductibility of land owned less than one year.

FAQs

What does it mean to “conserve your land,” or “put your land in the land trust”?

These terms are used to describe how landowners act to permanently protect their land from development. When you conserve your land, you sign a legal document called a conservation easement and dedicate your property, forever, to being a part of the Lowcountry’s rural, productive, and natural landscape.

Sometimes the act of conservation is also referred to as “conveying development rights,” as conservation easements restrict the future subdivision or residential development of land. Conservation easements also prohibit mining, commercial development, or other activities detrimental to the ecological, agricultural, or silvicultural values of a property.

When you conserve your property, you continue to own and manage your land, and pay property taxes to the town. You are free to sell or pass on your conserved land, though the easement will stay with the land. As the holder of the conservation easement, our role is to ensure the terms of the conservation easement are honored by all future owners of your property.

What are my options if I want to conserve my land?

There are a variety of options for individuals and families who want to conserve their land. These options include the sale or donation of a conservation easement, a gift of land, or a future bequest of land or a conservation easement. We also work with municipalities and communities to conserve land that has significance to the public.

What kind of land does the Open Land Trust conserve?

We conserve working farms and high quality farmland, woodland, wildlife habitat, ecological resources, and places used by communities for education and recreation.

We accept donations of conservation easements on properties that are at least 10 acres in size. Smaller parcels are considered for conservation where there are high quality resources or features especially worthy of perpetual protection.

We also conserve smaller parcels of land—such as town greens—that are important gathering places for a community.

What are the benefits of conserving my land?

The hundreds of families and individuals who have worked with us to conserve their land tell us that their greatest reward is the personal satisfaction and peace of mind that comes from knowing their land will remain forever a part of our state’s unique landscape.

Landowners who donate conservation easements or give their land to OLT also benefit from income and estate tax deductions. Conservation easement donations can offset capital gains taxes, reduce estate taxes, and help landowners achieve their philanthropic goals.

For farmers or others who sell their development rights, conservation can help to reduce debt, enable the purchase of additional land, or facilitate the transfer of a family farm to the next generation.

What are the Tax Benefits?

Tax benefits for conservation easements or other donations are unique to each taxpayer's situation and depend on many factors including donation value, adjusted gross income, etc. We do not provide tax advice to landowners and highly recommend consulting financial advisers when considering potential or actual tax benefits of such donations.

What can I do with my land once it is conserved?

You can continue to own and use the land for a variety of purposes, including farming and forestry, recreation, and education.

Conserved land can be sold or passed on to family members. The conservation easement will "run with the land," requiring future owners of the land to abide by the terms of the conservation easement.

Conservation easements are monitored by staff members visit conserved land once a year to answer questions and ensure that the terms of the conservation easement are understood and upheld. Our staff is also available to provide information if you have questions or ideas pertaining to use of your land.

Are all conserved lands open to public recreation?

Each conserved property is different. While some conserved land is publicly owned and open to everyone, other conserved properties are family farms or forestland that are not suited for public recreation or access.

Some privately owned conserved properties, however, do have trails or special features that have long been enjoyed by neighbors or the public. In those special cases, landowners have often included a provision in their easement to permit continued use of their land by the public. Many landowners retain the right to permit or restrict access and recreationists should use the land respectfully and ask permission when it doubt.

Does the Open Land Trust buy or own land?

On occasion, we will purchase a farm or significant parcel of land that is at imminent risk of development or that presents a unique opportunity. This is one way we help beginning farmers purchase farmland at an affordable price.

We often receive gifts of land from generous landowners. These land gifts, which are sometimes the result of a bequest in a will, are an important source of support for our land conservation work.

There are a few special properties of which we are pleased to serve as an owner and steward. Through our ownership of these properties, we can demonstrate innovative land management practices in agriculture, forest management, biodiversity protection, and public recreation.

Where does OLT's funding for land conservation come from?

Funding for the purchase of conservation easements comes from a range of sources, including: public sources of conservation funding, charitable

foundations, and private donations from individuals, families, and businesses that support our land conservation work.

We apply for grants – these important grant funds are used to purchase conservation easements on private land and occasionally to facilitate municipal or state acquisition of land for community conservation uses.

Would it cost anything to conserve my land?

Yes, conserving your land will involve some costs.

