

Wild Rivers Land Trust:

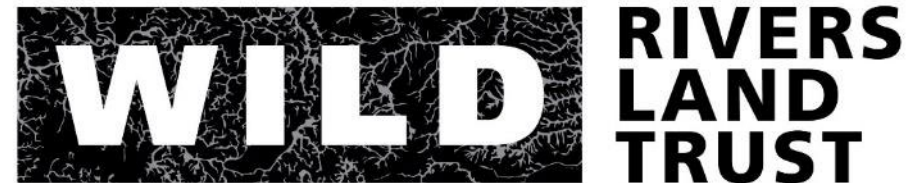
Conservation Easements and Acquisitions to Support Restoration

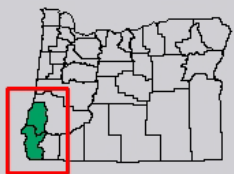
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Area Enlarged

**WILD RIVERS
LAND TRUST**
Service Area

0 5 10 20 Miles

Pacific Ocean

Tenmile Lakes

Coos River

Coquille River

New River / Floras Creek

Sixes River

Elk River

Euchre Creek

Rogue River

Hunter Creek

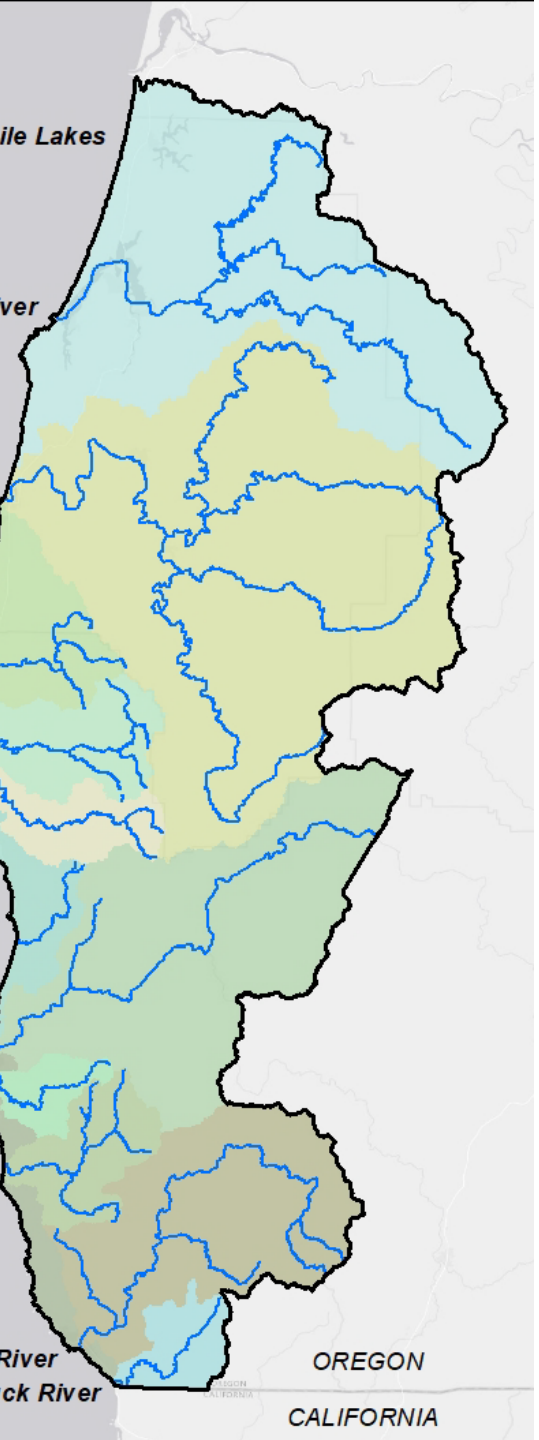
Pistol River

Chetco River

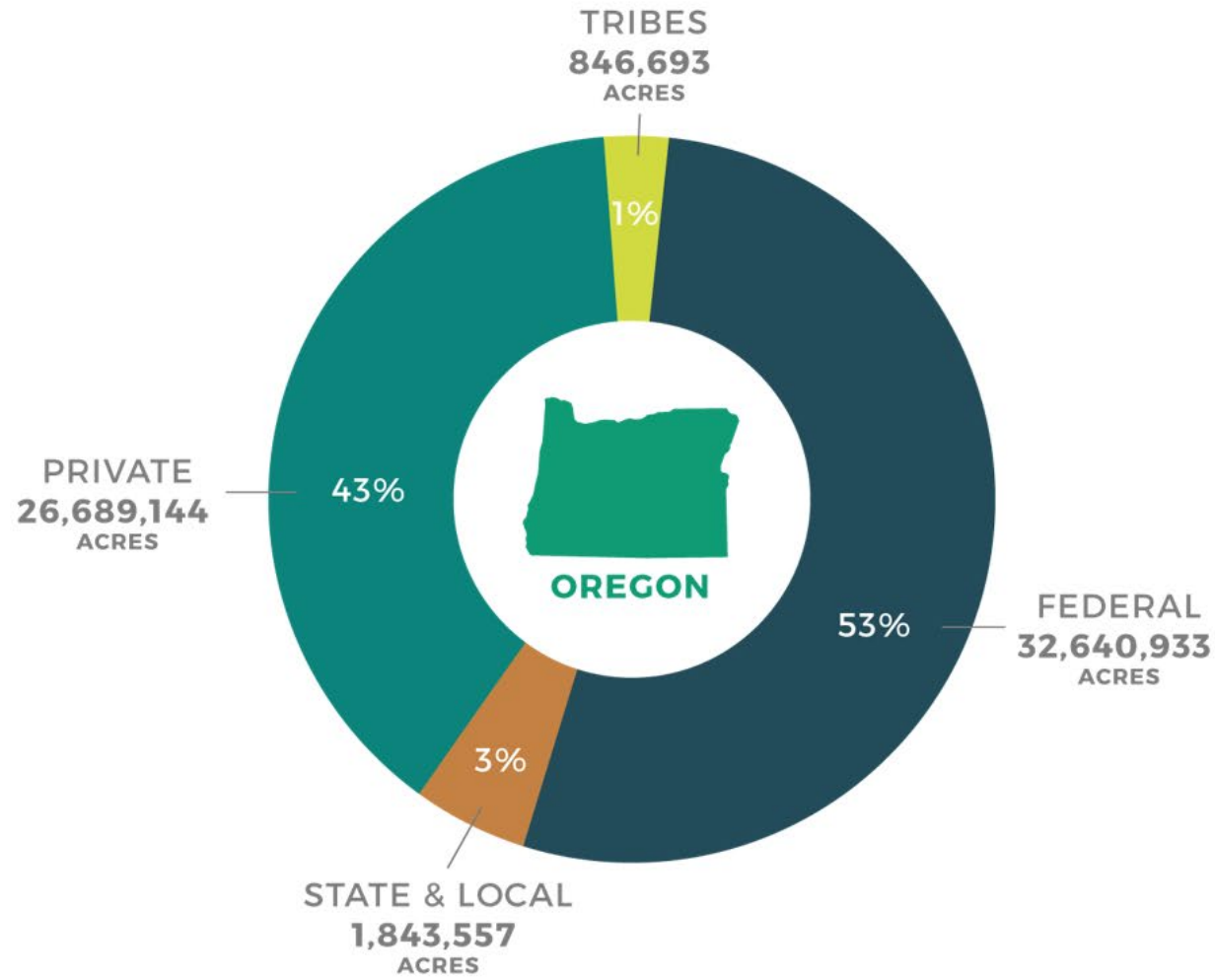
Winchuck River

OREGON

CALIFORNIA



Who currently owns the land?





Conservation Easement Introduction

Acquisitions

Legal Steps to Purchase / Accept Donation



Possession: Ownership

Exclusion: Exclude others

Enjoyment: Use

Disposition: Sell or transfer

Subdivide: Parcel off lots

Development: Build Houses

















In summary, a Conservation Easement:

- ❖ Is a Real Property Interest
- ❖ Is Recorded on the Deed of a Property
- ❖ Protects Conservation Values by Limiting Use

- ❖ Deed of Easement Describes Restrictions
- ❖ Baseline Report Describes Property Condition

Pros:

- Provides certainty, lasting protection.
- Can be highly customized, landowner can still continue to use the land.
- Does not typically provide public access.
- May be financial benefits, either with a purchased or donated easement.

Cons:

- Can get complex.
- Takes at least two years in most cases, especially with public funding.
- You will have to abide by the restrictions.
- Very, very difficult to change after recording.
- May have a more limited pool of buyers when trying to sell the property.



Acquisition

If landowners want to sell the property
this may make the most sense.

