

A step-by-step guide

Below you'll find the steps Little Forks Conservancy takes to protect your land forever. While this is the typical process, some steps may occur at the same time or in another order.

1 Complete the Landowner Questionnaire

Taking the time to fill out the Landowner Questionnaire will help you decide what is right for your land. Your answers will help establish your objectives for your property.

2 Tour Your Property

A Little Forks representative will visit your property to evaluate its ecological, recreational or scenic values and make a preliminary determination as to whether your property meets Little Forks' criteria for accepting conservation easements.

3 Review Your Objectives

A Little Forks Conservancy representative will meet with you to discuss your objectives for the property. Together, we will review your options for uses, restrictions, resource protection and management to meet your objectives.

4 Prepare Draft Conservation Easement

Little Forks staff and legal counsel will prepare a draft conservation easement document that reflects your objectives. It is then reviewed by you and revised according to your specific objectives for the property. The draft conservation easement should be reviewed with your personal tax and legal advisors.

5 Check for Title and Liens

Little Forks requires evidence of clean title and determination of existing liens on the property. If there is a lien, the lender must subordinate certain rights in the property to Little Forks' rights as an easement holder. This subordination is necessary for the easement to be perpetual and to qualify for an income tax deduction.

6 Finalize Language and Legal Description

A legal description of the precise area to be covered by the easement is required. A survey of the easement area may be necessary.

7 Receive Approval from Board of Directors

To complete a conservation easement on your property, the project will be presented with the proposed restrictions to the Land Committee for review and recommendation. A favorable recommendation of the project will be brought before the Board of Directors for acceptance.

8 Prepare Baseline Documentation Report

Following approval by the Board of Directors, a baseline report is prepared. The report will be signed by you as a certification of the condition of the property at the time the easement was created.

9 Obtain an Appraisal

If you or your advisor determine that the conservation easement donation will qualify as a charitable gift, you should hire a qualified appraiser to analyze the market value of the property before and after the donation of a conservation easement. Your appraisal should be prepared in compliance with the Uniform Standards of Professional Appraisal Practice by a state-licensed or state-certified appraiser who has conservation easement or conservation real estate experience.

10 Record the Easement

After a final review of the documents, the conservation easement and the baseline documentation report are signed by you and Little Forks representatives. The conservation easement is then filed in the county office of the Register of Deeds.

11 File Form 8283 to the IRS

If filing for a deduction, you must attach an IRS form 8283 to your tax return for the year the easement is donated. Little Forks requires a review of your 8283 and appraisal.

We recommend that you seek qualified legal and financial advice before donating land or interest in land to Little Forks.