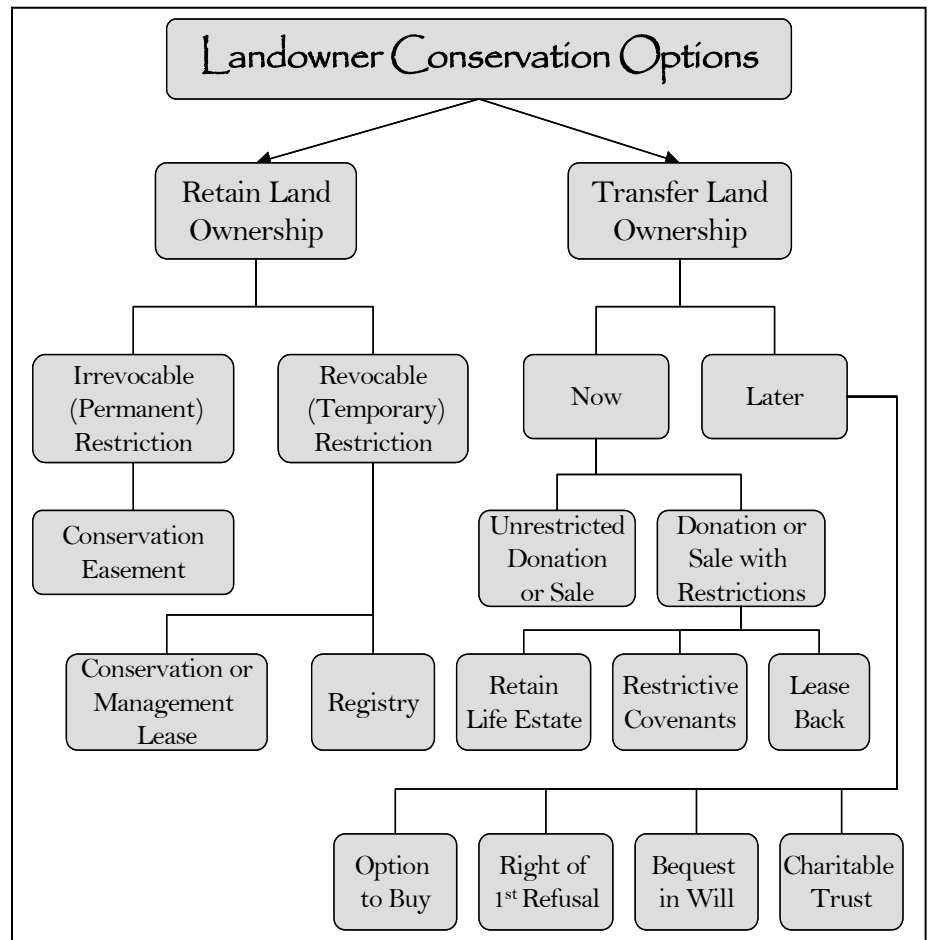




Deciding which option is right for you

Land trusts provide an opportunity for you to leave a legacy of unspoiled land and water resources through a variety of voluntary conservation options. If you are considering conservation, your first step is to talk to your local land trust about how you might work together to ensure protection of your property. This flowchart lists options that might suit your family's goals and the land trust's mission. Each private land protection arrangement is unique – the result of conversations between landowners and land trusts. It is also important to talk with your legal or financial advisor as you consider your conservation options. This info-sheet is designed to help you start thinking about lasting protection for the land you treasure.



Conservation Easements

A conservation easement is a voluntary, permanent agreement that legally restricts the use of your land in order to preserve its conservation values. Each conservation easement is designed to reflect your land's special values and your family's goals. You retain the right to own and sell your property but the easement restrictions will always remain with the property's title. Most conservation easements are donated by the landowner to a land trust, and such donations can provide significant tax advantages.

Land Donations

Some landowners donate full ownership of their property to a land trust. This option may be best suited for you if you do not wish to leave your land to heirs, or no longer use the land. It is important to contact a land trust before making this decision. Donations can include all or just a portion of your property. It is also possible to donate a property now and retain the right to live on and use the property during your lifetime. This is known as a "reserved life estate."

Bargain Sales

With this choice you sell your land or an easement to a land trust at a price below what you could receive on the open market. The difference between the “fair market value” and the actual sale price is considered a donation to the land trust, and therefore potentially tax deductible (though you may owe taxes on the proceeds of such a sale, as you would on any such capital gain).

Bequests

A bequest is also called a “donation by devise” and transfers ownership of your property to a land trust through your will. This is a good choice if financial compensation is not a necessity and you want to maintain the current use of your land. In addition, this option can confer estate tax benefits.

Land Sales

This option provides financial compensation for protecting your land. While most land trusts have limited funding for purchases, it may be possible for them to fundraise in order to purchase a particularly important piece of land.

Many land trusts in Wisconsin use the Knowles-Nelson Stewardship Fund, a state fund for land acquisition by the WI-DNR, local governments and non-profit conservation groups. When land trusts work with the Stewardship Fund or any public grant program, landowners should expect that there will be several requirements to meet, including perhaps a property management plan, donation of an easement to the state or making the land open to the public whenever possible.

Registry Programs

If you are concerned about protecting the natural values of your land but are not ready to protect it permanently, you may want to consider this option. By registering your land with a land trust you make a commitment to protect the natural elements, features, and characteristics of your property. You also agree to notify the land trust before you plan to sell or transfer the property and of any threats to the conservation values on land.

updated May, 2009

One Landowner's Story

In autumn Doug Ziegler looks northwest during his commute to enjoy a magnificent display of fall colors. Fortunately the fall colors will remain forever for all to enjoy, thanks to Doug who donated the 180 acre parcel to the Cedar Lakes Conservation Foundation. The land is home to spruce, fir, and jack pine trees: a creek winds within its boundaries. “It bothered me that it would end up with driveways on it, and I wanted to do something about it” he explains. Doug has fond memories of picking watercress and nuts as a boy: he wanted his children and grandchildren to have the opportunity to do the same.

Because of his donation, this land is open to cross-country skiing, bird watching and other activities. The protected creek contributes clean water to a largely urban watershed. Cedar Lakes Conservation Foundation is actively restoring natural areas on the property and no-till farming continues on a portion of the land. Doug also realized financial benefits for protecting the land: donating the land to a land trust lowered his estate's value and in turn the eventual estate taxes. This partnership is just one example of how Wisconsin landowners are working with land trusts to save the places that make Wisconsin special.

Our Mission:

Preserve environmentally important land to protect rural character, water quality, and wildlife habitat for future generations