

# Saving Land

IN WESTERN VIRGINIA

spring 2009

## LANDOWNER SPECIAL EDITION

Look inside for information on how to protect your land and keep it in the family!



Western  
Virginia  
Land Trust

[westernvirginialandtrust.org](http://westernvirginialandtrust.org)

## 2 Conservation along Craig's Creek

by George Kegley

Arrowhead Hunt Club LLC signed a conservation easement in January on a mile and a half of Craig's Creek, about five miles east of New Castle, on land owned by the Eakin family for almost 230 years. The Western Virginia Land Trust and the Mountain Castles Soil and Water Conservation District co-hold the easement.

The 13-member hunt club obtained the easement to preserve the stream, said Lenden Eakin, club secretary and a Roanoke attorney. The club owns 344 acres of Craig County land purchased by Nathan Eakin, an ancestor, in 1780. The easement will make certain that the bottomland along the creek is kept in trees and can't be timbered or built in, but the club can still hunt it, maintain trails, and possibly replace the stream ford with a bridge one day.

"Our goal is to keep the land in everybody's family," Eakin said. "We locked up creek frontage so they can't do anything that will damage the James River and the Chesapeake Bay," he added. Craig's Creek is a popular stream for outdoors people.

The hunt club members and their families enjoy fishing, canoeing, mountain bike riding, deer and grouse hunting and archery and rifle ranges on the property. Eakin's wife, Kimberly,

is a club member and their young children, Maria and Nathan, enjoy the recreation.

The beautiful property has just one problem—members must ford the creek to reach the property and high water prevents access for 10 to 15 days a year, Eakin said.

*This project received funds from the Water Quality Improvement Act through the Department of Conservation and Recreation.* **SOS**



*Lenden Eakin of Roanoke talks about Arrowhead Hunt Club's land along Craig's Creek.*



# From the Director

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## *What's this Magazine all about, and Why Should You Care?*

by Roger Holnback

If you've received this copy of Saving Land, you are probably either:

- a member of the Western Virginia Land Trust
- or one of 5,000 private landowners in western Virginia who own 100 acres of land or more.


Believe it or not, there are only a few thousand families that own most of the larger tracts of land in our part of the state. These numbers tell me that as a landowner, your decisions will have a great effect on all of us as the years go by and you make hard decisions about your land.

If you want to pass on your land to your children and grandchildren, then there are ways to do it described in this magazine. These tools will put real money in your pocket now, while at the same time helping you pass on the legacy of your land, all while avoiding or reducing estate taxes.

The Western Virginia Land Trust helps landowner conserve and pass on their land with conservation easements—legal agreements that protect and preserve what you think is special about your land. In our 13 years at

the Land Trust, we have helped hundreds of families learn about conservation options and conservation easements that have protected tens of thousands of acres of our region's farms, forests, waterways and landmarks.

All of our programs and efforts involve voluntary participation—we provide no-cost education about federal and state programs that can bring you real financial gain through tax incentives. We make nothing from our work consulting with our area's landowners, except the gratitude of the families we have helped. Our 700 individual, family, and business members, as well as a few private foundation grants, provide us with the financial resources to carry out this task.

Please take the time to read this special issue of Saving Land that we've mailed to you, and learn more about your options for your land. A conservation easement isn't for everyone, but it may be just the thing for you and your family. And if you have any questions or want to learn more, please call the Western Virginia Land Trust at (540) 985-0000 or attend one of our March landowner workshops that are described on page 6. 


# From the President

by Janet Scheid

As I write this message we are being teased by spring with sunshine and sixty degree weather. Typical of February though, the forecast calls for the possibility of snow and colder temperatures tomorrow. Despite this, I am already feeling the urge to get outside and put my hands in the soil, to touch the ground and smell the dirt. What is it about land that brings these ethereal emotions to bear?

I walked around my yard yesterday thinking of what plants need to be moved, replaced, pruned or fertilized. It was Aldo Leopold who said, "Conservation is a state of harmony between man and land." I believe that every time we work the land, tend a garden, plant a tree, or sow a seed we are each involved in the art of conservation. For what we are really doing is thinking about the future and how we can make it a better and more

beautiful place. Those who garden are optimistic people (some might say delusional what with the white tail deer and groundhog populations abounding) with an eye for the future and hope for tomorrow.

