

Tinicum Township Land Preservation Committee

Procedure for Purchase of Conservation Easements With Township Open Space Funding (revised August 2013)

[Guideline for Land Preservation Committee (LPC), Board of Supervisors (BOS), Landowner]

1. Initial contact between LPC and property owners; donation is encouraged, and printed information is distributed.
2. Landowner submits Preliminary Application for a conservation easement purchase.
3. Members of LPC and Tinicum Conservancy meet with landowner to gather additional information, and to explain sample easement language; benefits of bargain sales; discuss/determine size and location of building envelope; negative aspects of future subdivision. Tinicum Conservancy is designated to co-hold conservation easement, unless landowner chooses another land trust. Information on other conservancies/land trusts distributed; information on other sources of funding distributed.
4. LPC orders title search.
5. LPC consults with twp zoning officer and Manager on parameters/details of potential easement. Any current property restrictions/approvals noted.
6. LPC visits and ranks property using standard evaluation point score form and guidelines. Property acreage taken from TMP, and rounded to nearest whole number.
7. LPC presents property ranking to BOS.
8. BOS approves point score and ranking, and authorizes LPC to proceed.
9. LPC informs landowner of ranking and provides appraisal guidelines. (Appraisals performed noting current status of property.)
10. Landowner responds, in writing (sample response letter distributed) within 30 days. Landowner orders appraisal within same 30 days. Township then orders appraisal. (Landowner pays for one appraisal; township pays for the other.) Conservation Easement values must be within 15% of each other. If they are not, landowner has choice of: (1) ordering a new appraisal, or (2) accepting a per-acre value that is 115% of the lower figure). . If the landowner does not order an appraisal, the per-acre value of the township's appraisal is agreed to. Any future restriction/subdivision noted.
11. LPC and BOS review appraisals, and BOS approves dollar offer (per-acre dollar offer not subject to change).
12. LPC presents dollar offer to landowner.
13. Landowner reviews offer, and accepts, or rejects, in writing within 30 days. Conservancy notified.
14. Township and Conservancy and landowner negotiate details of easement language (building envelope, allowable uses, restrictions, future subdivision, and mortgage subordination).
15. Landowner orders survey.
16. Conservancy begins baseline documentation.
17. Terms of easement, including building envelope, submitted to BoS, Solicitor, and Conservancy for review/approval.
18. Township solicitor reviews easement
19. BOS approves terms of easement
20. BOS announces intent to purchase easement at public meeting; two week public comment period begins.
21. BOS votes, after two week period, to approve purchase or to sign Agreement of Sale, if there is one.
22. Closing: Copies of easement distributed to all parties (landowner, township, conservancy and others)
23. Easement documents recorded by County Recorder of Deeds.