

Lincoln County Land Legacy Program Conservation Easements Overview

Lincoln County Oregon can assist property owners desiring to create conservation easements under the auspices of the Lincoln County Land Legacy Program. To be eligible, donations must: (1) be granted on a willing-donor basis (meaning the County will not pay funds to acquire the easement - - a third party may acquire the easement through either donation or purchase); (2) qualify as a desired conservation easement under the procedures of the Lincoln Land Legacy Program (reviewed and recommended for inclusion by staff and the Program Committee and accepted by the Board of Commissioners as fulfilling the mission of the Program), (3) be administered by a third party (non-profit or public entity) acceptable to the County as a steward of the easement for Program purposes; (4) meet the requirements for a conservation easement under Oregon Law, and a qualifying easement pursuant to Title III of the federal Secure Rural Schools and Self Determination Act of 2000 (Public Law 106-393).

If qualified under these requirements, the Program can assist the donor as follows:

1. Cover reasonable costs for surveying the conservation easement area to be donated.
2. Cover attorney's fee costs (up to \$2,500) for creation of the easement document.
3. Cover reasonable appraisal fees needed to determine the value of the easement being donated (both to secure other funding for purchasing or for tax purposes).
4. Filing fees associated with recording the easements.
5. Taxes caused by disqualification of the easement area from favored property tax treatment (e.g. forestland or farmland values) caused by creation of the easement. Note this does not include taxes for disqualification of the remaining property (including homes) which is not part of the easement.
6. Other County pre-approved costs associated with the creation and implementation of the easement.

Normally the funds available for these purposes are limited to \$15,000 per donated easement not to exceed the value of the donated area, whichever is less. Funds are normally provided on a reimbursement basis to the property owner. After agreeing to the terms, the County and Property Owner enter into a letter of agreement spelling out the terms of the arrangement.

If you are interested in participating in this program contact the Lincoln County Department of Planning and Development to request a meeting with staff for the Lincoln County Land Legacy Program. They can be reached at 210 SW Second Street, Newport, Oregon 97365 or by calling 541-265-4192.