That special population of people who love their land so much they can feel it in their bones, those people who conserve their land so that they and endless future generations can enjoy it, appreciate it and walk upon it have succumbed to the knowledge that as much as they own the land, the land also owns them. They too are optimistic folks who have a keen eye to the future and a sharp awareness that the actions we take now will leave lasting footprints on the land. Let's hope those footprints are soft and harmonious and lay lightly on the earth. 

## Western Virginia Land Trust

Promoting the conservation of western Virginia's natural resources — farms, forests, waterways, and rural landscapes.

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Cover Photo: WVLT staff pose on Roaring Run in Franklin County. Credit David Perry.

# Your Land, Your Choices

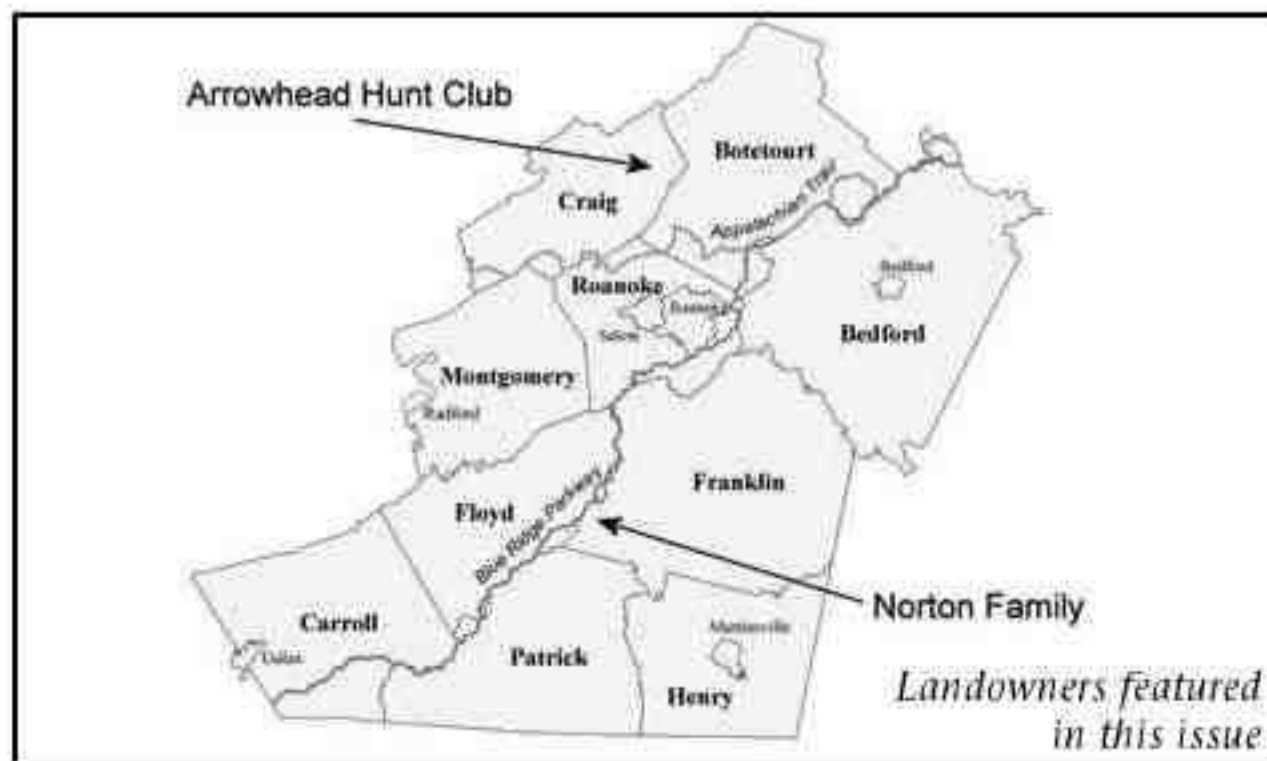
## Virginia Landowners Benefit from Conservation Easements

Decisions you make about your land will shape our landscape for generations to come. The Western Virginia Land Trust hopes that you will be interested in options to conserve our scenic and rural places while meeting your personal goals and potentially enhancing your financial security. The information in this magazine is of critical importance if any of the following apply to you:

- You want to preserve something special about your land
- You want to keep your land in the family
- You can use additional income from your land without selling it
- You can use a substantial income tax deduction
- You are concerned about estate taxes

The Western Virginia Land Trust (WVLT) is a private, nonprofit organization formed to promote the conservation of western Virginia's natural resources—farms, forests, waterways and rural landscapes. We work with property owners to help them find voluntary ways of preserving their land so that all of our descendants will have places available to farm, cut timber, hunt, fish, hike and enjoy the beauty of our special part of Virginia.

