Conservation Easement Tips

One of the most valuable assets in your portfolio may be your property. And if you are a Coloradan, the dollar value is often intermingled with value of the natural environment. Conservation easements are a way in which landowners can protect their lands from future development, while also receiving economic benefits. Denver-based Kaplan, Kirsch & Rockwell, LLP has a practice group specializing in conservation law, and explains:

Farm and ranch land values are so high that children inheriting those lands may be unable to afford the estate taxes upon the death of the parents. That can often lead to the difficult decision to sell off acreage to developers. The result is not only a loss of a family business, but also a loss of agricultural and open space lands that are a natural treasure for the whole state.

A conservation easement protects the natural values of a property through a donation or sale of the future development rights to a private land trust or government entity. Landowners retain title to the land and do not have to provide public access. There are generous federal and Colorado tax incentives available when the rights to future development are permanently restricted by a conservation easement. To learn more, visit www.kaplankirsch.com or speak with your own attorney.

You can also visit the following websites to learn more about easements:

- Colorado Cattlemen’s Agricultural Land Trust, www.ccalt.org
- Colorado Open Lands, www.coloradoopenlands.org
- Colorado State Department of Regulatory Agencies, www.colorado.gov

The Denver Foundation's Environmental Affinity Group will be discussing land use issues at their upcoming meeting on June 16th. Please contact Kelly Purdy at 303.300.1790 for more details.