

## Tinicum Township Land Preservation Committee

### Procedure for Conservation Easement Purchase with Township Open Space Funding (Revised 01/2021) [Guidelines for Land Preservation Committee (LPC), Board of Supervisors (BOS)]

1. Initial contact between LPC and Landowner; donation is encouraged, and printed information is distributed.
2. Landowner submits *Application for Conservation Easement*. Application number assigned to protect confidentiality during discussion phase.
3. LPC and Land Trust meet with Landowner to discuss and obtain additional information including sample easement language, benefits of bargain sales, size and location any building envelope/s, and the 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 and other potential sources of funding is provided.
4. LPC orders title search. (*Confirm ownership and restrictions if any*)
5. LPC consults with Township Zoning Officer and Manager on details of potential easement. Review current property restrictions/development potential are noted.
6. LPC conducts site evaluation and rates property using (BOS approved) **Property Evaluation Criteria** form. Property acreage is determined from TMP, rounded to nearest whole number.
7. LPC presents completed **Property Evaluation Criteria** form to BOS for approval of point score and ranking.
8. Upon BOS approval of property's ranking, LPC informs Landowner of ranking and provides appraisal guidelines pointing out that appraisals performed reflect the existing status of property.
9. LPC provides Landowner with *Sample Response Letter* and requests Landowner to complete and return within 30 days. Landowner is provided a list of Township approved certified appraisers along with general information regarding the appraisal process. *\*(See Appraisal Note)*. Landowner orders appraisal within same 30 days and may choose to order second appraisal. If second appraisal is done, appraisal Conservation Easement Values must be within 15% of each other. Otherwise, Landowner can accept a per-acre value that is 115% of the lower figure. Landowner pays cost of appraisal(s) and upon closing will be reimbursed the cost of one appraisal.
10. LPC and BOS review appraisal(s); BOS approves dollar offer (per-acre dollar offer not subject to change).
11. LPC presents dollar offer to Landowner for review; Landowner accepts or rejects in writing within 30 days. Land Trust notified.
12. Township, Land Trust, and Landowner negotiate details of easement language including building envelope, allowable uses, restrictions, future subdivision, and mortgage subordination.
13. Landowner orders survey with the cost reimbursed at closing *\*\* (See Survey cost)*.
14. Land Trust begins baseline documentation.
15. Terms of easement, including building envelope, reviewed by Township Solicitor and Land Trust for approval.
16. BOS approves terms of easement.
17. BOS announces intent to purchase easement at public meeting; two-week public comment period begins.
18. BOS votes, after two-week period, to approve Easement purchase.
19. At Closing: Copies of easement distributed to all parties including Landowner, Township, and Land Trust.
20. Easement documents recorded by County Recorder of Deeds.

*\*Appraisal Note: Appraisal for properties that have already been subdivided will not be considered on their subdivided value. The Township will not spend Open Space funds to purchase the value of already subdivided lots.*

*\*\*Survey cost reimbursable upon receipt of Survey Invoice up to a maximum of \$\_\_\_\_\_.*