June 15, 2020

landowner name

Wakefield, RI 02879

**Re:  Conservation Easement on x acres located on xx Road**

Dear \_\_,

The South Kingstown Land Trust (SKLT) is delighted to work with you to develop a conservation easement (CE) on your -acre property located at x Road, plat lot . The CE will be tailored to your individual property, your needs, and the resources being protected. We will all take pride in the resulting protection as a lasting legacy.

The enclosed document, ***A Guide to Land Protection with SKLT***, outlines the steps required to prepare a conservation easement for your property, describes the costs involved, and contains general information about conservation easements. Please read this document carefully and completely, as it discusses many (but not all) important legal issues and costs which you may or may not have considered. The permanent restrictions of the conservation easement can qualify a landowner for federal tax benefits, which are further explained in the Guide.

**Land Trust Commitment**

Our commitment does not end when the conservation easement is recorded; it is just beginning.  Your conservation easement is held in perpetuity, and we shoulder the legal obligation to uphold it. We will monitor the conservation easement on a regular basis, usually annually, and maintain records of all communications, land use activities, and site inspections. If necessary, we will defend the conservation easement in court. We will answer your inquiries if questions arise regarding your land and educate future owners about the permanent restrictions in the CE. Building a cooperative relationship with you and your successors is vital if we are to meet our obligations to defend the conservation easement in perpetuity.

SKLT became an accredited land trust with the national Land Trust Accreditation Commission in 2016, after a rigorous review process of our practices and procedures. Accreditation is a mark of distinction among land trusts and our funders, and our practices are guided by these standards.

**Expenses SKLT will incur:**

* Completing a conservation easement involves preparation not only of the CE document itself, but also a baseline documentation report (BDR). Required by federal regulations a BDR includes fieldwork to document, inventory, and photograph your property's existing conditions, improvements, and conservation values.
* SKLT staff will continue to work with state and federal agencies to identify and secure funds for the CE purchase and associated costs, and to meet the funders’ requirements for documentation of the project.
* By accepting a CE, SKLT assumes the responsibility and legal obligation to uphold its terms and conditions in perpetuity. These responsibilities include periodic inspection of the property, administration of all CE documents and records, and legal defense of its provisions if necessary.

Therefore, the SKLT Board of Directors requests a stewardship contribution with each CE, to help offset the future costs of caring for this land. This donation is placed in a pooled fund, the Clarkson A Collins Stewardship Fund, with the income produced being available to cover monitoring and administrative expenses, and the principal available for legal defense if necessary.

For a project of this size and scope, we suggest ***$8000***. Landowners often find that this contribution is more than offset by benefits realized through tax deductions and/or reduced property tax assessments. Please consult with your tax professionals to determine the deductibility of this contribution.

**Expenses a landowner can expect to incur**:

* Appraisal. See the enclosed discussion of appraisals.
* Tax and Legal Advice*.*You should anticipate additional expenses for tax and/or legal advice from your own experts.
* Survey*.*In many cases, a survey showing your property and delineating the conservation easement is required.

SKLT will work with you throughout the process of preparing and documenting a conservation easement. SKLT will do its best to provide information to you throughout the process, but **we do not provide tax or legal advice and all tax and legal issues are ultimately the sole responsibility of the landowner.**As each property and each donor's situation are different, you must consult your own accountant and attorney for tax and legal advice.\

**Engagement**

We will work with you to craft a conservation easement that is acceptable to both you as the landowner and SKLT as the easement holder. You are free to withdraw from the process at any time, and SKLT will not accept the conservation easement until it has been finalized, reviewed, and accepted by our Board of Directors.

I look forward to working with you on this project. If you have questions or concerns, please do not hesitate to contact me.

Sincerely,

Joanne M. Riccitelli

Director of Land Protection

I have read this letter and the enclosed document

ACKNOWLEDGED:

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landowner

Enclosed is a second copy of this letter to be retained for your reference.