Conservation easements can be used to accomplish these goals by limiting intensive development while keeping land in private hands and providing landowners with substantial tax benefits and even cash compensation. A conservation easement is a flexible and voluntary tool that lets you determine the legacy of your land. After reading this magazine, if a conservation easement seems like a natural fit for you, or if you just need more information to see if one might work for you, please call us at (540) 985-0000 or check out our website at [westernvirginalandtrust.org](http://westernvirginalandtrust.org). You can also attend one of the free evening landowner workshops in your area—see the schedule of events on page 6. **SOS**



Landowners featured  
in this issue

A conservation easement is a voluntary, deeded agreement that permanently protects land from subdivision and commercial development. If you've ever heard a friend, neighbor, or family member say they've "put their land into the land trust," they mean they've donated a conservation easement to an organization like the Western Virginia Land Trust. Why is it called a "donation?" It's because the IRS considers a conservation easement to be a charitable gift that you give to a land trust, just like a check you'd write for a child's FFA fundraiser or the volunteer fire department. The land trust that accepts the easement agrees to enforce the terms of the easement so that your wishes for your land are carried out—forever!

An easement protects your peace of mind by preserving the scenic, agricultural, natural or historic qualities of your land while improving your financial security through tax benefits and tax credit sales. Easements are:

**Voluntary:** Conservation easements are

completely voluntary and initiated by landowners who wish to forever protect and preserve the land they love.

**Private:** Conservation easements do not require public access, and landowners retain total control of who visits their property. You still own your land and can sell it, leave it to your heirs, or give it to someone else.

**Permanent:** Conservation easements permanently protect land. You decide what special elements of your land get preserved forever.

**Flexible:** Traditional rural land uses such as hunting, fishing, farming and forestry are very compatible with conservation easements. The agreements are as individual as the lands they protect and the people who own them.

**Financially Beneficial:** Donating a conservation easement can provide significant financial benefit to landowners and their heirs:

- Virginia state income tax credits, which can be sold
- Federal income tax deductions
- Estate tax reductions and exclusions
- Reduced property taxes