Different set of liabilities for the land trust.



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Steps for Acquiring Land or Conservation Easements

Step number 1 – Get a lawyer.





Steps for Acquiring Land or Conservation Easements

Agreement with landowner – Purchase and Sale Agreement (PSA), for example.

- Lays out the process for proceeding with the sale.
- Is there a set purchase price? If not, how will one be set?
- Requirements for notice, due diligence timelines.
- Warrantees about condition of property.
- Who pays for stuff?
- What type of deed will you use?
- Default, specific performance, dispute resolution.



Steps for Acquiring Land or Conservation Easements

Due Diligence – Inspecting the property before purchase.

- Title Review



Steps for Acquiring Land or Conservation Easements

Due Diligence – Inspecting the property before purchase.

TITLE REVIEW

- Who owns the property?
- Legal description?
- Type of deed?
- Chain of title?
- What rights to others hold?
 - Easements
 - Rights-of-way
 - Mineral rights
 - Water rights
 - Timber rights
 - Restrictive covenants
 - Life estates
 - Rights of lien holders
 - Conservation easements



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- Environmental Site Assessment (CERCLA)
- Survey
- Other special considerations



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- Funders may have specific requirements.



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Resources

Wild Rivers Land Trust Website: www.wildriverslandtrust.org

Coalition of Oregon Land Trusts Website: www.oregonlandtrusts.org

Land Trust Alliance Website: <http://www.landtrustalliance.org>

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