



Conservation Easements

The Summit Land Conservancy advocates the use of conservation easements held by a land trust when a landowner, a family, or a community wishes to protect the conservation values of a property forever.



Fawcett Ranch, Henefer

“Forever” is a long time. Still, as people across America have become increasingly concerned about the loss of open space, the use of conservation easements to protect conservation values has been steadily increasing. Land trusts are non-profit organizations that work with willing landowners to place conservation easements on property. These organizations then have the responsibility to make sure that the easements are enforced as the years go by and the property changes hands.

Today, a conservation easement held by a land trust, like the Summit Land Conservancy, is the strongest tool we have for maintaining our heritage and our legacy.

Conservation Easement Basics:

- The LANDOWNER continues to OWN the land.
- The LANDOWNER decides what restrictions will be placed on the property.
- The conservation easement remains with the property and CANNOT be removed by subsequent owners.
- Conservation easements may be amended or modified slightly in some very limited circumstances.
- The land may be sold or passed on to subsequent generations, but the easement remains in place.

Conservation Easement Details:

A conservation easement is a voluntary contract between a landowner and a “holder,” like the Summit Land Conservancy. The easement specifies how the property can be used in the future, and the “holder” makes sure that those specifications are followed.

The purpose of the conservation the property. These values can be recreational, or scenic. A working might have a conservation easement water quality, and fishing access. A public access, but protect wildlife

Not all properties will qualify for a conservation easement. For example, a single lot in a subdivision will rarely contain enough conservation values properties are too small to maintain other uses which would make the easement too difficult. Elk might today, but when the rest of the homes in the subdivision are constructed, the one lot will not be enough habitat to maintain the herd.



enjoy the unbuilt lot across the street

Conservation easements cannot prohibit hunting. It is up to the landowner, and the state to decide if and when hunting is permitted on the property.

In all cases, the landowners decide what will and will not be permitted by the conservation easement, but they are still bound by local government regulations regarding taxes, weed mitigation, and such.

Funding a Conservation Easement

In some cases, a landowner donates the easement to the Conservancy. In this case, the landowner may be eligible to take a tax deduction for the value of the donation. In other cases, the Conservancy will pay a landowner for placing an easement on the property. A variety of federal, municipal, and private funding sources may be solicited for funding such a purchase.

Valuing Conservation Easements

The value of the easement is based on the development value of the property. A qualified appraisal determines the difference between the value of land before the easement is placed vs. the value of the land once the development rights have been removed. The difference between these two numbers, the before and after appraisal values, determines the value of the conservation easement.

If the landowners donate the easement, they can deduct the value of the easement from their income taxes. If the landowners sell the easement, they negotiate a sales price based on the value of the easement.

Land value before Easement	Land value after Easement	Value of the Easement
\$1,000,000	\$250,000	\$750,000

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Conservation Easement Benefits for Landowners

When donated to a qualified public Conservancy, conservation easements consequently have favorable tax making the gift. These tax benefits estate tax benefits. In some instances, value of donating a conservation value of developing the property. donating a conservation easement is land, not the associated tax

charity like the Summit Land



3 generations of Siddoways

In many parts of the country, ranch conservation easement. Such enable



“Conservation doesn’t mean you can’t use the land.” --Steve Osguthorpe

s and Private Property Rights

A conservation easement enhances private property rights as it allows families a choice when faced with development pressures, which could force the sale of the property. The right of a landowner to preserve his/her land is equally as valid as the right to develop it.

Again, an easement is a voluntary agreement entered into mutually, which allows a landowner to continue owning the land, living on the land, working the land, passing it on to the next generation or selling it.

Easements and Future Owners

A conservation easement is binding on successive owners. Land trusts, like the Summit Land Conservancy, exist primarily to ensure that conservation easements are monitored and enforced over time. Without the land trust, a future landowner may choose to ignore an easement, and there would be no one around to enforce its terms. Other means of protecting open space, such as development agreements or deed restrictions may be reversed through re-zoning or governmental resolutions. But property that is under an easement that is held by a land trust always has a higher level of legal protection.

Insuring the Future

The Summit Land Conservancy was the first land trust in Utah to be accredited by the national Land Trust Accreditation Commission. This means our organization must adhere to the highest standards for nonprofit management. Because we will have to protect the easement property forever, we raise money to fund this permanent stewardship before we can accept the conservation easement. This money is set aside in a permanently restricted endowment. Income from the endowment allows us to monitor the property each year. We have additional funding for legal defense, should we need it.

If the Conservancy were to disappear someday, the easement would be transferred to another reputable land trust.

About the Summit Land Conservancy

The Summit Land Conservancy is a nongovernmental, nonprofit organization supported largely by individual members. Based in Park City, we work with our communities across northern Utah to protect and preserve land and water for the benefit of people and nature. Our efforts would not be possible without willing landowners.

In 2011, the Conservancy was accredited by the Land Trust Accreditation Commission. Accreditation was renewed in 2017. We hold 42 easements on over 6,800 acres.

Communities throughout the Wasatch rely on open space for their economy, so the Conservancy has found ways to raise the money necessary to keep landowners whole, keep cherished landscapes undeveloped, and protect forever the beautiful place we, our Board and our staff, call home.

More information is available online at wesaveland.org

Our landowning families:

Kent Fawcett, Henefer
Donald & Louise Judd, Hoytsville
Bob & Pat Richins, Henefer
Dick & Gaye Stoner, Hoytsville
Robert & Kayleen Siddoway Family, Peoa
Steve Osguthorpe, Park City
Ed & Dixie Ercanbrack, Coalville
Paul Slack & Elsbeth Gugi, Oakley
Ari Ioannides Family, Wanship
Geofrey & Laura Wyatt, Francis
Kenneth & Isabel Stephens, Henefer
The Wright Family, Coalville
Bill & Alane White, Henefer