



# Nature's Observer

## Conservation Easement—Is it right for you?

In the rural areas of Lapeer County, we have one of the best opportunities in the state to experience our agricultural and natural heritage. Wild areas along rivers and streams, woodlots and forested areas, fields and pastures are all important. They serve as vital connections between larger park areas, allow for movement of wildlife, and help keep our rivers and water supply clean. If you are a landowner of one of these areas, you know just how precious these areas are. Permanent protection with a conservation easement may be one way that you can make sure the place you treasure is always there.

### ***What is a Conservation Easement?***

A conservation easement is a legal

agreement a landowner makes to restrict uses and development that may take place on all or part of his/her property. The landowner retains ownership of the land, but conveys certain rights to a qualified recipient, such as Great Lakes Bioregional Land Conservancy. The conservation easement is granted in perpetuity and runs with the land, being recorded with the property's deed at the county.

### ***What are the benefits?***

Every conservation easement is written with the individual property and landowner in mind. The goal of the conservation easement is to permanently protect the special features of the land, while allowing the landowner to con-

tinue to enjoy the land in a way that does no harm to those natural features. In addition, the landowner knows that the cherished features will be monitored and defended by the land conservancy for always.

Donation of a conservation easement may also save a landowner income, property and estate taxes. A conservation easement is considered a tax-deductible charitable gift if the easement is perpetual and donated "exclusively for conservation purposes" as defined by the IRS. A conservation easement reduces the land's development potential and may also reduce the value of the property. Therefore, the

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landowner may also see a reduction in property and estate taxes. Donation of a conservation easement can be an important component of an estate plan.

### **What are the costs?**

Great Lakes Bioregional Land Conservancy provides many services such as Easement drafting and baseline documentation. However, it is very important that the landowner retain independent legal and financial counsel to assist him/her in important personal and financial decisions. The IRS requires an appraisal in order to deduct the value of the conservation easement from income taxes. Obtaining and paying for the appraisal is the responsibility of the landowner. In addition the Conservancy may request a donation to the Stewardship Endowment and Legal Defense Fund to fund future monitoring and defense of the easement.

### **Must the Easement allow public access?**

Landowners decide whether to allow public access such as fishing or hiking. A landowner is not required to grant public access to receive a tax deduction for easements protecting wildlife habitats.

In certain areas, such as riparian corridors or equestrian areas, it may be desired to create a nature trail through the easement to which the public has access and connects to an existing trail network. Continued agricultural use



may be one of the goals of the Conservation Easement. If the landowner agrees, such uses may be specified in the easement.

### **Is a Conservation Easement right for my riparian land?**

Conservation Easements are one important tool in preserving our precious natural heritage. The best way to find out if a Conservation Easement would be right for you is to contact the Conservancy for more information. Criteria the Conservancy looks at in evaluating if land is a good

candidate for Easement include: quality of natural resources, presence of a water feature (river, stream, wetland or pond), connection with other natural resource areas (such as along a river corridor), presence of valuable agricultural land, and proximity to other protected lands.

A Conservation Easement is only one way that you can be your land's best friend. Many other resources are available to help preserve your riparian land, even if a conservation easement is not the answer. Learning stewardship techniques to control invasive species, reestablish native vegetation, and to manage your lawn and garden ecologically will help you keep your riparian area wildlife friendly and preserve water quality in your river or stream.

Please give us a call if you would like more information about Conservation Easements and other methods of land protection.

*By Donna Folland, Executive Director, Oakland Land Conservancy as part of the Joint Venture Project.*

## Letter from the President

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The GLBLC 2005 Annual Meeting and election will be held at the Sutherland Nature Sanctuary in Hadley on Sunday August 28th. There will be tours and sight-seeing starting at 10am with a potluck lunch at 1pm. Bring a dish to pass and your dinnerware.

The annual meeting with elections will begin at 2:30. There are three board positions open for election and all members are eligible for election. Please consider serving on our board for a three year term and get involved with our exciting programs coming up.

At our annual meeting you will hear details of the

GLBLC's latest easement donation of thirty acres in Genesee County and the ongoing negotiations on several other parcels.

This past year the Board has worked with the Oak-



land Land Conservancy on training for easements, baseline study for properties as well as putting together a power-point presentation for public meetings.

The Board has also been involved with continuing

work at the Sutherland Nature Sanctuary with our dedicated members and volunteers. Come to the meeting early enough to walk the trails and enjoy some of these sights.

The Board is also working corroboratively with other local and regional groups to improve our opportunities to preserve open space and farmland.

We look forward to seeing you on August 28th.

Sincerely

*Joe*

Joseph Stock  
President

## The Earth as an Apple from the Ontario Federation of Agriculture

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Try this at home with your kids, grandkids or nieces and nephews.

- Cut an apple into quarters. Eliminate 3 quarters as they are the oceans and other bodies of water. The remaining quarter represents the total land mass of the Earth.
- Cut the quarter into 4 pieces. One sixteenth is mountains, the second sixteenth is deserts and the third sixteenth is tundra, ice caps, and other nonviable portions of the earth's surface not under water. The fourth sixteenth is all the land suitable for growing crops.
- Take the fourth sixteenth and cut in in two. Set one of these aside, which represents land that could produce food but is buried under cities, highways, and other structures that people have built.
- The remaining slice, represents barely 1/32 of the earth. Carefully peel this slice. This small, thin piece of apple peel, barely 3% of the apple's surface, represents the top soil on which we depend to grow our food.

**Soil is an important resource. We must protect it!**

[Www.ofa.org](http://www.ofa.org)

**GREAT LAKES  
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CONSERVANCY**

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810-797-4643

*Conserving nature for the future!*

***TO:***

**We're on the Web!**  
**[www.gblbc.lapeer.org](http://www.gblbc.lapeer.org)**

## Membership Form - Please Join Us!

If you have not already renewed your membership for 2005 it's never too late! (memberships are good January to December)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

(for electronic version of our newsletter and other important updates!)

\_\_\_\_\_ Family (\$20)

\_\_\_\_\_ Individual/Student/reduced membership (\$10)

Mail a check along with this form to: GLBLC, PO BOX 303, Lapeer MI 48446. Checks can be made payable to: Great Lakes Bioregional Land Conservancy. Please contact Amy Elwert for more details at [amy@elwert.org](mailto:amy@elwert.org) or 810-245-6653

