



More than 1,200 land trusts across America have successfully protected 4.6 million acres of open space, farms, woodlands, scenic corridors, vistas and historic places. We must now focus our attention here. The Land Trust for Tennessee is working with communities and individuals to identify our natural and historic assets and protect important lands as well as sites before they disappear forever. If you believe the beauty and character of Tennessee is worth preserving, we need your help!

Our Mission

To preserve the unique character of Tennessee's natural and historic landscapes and sites for future generations.

Our Purpose

Our region has seen significant growth in recent years, and our communities continue to blossom, bringing new businesses and drawing new residents. But the very reason many people live in Tennessee - its rich history, green rolling hills, scenic landscapes, open farmland and rural back roads - must now actively be preserved or these precious unique characteristics will be lost.

The Land Trust, a 501 (c) (3) nonprofit organization, works exclusively with willing landowners to find ways to preserve forever the scenic and natural values of their land. Our main tool for ensuring this preservation is called a conservation easement, and it is an alternative to just selling the land for development. A conservation easement allows a willing landowner to achieve three important goals:

- keep ownership of the land,
- preserve the important assets of the land through customized restrictions on future development, and
- obtain certain tax advantages

Other conservation options may also be available. Working with us, private landowners can protect the special qualities of their land, while meeting their important personal and financial needs

F.A.Q.

The Land Trust for Tennessee is always available to answer your questions. Please contact us online at <http://www.landtrusttn.org/> or call one our Land Protection Specialist at **615 244-LAND(5263)**
Here are some of our most frequently asked questions.

How does the Land Trust for Tennessee protect land?

The Land Trust protects Tennessee's natural and historic landscapes and sites through donations of conservation easements that protect important land resources. In some rare cases, the Land Trust does purchase land; we do our best to acquire critical parcels of land that are threatened by development when there seems to be no other option for their protection.

What is a conservation easement?

A conservation easement is a voluntary contract between a landowner and a land trust, government agency, or another qualified organization in which the owner places permanent restrictions on the future uses of some or all of his property to protect scenic, wildlife, or agricultural resources. The restrictions usually limit the number of future home sites but can, and often do, limit other uses, as well. Conservation easements are specifically tailored to meet the conservation and financial/tax planning needs of each landowner; few conservation easements look alike because few properties are the same, and few landowners want exactly the same provisions. We write our conservation easements after meeting with each landowner numerous times and drafting and redrafting the document until all parties are satisfied. The easement is donated by the owner to the land trust, which then has the authority and obligation to enforce the terms of the easement "in perpetuity." The landowner still owns the property and can use it, sell it, or leave it to heirs, but the restrictions of the easement stay with the land forever.

How does the Land Trust for Tennessee enforce its conservation easements?

The Land Trust monitors each conservation property at least annually to ensure that the terms of the conservation easement are being met. If a violation of an easement is discovered, it is the Land Trust's legal and moral

obligation to ensure that the violation is rectified. Towards this end, the Land Trust is building a quasi-endowment fund of sufficient size to ensure that it is financially capable of stewarding its easements and conservation lands in perpetuity. The Land Trust operates its easement stewardship program in accordance with the Land Trust Alliance's Standards and Practices.

What are the benefits of giving a conservation easement?

A gift of a conservation easement frequently benefits a landowner by permanently protecting the important conservation qualities of the property without the landowner having to give up ownership, and by creating potential tax advantages. With the help of the Land Trust for Tennessee, a landowner can both protect an individual piece of land and add to a growing complex of private lands that have been protected in this manner and that will be carefully stewarded by the Land Trust forever.

What are the tax benefits of giving a conservation easement?

The rights a property owner relinquishes, and those that are retained, are set forth in the conservation easement. This easement is transferred permanently to a qualified conservation organization such as The Land Trust for Tennessee. When the document is signed and recorded at the courthouse, the property's current and future owners can no longer exercise the rights that have been given up. Those rights have a financial value. To determine that value, an appraisal is conducted. This appraisal must be performed in accordance with guidelines stipulated by the Internal Revenue Service. Here is an example. Let us say that the appraised, fair market value of your 100 acre tract of land is \$5,000 per acre, or \$500,000. You wish to limit its future use solely to farming by placing a conservation easement on the land. The appraisal shows that the land's value without being able to develop it is reduced to \$3,000 per acre, or \$300,000. The difference of \$200,000 can be claimed as a \$200,000 charitable contribution by you to the organization designated to hold the conservation easement. Your tax attorney and accountant will tell you all of your specific tax benefits, but generally, you may expect the following:

Federal Income and Capital Gains Tax Benefits- Congress passed new incentives*!

Under the IRS code, the value of the donation of a qualified conservation easement can be deducted at an amount up to 50 percent (up from 30%) of the donor's adjusted gross income in the year of the gift. If the easement's value exceeds 50 percent of the donor's income, the excess can be carried forward and deducted over all or part of the next 15 years (up from 5 years). **Note: These new tax incentives are currently only for conservation easements donated in 2006 and 2007.*

Property Tax Benefits

A conservation easement may reduce or stabilize property taxes, depending on current zoning and land use and current assessed value.

Estate Tax Benefits

The donation of a conservation easement, whether during the landowner's life or by bequest, can reduce the value of the land upon which estate taxes are calculated. This benefit can often mean the difference between heirs having to sell or develop the property to pay estate taxes, or being able to keep the property in the family. A conservation easement may be an effective way to pass land on to the next generation in its natural state.

Source: <http://www.landtrusttn.org/>