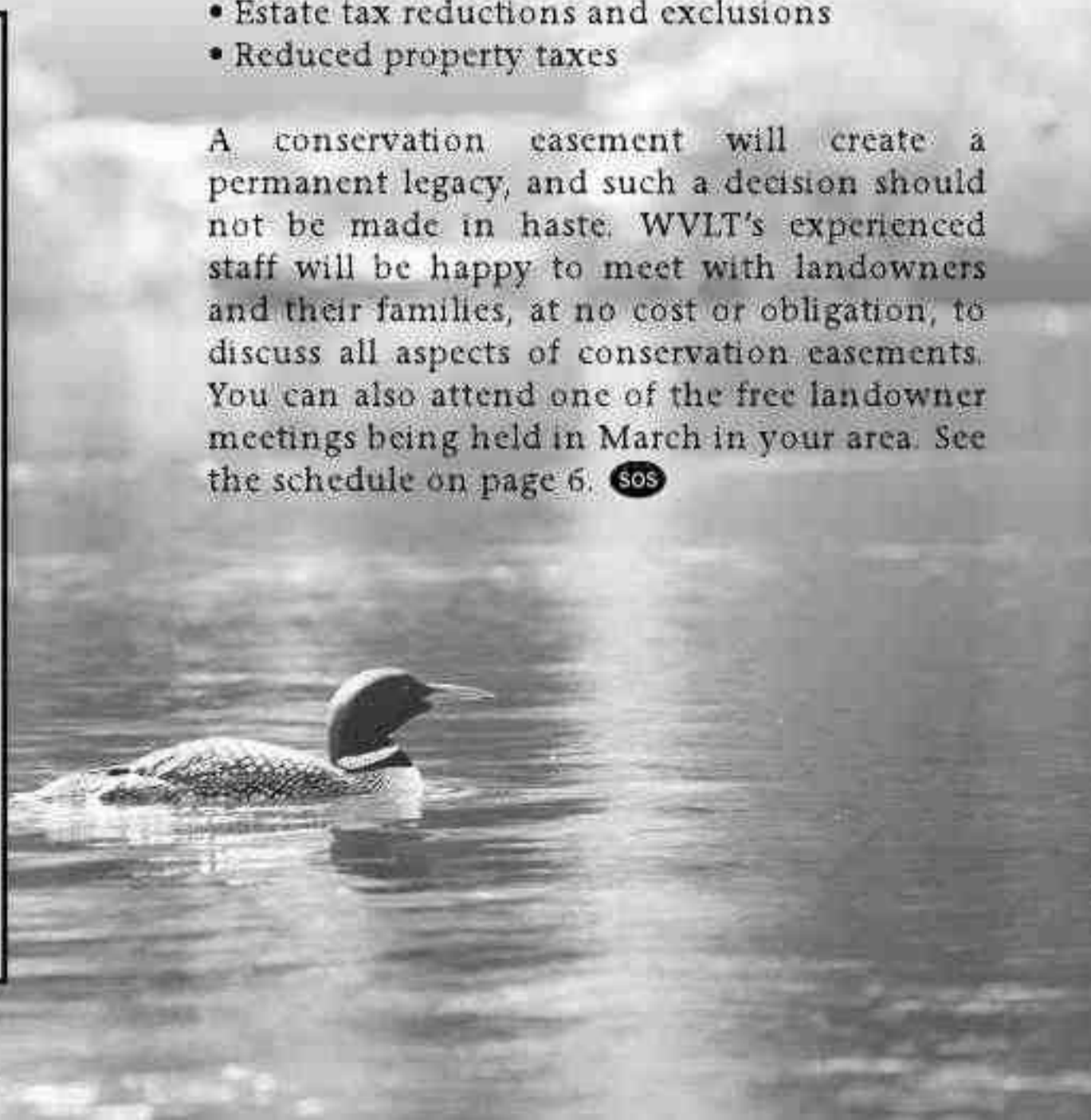
A conservation easement will create a permanent legacy, and such a decision should not be made in haste. WVLT's experienced staff will be happy to meet with landowners and their families, at no cost or obligation, to discuss all aspects of conservation easements. You can also attend one of the free landowner meetings being held in March in your area. See the schedule on page 6. **SOS**

## TESTIMONIAL




"I hope my example will encourage others to take similar action to add their support to preserve the beauty of the valley which surrounds us."  
-Ned Yost

*Ned donated a conservation easement to WVLT and the Virginia Outdoors Foundation to protect his historic McDonald's Mill property in Montgomery County.*



## 6 Spring Landowner Workshops


The Western Virginia Land Trust will hold a number of landowner workshops all across the WVLT service area this spring to help educate landowners on conservation easements. Each will be about an hour and a half in length and will be held at public meeting spaces such as schools or libraries. Interested landowners are encouraged to come out

and learn more about the latest news on conservation easements. There is no cost or obligation to attend. Each participant will receive a special landowner edition of *Saving Land in Western Virginia*, as well as the Land Trust's new DVD on conservation easements, *Your Land, Your Choices*. 

MARCH 2009						
1	2	3	4	5	6	7 Buchanan Blue Ridge Farm Center (John Deere Day) Saturday, March 7 1 pm
8 Daylight Savings Time begins	9	10	11 Martinsville Patrick Henry Community College Wednesday, March 11 • 7 pm	12 Rocky Mount Gereau Center Thursday, March 12 • 7 pm	13	14
15	16 Bedford Bedford Central Library Monday, March 16 • 7 pm	17 St. Patrick's Day	18	19 Stuart Patrick County Library Thursday, March 19 • 6:30 pm	20 First Day of Spring	21
22	23	24 Hillsville Carroll County Library Tuesday, March 24 • 7 pm	25	26 Floyd Floyd Co. Store Thursday, March 26 • 7 pm	27	28
29	30	31 Shawsville Meadowbrook Public Library Tuesday, March 31 6:30 pm				

## Saving Land Through Wills

Requiring a conservation easement to be placed on a property can be stipulated as a term of the landowner's will. Though this seems like an easy provision to make, it's critical that a knowledgeable attorney and the receiving land trust help craft such language. Conservation

easements granted through wills can help reduce or eliminate inheritance taxes, but do not provide any benefits to heirs through other federal or state tax incentives. Before considering this option, please contact WVLT for more resources. 

