

# About Conservation Easements

Our most powerful tool for preserving working ranches, wildlife habitat, recreational and scenic areas is a voluntary land preservation agreement, called a conservation easement, between a landowner and a qualified conservation organization (such as AVLT).

Conservation easements have been used for over 20 years to help private landowners conserve land and prevent unwanted development. They offer a unique approach to conservation that benefits the public at less cost than outright purchase of land.

In contrast with certain other strategies, easements preserve important "conservation values" while respecting private property rights and allowing landowners to maintain control of their land. Very often, easements coexist peacefully with family ranching operations and other compatible land uses.

The IRS and Colorado Department of Revenue offer tax incentives to qualified easement donors in exchange for preserving land that provides a significant public benefit - be it through preservation of an important natural resource, recreation area, or scenic or working landscape. **In order to qualify, a conservation easement must run with the land perpetually, and must serve a qualified "conservation purpose" recognized by the IRS** (see definition to right). Land trusts are responsible for ensuring that easements serve a conservation purpose, and are upheld over time. For this reason, land trusts must annually monitor conserved lands.

Conservation easements can offer options to landowners who do not wish to sell or see their land developed, or who want to keep it in the family. Generous estate and income tax benefits may be available to donors of qualified conservation easements, and in Colorado, a transferable state tax credit program makes it possible for landowners to realize cash from their donation *without selling their land*.

And while a conservation easement is permanent, land under easement may still be mortgaged, sold, or passed on to one's heirs *with its protection assured.* 🍷



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