If you are selling a conservation easement on your farmland or other eligible property, you will be responsible for covering the cost of your own legal and/or accounting advice. Additionally, you will be asked for a contribution towards the cost of the appraisal.

If you plan to donate a conservation easement, you can anticipate covering much of the costs of your own legal or tax advisers. If you wish to seek a charitable deduction for your conservation easement donation, you will also need to cover the cost of an appraisal.

Additionally, we do ask conservation easement donors to make a one-time contribution to help to cover the costs of our staff time spent directly on the project. Your charitable contribution also will establish a Stewardship Endowment for your property, which ensures our ability to support and uphold your conservation goals and the resources of your property in perpetuity.

GLOSSARY OF TERMS

Annual Site Visit (Monitoring): The conservation organization visits the site of an easement each year to be sure the terms of the agreement are being upheld.

Appraisal: An appraisal is a report provided by an independent professional who supplies a landowner or a land trust with information about the "fair market value" of property.

Bargain Sale: A sale of property or development rights to a charitable conservation organization or municipality at less than fair market value. The difference between the fair market value and the bargain sale price is a charitable donation that may reduce the donor's income or capital gains taxes.

Baseline Documentation Report (BDR): Information and documentation to give evidence to the condition of land at the time a conservation easement is made.

Basis: The original cost of the property.

Bequest: A gift of money, real property, or conservation easement in a person's will which can secure conservation of property and take property value out of calculation for estate tax.

Biodiversity: The variety of ecosystems and species of plants and animals that can be found in the environment.

Capital Gains: Profit from the sale of land or other capital asset in excess of cost, or other basis.

Charitable Remainder Trust (CRT): A donor makes a gift to a charitable organization through a CRT. The donor receives a charitable gift tax deduction and does not have to pay capital gains tax on the asset. The CRT manages the investment of the asset and distributes a stream of income to the donor over a specified time period.

Charitable Contribution: The tax deductible transfer of money or property to a qualified charitable organization.

Conservancy: An organization specifically set up to promote and affect conservation of natural and historic resources.

Conservation: Careful preservation and protection of resources, usually referring to land and related natural resources, includes planned management of resources to protect their future integrity and value.

Conservation Easement: A voluntary agreement between a landowner and a qualified conservation organization or municipality that protects the land for development. The landowner retains ownership and the rights to sell it or

pass it to heirs. If donated for conservation purposes, an easement is a tax-deductible charitable gift and may substantially reduce estate taxes.

Conservation Based Development: A development plan for a property that frequently incorporates the use of conservation easements and permits landowners to undertake a specified and limited amount of future building or development that does not interfere with the land's conservation value.

Conservation Values: Wildlife habitat, open space, historic, or recreational resources. For example, land may have a high conservation value if it contains habitat for endangered species or if it has open space in a highly developed area.

Deed Restriction: A written stipulation contained within a deed that restricts certain future uses of the property generally inserted at the time of transfer. A deed restriction may include restrictions similar to those contained within a conservation easement. However, enforcement may only be carried out by the prior owner or other parties to the transaction and the restrictions may be cancelled at any time by mutual written agreement.

Donor: A person who makes a charitable contribution to a qualified organization.

Ecosystem: All of the factors that allow a healthy environment to function; the complex relationships among an area's resources, habitats and residents. An ecosystem may include people, wildlife, fish, trees, water and several other living and non-living elements.

Ecotourism: Nature-based tourism that involves education and interpretation of the natural environment and is managed to be ecologically sustainable. Ecotourism often involves hiking, kayaking, and bird watching among others.

Endowment: A permanent stewardship fund established to support costs of maintaining a property or defending and monitoring a conservation easement. Permanence is assured by restricting withdrawals from the principal and relying on investment income for annual cost.

Environmental Impact: A change in the environment that could have a negative effect on the ecosystem. Land trusts try to prevent environmental impacts by conserving sensitive lands.

Estate Taxes: The combined state and federal taxes levied against one's total estate including real property at death, payable within nine months and before distribution to the heirs.

Family Limited Partnership: A form of ownership that can be used to transfer land and other assets from one generation to another. It reduces the total value of the asset, thereby reducing estate taxes.

Fee Simple Donation: Transfer of a property by deeding it directly to a charitable organization for conservation or other purposes. Tax benefits may apply to the donor.