# Ten Steps to Completing a Conservation Easement

These are the typical steps involved in donating a conservation easement. The landowner can change his or her mind about the easement at any time until the easement deed is signed and recorded at the courthouse. While these steps show the typical procedure, there are some situations where the order of these steps varies. The process may take anywhere from a few months to more than a year to complete.

## *Step 1: Consideration of Easement*

Often the first step in completing an easement is a phone call to the Western Virginia Land Trust. The landowner and land trust staff discuss the landowner's goals, their wishes for their land, and potential easement holders. Afterwards, the landowner may consult with family and possibly an attorney or financial advisor.

## *Step 2: Site Visit*

Staff from the potential easement holder and the landowner meet and view the property. During this visit, staff analyzes the land's features and resources and works with the landowner and their attorney on easement terms that will meet the landowner's goals, protect the resources, and meet the standards of the easement holder.

## *Step 3: Preliminary Agreement*

At this point, the landowner and their attorney reach a preliminary agreement with the easement holder on the proposed terms of the easement, called a draft easement. If there is a mortgage, the landowner or their attorney contacts the lender to arrange for their agreement. The landowner can now contact an appraiser to schedule a timely appraisal of the property at a later date.

## *Step 4: Requirement for Title Opinion and Letter of Intent*

The landowner's attorney provides a preliminary 60-year title opinion ("certification of title" or "title report") to the easement holder. This is a search done at the courthouse to show that the landowner has clear title to the land. In addition, the landowner submits a letter to the easement holder stating a desire to donate the easement.

## *Step 5: Staff Research*

Staff completes research on the property, including obtaining information on zoning, potential inclusion of the property in various state plans, presence of endangered species, and other information. Staff also creates a variety of maps and obtains deeds and recorded plats of the property.

## *Step 6: Board Approval*

Each draft easement proposal must be approved by the easement holder's board of directors. The board may accept the draft easement, accept it subject to changes, or reject it. Following the meeting, staff will inform the landowner of the board's action. If the board conditions approval on modifications to the proposed terms of the easement, the landowner must consider and agree to the changes in order to proceed. Board approval does not obligate the landowner to complete the easement. The landowner may have a limited amount of time from the date of approval, such as two years for a Virginia Outdoors Foundation easement. However, if the landowner proposes a change in any terms of the easement that would

*continued on page 8*

## TESTIMONIAL



"I did a conservation easement because it's the right thing to do."

- Tom Kirlin

*Tom signed a conservation easement with the Western Virginia Land Trust and the Mountain Castles Soil and Water Conservation District on his property along Sinking Creek in Botetourt County.*

## 8 Ten Steps continued

result in a less restrictive easement than that approved previously, the easement will need to be reapproved by the board.

### *Step 7: Follow-up site visit*

Staff makes a return visit for documentation of the property, photographing key features and natural and open-space resources, as well as all structures and any areas of particular mention in the draft easement. Staff labels all photos and completes a photo point map showing all key property features, roads and structures.


### *Step 8: Baseline Documentation Report*

Staff details the features of the property at the time of the easement in a document called a Baseline Documentation Report (BDR). The BDR may include: a summary sheet, topographic map showing the boundary of the property, aerial map, county tax maps, available survey plats and photographs keyed to a map. The landowner reviews the information, then signs and returns an acknowledgment attesting to its accuracy.

### *Step 9: Finalizing Easement Draft*

The attorney for the landowner produces the final signature-ready easement and sends the final 60-year title opinion to the easement holder. The landowner then signs the easement. If there is a mortgage on the property, the lender will sign the easement as well. Then it is sent to the easement holder for recordation at the courthouse.

