



Sonoma County's landowners play a vital role in conserving the diverse natural landscapes that define our region. From the oak woodlands of the Mayacamas Mountains to the rugged Pacific coast, and from the farm and vineyard lands of Sonoma Valley to the tidal wetlands of the San Pablo Bay, Sonoma Land Trust has been helping people protect their property since 1976.

### Your Goals for the Property

Our land protection staff is available to help you make long-term conservation plans for your property. There are several techniques available, all of which can be tailored to fit your unique circumstances. Your choice of which technique to pursue depends upon your goals for the property, the natural characteristics of the land, and your financial objectives, including income and estate tax planning.



### Conservation Options

#### Donate a Conservation Easement over your Land

A conservation easement is one of the most powerful, effective tools available for the permanent protection of private lands in Sonoma County. A conservation easement is a voluntary legal agreement between a landowner and Sonoma Land Trust which restricts the use of a particular property in order to protect its conservation values.

Conservation easements are used to achieve a variety of conservation purposes, including open space preservation, agricultural preservation, and natural resource protection. The conservation easement is recorded in the form of a grant deed and is binding on successive owners of the property in perpetuity. In other words, it is forever.

#### Flexible Tool

A conservation easement is a flexible tool and is tailored for each specific property based on the common preservation goals of the landowner and the holder of the easement. For example, conservation easements may prohibit development over scenic landscapes; prohibit non-agricultural uses over agricultural land; restrict timber harvests to sustainable levels over forest land; or require that land be kept "forever wild" over natural areas.

## Land Remains in Private Ownership

Landowners retain title to the land and continue to occupy and use the lands under the terms of the conservation easement. A subsequent owner would also be obligated to use the lands under the terms of the conservation easement. A conservation easement is an excellent tool for families who wish to keep their land intact to pass on to the next generation.

## Financial Benefits

Depending upon a particular landowner's financial situation, donation of a conservation easement may entitle the landowner to various federal income and estate tax benefits. For income tax purposes, the value of the conservation easement may be deducted as a charitable contribution. The value of an estate may be reduced by the conveyance of a conservation easement, resulting in lower estate taxes. Property taxes also may be reduced.

The value of an easement is measured by the difference between the value of the property unrestricted and the value of the property after the conservation easement restrictions are imposed. In some cases, conservation easements are purchased. More often, conservation easements are donated.

## Stewardship

In the hands of Sonoma Land Trust, a conservation easement is a permanent obligation. As the easement holder, Sonoma Land Trust monitors compliance with the easement and is prepared to enforce the terms of the easement on successive owners.

## Anticipated Expenses of a Conservation Easement

The donation of a conservation easement is a major, long-term commitment for both landowners and Sonoma Land Trust. Conservation easements are an established legal tool to protect natural, scenic and open-space lands for the benefit of the public for generations to come. Landowners need to know that SLT is committed to and capable of ensuring that their properties will be forever protected.

In addition to the substantial effort to design, develop and negotiate them, conservation easements are a significant and perpetual responsibility for Sonoma Land Trust. We are supported by our members and donors, but also have a policy of seeking financial contributions from those who are entrusting us to protect, monitor and enforce the easement over their lands in perpetuity. We ask that landowners make a tax-deductible gift to SLT at the time of their easement donation. This generous support makes it possible for us to protect large, beautiful, biologically rich, and productive landscapes throughout Sonoma County.

## Donate Your Land

Land donated to Sonoma Land Trust is truly one of the finest legacies a person can leave for future generations. If your land has significant conservation values, and no heir is available to protect your land; or if you own highly appreciated property or have substantial real estate holdings which may result in high capital gains or estate tax burdens, a donation of land to Sonoma Land Trust may be an attractive option.

The donation of any interest in land to a qualified charitable organization, such as Sonoma Land Trust, may provide substantial income, property, or estate tax benefits, as well as avoidance of taxation on

capital gains. Because federal regulations may limit a taxpayer's ability to fully utilize a deduction, a landowner should seek professional legal and tax advice when considering conservation options.

When SLT accepts a property, we take on the cost to protect and manage the land. We ask that landowners consider making a tax-deductible gift to SLT at the time of their donation. This generous support makes it possible for us to continue protecting important landscapes throughout Sonoma County.

### **Fee Simple**

An owner may donate the entire fee simple interest in the property to Sonoma Land Trust.

### **Reserved Life Estate**

An owner may donate their property subject to a reserved life estate, meaning that the landowner and other identified persons can continue to live on the donated property during their lifetimes.

### **Last Will and Testament**

A donation via your Last Will and Testament lets you enjoy full lifetime use of the property while assuring that its conservation values will be protected for future generations. Careful estate planning can also reduce or eliminate the potentially devastating estate tax burdens faced by heirs.

### **Annuity**

There are also several land donation mechanisms through which a landowner may establish a regular income stream via annuity payments during the donor's life.

### **Tradelands**

Sonoma Land Trust may accept properties which are not considered of high conservation value yet would provide significant financial support to our work. The purpose of accepting these lands would be with the intent to resell them. The proceeds from these sales benefit additional land protection projects and other SLT programs.

## **Sell Your Land**

In order to purchase land, Sonoma Land Trust must identify and secure funds from a variety of resources – local and state agencies and private organizations and foundations. A landowner offering a bargain sale (that is, selling the property for a price which is less than fair market value) increases the possibility that funding can be obtained for the transaction. A bargain sale also offers potential income tax benefits to the seller, as the difference between the appraised fair market value and the sale price is considered a tax-deductible charitable contribution.

**For More Information:** Please contact us at (707) 526-6930, extension 150.