Gift by Devise: A gift of land through a person's will.

Grantee: One who receives gifts, rights or property. Often, a land trust or government agency is the "grantee" of an easement.

Grantor: One who gives gifts, rights or property, usually the landowner.

Highest and Best Use: The most profitable likely and legal use to which a parcel of land is likely to be put (a determination made in calculating value).

Heir: One who inherits the estate or property of another.

IRS Form 8283: The form filed with the Internal Revenue Service by a donor to report information about non-cash contributions (e.g., land and conservation easements) in excess of \$5,000 for which the donor claims a charitable deduction. The donee organization completes a portion of this Form acknowledging receipt of the contribution.

Land Donation: An outright donation of land to a municipality or a qualified conservation organization permanently protects land from development, provides the donor with a charitable gift income tax deduction and a reduction in estate taxes.

Legal Defence Fund: A part of the endowment fund that is designated for any legal action required to enforce an easement. This is usually a fixed cost.

Limited Development Conservation Plan: This is the subdivision of land on a reduced-density basis that provides income to the landowner while protecting the natural resources of the land. Voluntary reduced density provides a charitable gift that can offset capital gains tax and may expedite the municipality's approval process. At the same time, infrastructure costs of the development are reduced.

Monitoring: The conservation organization visits the site of an easement each year to be sure the terms of the agreement are being upheld.

Monitoring Report: Documentation of the results from an Annual Site Visit on a Conservation easement.

Mutual Covenants: Written commitments regarding land use contained in a deed or other form of agreement and exchanged among neighboring landowners.

Open space: Undeveloped land or common areas that are reserved for parks, walking paths, or other natural uses.

Public Benefit(s): The values (scenic, recreational, ecological, cultural, historic or spiritual) that people derive from a protected property.

Purchase of Development Rights (PDR): A landowner voluntarily agrees to sell all, or a portion of, the development rights on farmland to a municipality. The landowner retains the right to farm, sell, and pass the land to heirs. The sale

provides cash to the landowner, reduces estate taxes, but may be subject to capital gains tax.

Qualified Charitable Organization: An organization that has been recognized by the Internal Revenue Service (IRS) as a 501(c)(3) organization for the public benefit.

Reserved Life Estate: A gift of a residence with a reserved life estate to a charitable organization allows the donor to continue living while alive. On the donor's demise, the organization may sell the real estate and use the proceeds to carry out its charitable mission.

Right-of-First-Refusal: A recorded agreement that requires landowners, if they receive an offer to buy their land, to allow the land trust to match the offered price.

Riparian Habitat: The transition zone between aquatic and upland habitat. Riparian habitat lies adjacent to rivers and streams with a differing density, diversity, and productivity of plant and animal species relative to nearby uplands.

Smart Growth: A planning concept that strives to create communities with walkable neighborhoods, mixed land use – including open space, a central business district, and an adequate public transportation system. Through better planning, smart growth allows for the needs of all community members to be met, while protecting the necessary natural areas for a healthy lifestyle.

Stewardship: Caring for and managing resources with good conservation practices to ensure their protection; a philosophy of land management which focuses on caring and preservation.

Stewardship Endowment: see Endowment

Transfer of Development Rights (TDR): Development rights are transferred from one property in a sending district to another property(ies) in a receiving district(s).

Watershed: The entire area of land that collects and drains water (from snow and rain) into a single river or similar body of water.

Wetlands: Lands that are normally saturated with water, such as swamps, marshes, and bogs. These areas often host plants and animals adapted to life in very wet conditions.

Land Trust Alliance *Fact Sheet*



Basic Facts and Resources for Landowners

Across America, thousands of people are determined to conserve the places they value. Landowners have a deep connection to their land and know the gifts undeveloped properties provide their communities: clear air and water, fresh food, wildlife habitat, and sheer scenic beauty. All too often these special places disappear forever because of development. Americans who want to conserve their land can turn to land trusts – non profit organizations that work with landowners interested in protecting open space.

What Does a Land Trust Do?

Land trusts protect land directly by buying or accepting donations of land or of conservation easements. They also educate the public and advocate for the need to conserve land. They can help landowners tailor a conservation plan to their individual situation and financial circumstances, and determine the property's conservation values and future ownership.