### *Step 10: Recordation*

The easement holder signs the easement and records it in the Clerk's Office of the County Circuit Court. A copy of the recorded easement is sent to the landowner and/or their attorney. 

## TESTIMONIAL



"When we're gone, we want our land to be used in a similar fashion. We hate to see land cut up, with houses all over in a nice rural community."  
- Debbie Bright

*Debbie and husband Larry donated a conservation easement on their Floyd County farm.*

# Virginia Outdoors Foundation

The Virginia Outdoors Foundation (VOF), WVLT's primary conservation partner, is a state foundation that holds most conservation easements in Virginia. Landowners who donate a conservation easement to VOF have the benefit of the state's resources and authority behind their easement. A VOF easement also provides an extra level of protection for the land from eminent domain takings. However, if an easement with VOF is not the best fit for you or your property, there are many other potential easement holders, including the Western Virginia Land Trust (see "What organizations can hold my conservation easement?" in Frequently Asked Questions on page 9). WVLT staff can help you find the best fit for your situation.

For more information on the Virginia Outdoors Foundation, visit:  
[virginiaoutdoorsfoundation.org](http://virginiaoutdoorsfoundation.org)  
or call their Blacksburg office at  
(540) 951-2822.



## **Will I still own my land after I do a conservation easement?**

Yes! The land is still yours, and you are free to sell it, give it away, or do most anything you want with it. What you've given up is the right to develop your land in ways that are forbidden by the easement.

## **Does a conservation easement give the public access to my land?**

No. You still decide who visits the property. You can welcome anyone you wish or post the property, just as you can today.

## **Can I still leave the land to my children?**

Yes. In fact, a conservation easement may reduce or eliminate inheritance taxes, and keep your heirs from having to sell the land to pay the taxes on it.

## **What if there is a mortgage on my land?**

You can still place a conservation easement on the property, but the lender must agree.

## **What size properties qualify for conservation easements?**

It depends. Some very small properties qualify for conservation easements if they protect an important resource, such as a wetland, a view from the Blue Ridge Parkway, or endangered species habitat.

## **Can I change my mind after calling about a conservation easement?**

Yes. Although conservation easements are permanent once you sign and record the agreement at the courthouse, you are free to change your mind at any point before then.

## **What organizations can hold my conservation easement?**

The Virginia Outdoors Foundation (VOF) holds most of the conservation easements in Virginia. The Western Virginia Land Trust also holds conservation easements. In addition, several other public and private

agencies may also hold easements, including:

- Any city or county government
- VA Dept of Forestry
- VA Dept of Conservation & Recreation
- VA Dept of Game and Inland Fisheries
- Ward Burton Wildlife Foundation
- Wild Turkey Federation
- Trout Unlimited
- Ducks Unlimited
- The Nature Conservancy

...and others. The staff at the Western Virginia Land Trust can help identify the best conservation easement holder for your property, based on your goals for your land, its size, current land use, natural resources that are present, and other factors. Because a conservation easement is permanent, finding the right easement holder is an important part of the process.

## **Why is it called "donating" a conservation easement?**

The IRS considers signing a conservation easement to be a charitable gift, just like you might make to a grandchild's school or a little league baseball team. What you're "giving away" are the rights to develop your land in certain ways, such as putting more than a certain number of houses on it, or subdividing it more than a certain number of times.

## **Is a conservation easement the same as "putting my land in the land trust?"**

Many people use these terms interchangeably, and they mean the same thing—signing a conservation easement with a local land trust.

## **What kind of expenses will I have when protecting my land with a conservation easement?**

There are costs associated with conservation easements. These will vary depending upon the property

involved and the complexity of your easement. Generally, you can expect to pay for a special appraisal of your property, as well as your attorney's and financial advisor's fees for reviewing your easement. For most people, these expenses will run in the range of \$5,000 to \$10,000. WVLT does not charge for its assistance, but if WVLT will be the holder of your easement, we require a one-time contribution to our endowment fund to help offset the costs of enforcing your easement forever (a mighty long time!). But remember, the financial benefits of an easement — often hundreds of thousands of dollars in saleable tax credits — far outweigh the up-front expenses. Additionally, the Virginia Outdoors Foundation manages a state fund that can assist landowners with direct conservation expenses with priority given to family farms and based on financial need.

