



CONNECTICUT FARMLAND TRUST

# Farmland Protection Steps

A GUIDE FOR FARMLAND OWNERS



# Initial Site Visit

When you contact Connecticut Farmland Trust (CFT) about exploring options to protect your farm, we will make an appointment to meet with you and briefly walk the land.

During this first visit and property walk, we will talk with you about your conservation goals for the property and collect information about past and present land uses, ownership history, and the property's character and features.

It may take more than one site visit to gain a full understanding of your property and your goals, and to discuss conservation options for your land.



# Deciding to Donate or Sell a Conservation Easement

As you start considering conservation options for your land, seek advice from your tax and legal advisors to determine if a conservation easement works for you. Speak with necessary family members or co-owners of the property and reach consensus before moving ahead. **If you decide to donate** a conservation easement on your land, your farm will likely be protected within six months. This is possible because there are fewer steps in the easement process when you work with only one organization. If you decide to donate a conservation easement on your land, you may be eligible for a federal income tax deduction.



# Deciding to Donate or Sell a Conservation Easement, II

If you decide to sell a conservation easement on your land, CFT will partner with other organizations to secure funding to best fit your project's need. These partners may include the State of CT's Farmland Preservation Program, your town, your local land trust, and the USDA-Natural Resources Conservation Service. CFT staff will manage the entire process for you. The process of selling a conservation easement will be inherently longer from start to finish than a donating an easement – but may best meet your needs.



# Property Title Review

CFT staff will work with our attorney to research the chain of title on your property. The title will be reviewed to ensure there is nothing that will prohibit the conservation easement from being valid, such as liens and mortgages. A plan to address any issues will be worked out.



# Board Approval

After we have built a profile for your farmland preservation project, our Acquisition Committee will review the overall project characteristics to ensure it meets CFT's mission and farmland conservation project criteria.

The staff and Acquisition Committee, following national Land Trust Alliance standards, will decide whether the project meets CFT's program goals and if we have the capacity to undertake the project.

If these guidelines are met, the Acquisition Committee will then recommend to the CFT Board of Directors that the project move ahead.



# Drafting the Agreement

After the Board of Directors approves your project concept, we will work with you to draft a conservation easement document that permanently protects your land as well as achieves your vision for the land's future as it may evolve over time. We will work with you to develop a conservation plan that fits the unique characteristics of your farm.

If you donate a conservation easement, you may have the most flexibility in the terms of the easement. In the event of a sale of an easement, we often need to accommodate our funders' requirements and include specific provisions in the easement to satisfy the grant program(s). If you decide to sell a conservation easement, your property will be appraised for its agricultural-use value at this time.



# Reviewing the Agreement

Once we have clarified the overall conservation goals of the project, we will send you a draft of the conservation easement for your review.

The easement document can be daunting, as it is a long, legal document, so we encourage you, your family, and any co-owners to take your time to review the document carefully.

After you are comfortable with the terms of the easement and feel we have crafted a document that meets our collective goals, we recommend that you meet with an attorney familiar with conservation easements to review the document.





# Creating the Baseline Documentation Report

CFT will prepare a required baseline documentation report, which serves as a tool to help ensure the conservation easement is upheld, and understood, over time.

The report usually includes soil and location maps, aerial photos, tax maps, a property description, on-the-ground photographs, and any pertinent additional items. There could be a boundary survey completed at this time.



# Creating the Baseline Documentation Report, II

You are welcome, but not required, to be present when CFT staff visit the property to work on the baseline documentation. It is possible that several visits will be necessary to complete the report. We will always call and ask permission to visit the property, regardless of whether you will be present.

Prior to the completion of the project, we will ask you to review the baseline documentation report and ensure it accurately reflects the property as related to the terms of the conservation easement.



# Completing the Project

Once the language and terms of the easement are agreed upon, all parties will sign the baseline documentation report and conservation easement document at a “closing.”

We will then file the easement document with the deed at the town clerk’s office. The original baseline documentation report will be stored in our office and you will receive a copy for your records.

Your farm will be officially preserved as working land – forever.



# Stewardship

After CFT permanently protects a farm, the story does not end there.

CFT assumes perpetual stewardship responsibilities to ensure that the integrity and terms of the conservation easement are upheld.

These stewardship responsibilities include annual monitoring and enforcement of the terms of the easements.

# Enjoy the Legacy of Protected Land



The Ballek Family's Preservation Party

# CFT Conservation Staff



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# Drop us a line.

*We're here to help you protect your land.*

## ADDRESS

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## WEBSITE

[www.ctfarmland.org](http://www.ctfarmland.org)

## PHONE NUMBER

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PRESERVING WORKING LANDS  
FOR FUTURE GENERATIONS