What types of land can be protected by land trusts?

Land trusts protect a variety of lands, but many concentrate their efforts on:

- Natural habitat for wildlife, fish and plants such as prairies, forests, bluff lands, or wetlands

- Watershed areas like lakeshores, rivers, streams, and other natural features
- Scenic landscapes, particularly those with local community, cultural or historic significance
- Working landscapes like farmland and ranchland have special significance for growing food

How Does a Land Trust Conserve Land?

Land trusts have many options available to them in order to conserve land. Two of the most popular options are fee simple and conservation easements.

Fee Simple

A land trust can conserve land through an outright purchase or donation, in which the landowner sells or grants all rights, title and interest in the property to the land trust. The land trust maintains perpetual stewardship and management responsibility for the land. It owns the land and may grant conservation easements on land it owns in fee to another conservation organization, agency or town.

Conservation Easement

A conservation easement (or conservation restriction) is a legal agreement between a landowner and a land trust or government agency that permanently limits uses of the land in order to protect its conservation values. It allows the landowner to continue to own and use the land and to sell it or pass it on to heirs.

A landowner may sell a conservation easement, but usually easements are donated. If the donation benefits the public by permanently protecting important conservation resources and meets other federal tax code requirements, it can qualify as a

tax-deductible charitable donation. The amount of the donation is the difference between the land's value with the easement and its value without the easement. Placing an easement on property may or may not result in property tax savings.

Perhaps most importantly, a conservation easement can be essential for passing land on to the next generation. By removing the land's development potential, the easement lowers its market value, which in turn lowers estate tax. Whether the easement is donated during life or by will, it can make a critical difference in the heirs' ability to keep the land intact.

What Are a Land Trust's Responsibilities Regarding Conservation Easements?

The land trust is responsible for enforcing the restrictions detailed in the easement document. Therefore, the land trust monitors the property on a regular basis, typically once a year, to determine that the property remains in the condition prescribed by the easement document.

What are some of the Other Methods Land Trusts use to Protect Land?

- Planned Gifts
- Mutual Covenants
- Deed Restrictions
- Rights of First Refusal
- Conservation Buyer Program
- Registry Programs
- Limited Development
- Like-kind Exchanges

Where Do Land Trusts Get Funding to Conserve Land?

Land trusts draw upon a variety of sources to buy land, or interests in land, using a unique and proactive method called conservation financing. Con-

servation financing utilizes local, state, federal and other funding sources to protect open space and manage growth.

Since the amount of federal funding available for conservation fluctuates annually, local funding is the key to effective, long-term conservation financing. It is important to have local commitment and control. Local funds also help leverage federal, state and private dollars, establishing a predictable and sizable conservation funding stream. State and local governments continue to fund open space acquisition, viewing parks, recreation and habitat as "green infrastructure" important to the quality of life and the economy.

What are the Advantages of Working with a Land Trust?

Land trusts have many advantages as land protection organizations. One advantage of working with land trusts is that they are very closely tied to the communities in which they operate. They can draw on community resources, including volunteer time and skills. Their community orientation is also helpful in selecting and negotiating transactions. They are familiar with the land in the area and often have the trust and confidence of local landowners who may not want to work with entities from outside the area.

Moreover, the nonprofit tax status of land trusts brings them a variety of tax benefits. Donations of land, conservation easements or money may qualify for income, estate or gift tax savings. Properly structured land trusts are exempt from Federal and state income taxes and sometimes from local property and real estate transfer taxes as well.

Additionally, due to the fact that land trusts are private organizations, they can be more flexible and creative than public or government agencies, and can often act more quickly. They can hold and manage land and other assets as a corporation, and are able to negotiate with landowners discreetly.

Steps in the Process of Working with a Land Trust

The following are the basic steps in donating a conservation easement. These may vary from land trust to land trust and region to region.

- 1. Find state or local land trust using the Land Trust Alliance's locator service on the web site.** Click the "Find a Land Trust" link to see contact information for local and national land trusts in your area. You can also contact your state's service centers that like the Alliance deliver services and technical assistance to strengthen local and regional organizations and land trusts that conserve open space. <http://www.landtrustalliance.org/community>
- 2. Landowner and land trust representative(s) meet to discuss landowner's wishes, needs and conservation objectives.** The land trust representative describes the land trust and its policies, and explains how a conservation easement works, appropriateness for the property, and any other conservation options that may be available to the landowner.
- 3. Landowner reviews the material, consults with family members, legal counsel, and/or tax advisors, and indicates an interest in further exploration of an easement.** The Alliance has a list of appraisers, attorneys, and consultants experienced in land conservation to assist landowners. <http://www.landtrustalliance.org/resources/professional-partners>
- 4. A land trust representative visits the property to evaluate its features and the natural and open-space resources, and consults again with the owner on the easement terms and the long-term objectives.** The land trust representative determines whether protection of the property serves the public interest and, (if donated), which of the various IRS public benefits tests is satisfied. The land trust conducts a baseline study to inventory and document the resource values of the property.
- 5. After consulting with family members, advisors, or others, the landowner reaches a preliminary agreement with the land trust on the proposed terms of the easement and property description.**
- 6. The land trust board approves the conservation easement,** making a finding as to the public benefit of the easement and how it fits with the land trust's strategic plan.
- 7. Landowner provides chain of title, certification of title or title report to the land trust.**
- 8. The landowner contacts the lender, if any, to arrange for subordination of mortgage.** The mortgage must be subordinated for the conservation easement to be effective and (if donated) for a tax deduction to be available.
- 9. Landowner determines if certain IRS requirements** for an easement to be tax deductible are met.
- 10. Conservation easement is finalized and signed.**
- 11. The signed easement documents, usually including the Baseline Report, are recorded at the county courthouse.**
- 12. Most land trusts ask conservation easement donors to make a donation to the land trust** to cover the costs of monitoring and enforcing the conservation easement in perpetuity.
- 13. If the landowner intends to take a qualified tax deduction or claim a credit** for the non-cash charitable gift, the landowner is responsible for hiring an independent appraiser to determine the value of the gift.

- 14. The landowner claims a federal income tax deduction for the donation on a special form** with his or her income tax return (Form 8283). Depending on the state, there may be state and local tax savings as well.
- 15. The land trust has the responsibility of monitoring the property once or twice per year to ensure that all of the easement conditions are met.** Strong sentiments and state traditions in favor of private property rights can have a tremendous influence on local land development decisions. For example, elected and appointed officials may find it difficult to adopt more stringent land use controls to protect military installations.



Information Resources

About Land Conservation

Visit the Land Trust Alliance's web site for more information on land conservation www.lta.org/consERVE/have-land-to-save/how-to-CONSERVE-your-land-1

Information for Farmers and Ranchers

www.landtrustalliance.org/consERVE/why-land-conservation/farmers-ranchers

Information about the Tax Benefits

www.landtrustalliance.org/consERVE/have-land-to-save/how-to-CONSERVE-your-land-1/conservation-easements

Finding a Land Trust

To find a state or local land trust, use the Land Trust Alliance's locator service on the web site. Click the "Find a Land Trust" link, and then click your state, and then your county to see

contact information for land trusts in your area. <http://www.ltanet.org/findlandtrust/>.

Publications

"Conservation Options: A Landowner's Guide" - \$7.00 members / \$8.50 regular
iweb.lta.org/Purchase/ProductDetail.aspx?Product_code=LOG

"Preserving Family Lands: Book I" - \$18.00 members / \$23.00 regular
iweb.lta.org/Purchase/ProductDetail.aspx?Product_code=PLF1

"Preserving Family Lands: Book II" - \$18.00 members / \$23.00 regular
iweb.lta.org/Purchase/ProductDetail.aspx?Product_code=PLFII

"Preserving Family Lands: Book III" - \$20.00 members / \$25.00 regular
iweb.lta.org/Purchase/ProductDetail.aspx?Product_code=PLF3

National organizations

American Farmland Trust
www.farmland.org

The Conservation Fund
www.conservationfund.org

The Nature Conservancy
www.nature.org

Trust for Public Lands
<http://www.tpl.org>



Copyright © 2008, Land Trust Alliance

This document is one of a series of fact sheets and reference materials produced by the Land Trust Alliance. This publication is designed to provide accurate, authoritative information on the subject matter covered. It is offered with the understanding that the publisher is not engaged in rendering legal, accounting, or other professional services. If legal advice is required, the services of experienced professional advisors should be sought.

Revised May 2008.