## **How long does it take to complete a conservation easement?**

Usually a few months and sometimes a year or more. Don't panic—this doesn't mean months of hard work. Many landowners want to proceed slowly and deliberately with such a major decision, and there can be a wait between some of the steps in the process (see "Ten Steps to a Conservation Easement" on page 7).

## **How do I get started or find answers to more questions?**

Call WVLT at (540) 985-0000.

We'll provide confidential assistance with no pressure — just the facts to help you make the best choice for your family and your land. Remember we make no money from assisting you—just the satisfaction of helping local landowners make educated decisions. You can also see the schedule of spring landowner meetings on page 6 and attend one in your area. **SOS**

# 10 What's the Fine Print in a Conservation Easement?

Each agreement is unique, but all share some general starting points. Following is a summary of what's included in a sample easement. Remember, some points are negotiable as long as they serve a worthwhile conservation goal, and many landowners request more specific terms to craft a document that will meet their needs and protect some unique resource on their land. Keep in mind that conservation easements only restrict the specific activities mentioned in the document. If you don't see a right or an activity specifically restricted in the easement, you aren't giving it up.

**1. Division** - Usually, properties up to 100 acres will be preserved as undivided tracts, those between 100 and 200 may be divided once, and then one division is permitted for every additional hundred acres. Large tracts may also be preserved with no divisions, or fewer than the maximum allowed.

**2. Buildings and Structures** - Typically a maximum of one single-family home is permitted on each parcel, along with associated outbuildings such as garages, sheds, barns and other farm structures. Provisions for "secondary dwellings" such as cabins or guest cottages are frequently allowed, often with a limitation in size to 2000 sq. ft. If your easement allows you to divide your land, each parcel can contain a home and associated structures. Easements may also be drafted to preserve land with fewer or no buildings. And if your easement protects important views, such as Blue Ridge Parkway or Appalachian Trail overlooks, there may be further restrictions on where building can take place.

**3. Industrial or Commercial Activities** - Agriculture, forestry and equine activities are permitted, along with temporary outdoor activities that do not permanently change the appearance of your land, as well as indoor businesses within permitted buildings (house, barn, etc.). A wide range of agribusiness options are available, such as a winery that uses grapes grown on the property or a produce stand to sell what's grown

on the farm. Depending on the terms of your easement and your goals, certain commercial or industrial activities may be prohibited to protect the character of the land.

**4. Forest Management** - Timber harvests must include best management practices (BMP's) to control erosion and protect water quality, and a forest management plan is required before commercial timbering begins. Logging provisions can specify management plans to protect scenic forests, animal habitat, or other specific resources, and personal uses such as firewood cutting are not restricted.

**5. Trash** - There are no restrictions against brush piles, composting, farm machinery storage or other agriculture or wildlife management practices, but large amounts trash, refuse or junk will not be permitted on your land. You will not be responsible for cleaning trash brought in by floodwaters or other situations beyond your control.

**6. Signs** - You can still post your land and have signs to show your address, advertise the sale or lease of your land or goods or services produced there or direct visitors, but billboards and other large signs are not permitted. No sign can be larger than nine square feet.


**7. Grading, Blasting, Mining** - You can still construct private roads and utilities to serve permitted structures. Farm roads and ponds are also allowed, but mining and other earth removal is prohibited. This does not in any way restrict cultivation.

**8. Inspection** - The easement holder may visit your property annually after giving reasonable notice. Inspections only deal with the terms specified in the easement — things that are simple and obvious to monitor.

**9. Notification** - You or your estate will need to notify the easement holder within 60 days of any transfer or sale of the land,

so the easement holder can contact the new owners.

**10. Enforcement** - When you sign a conservation easement, the easement holder has the obligation to enforce its terms to protect your property. If there are violations of the easement at any time in the future, they must be stopped and corrected and, if need be, enforced in a court of law.

Essentially, easement terms assure that your land will always stay pretty much the way it is now. The only rights you give up are those specifically listed in your easement. If your general goal is to preserve your land but you don't like a specific provision listed above, don't assume that an easement can't work. When a landowner and a land trust have mutual goals to protect the land, easement terms can often be arranged to preserve what is special about the property as well as meet the owner's unique needs and circumstances. 

## TESTIMONIAL

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"We are honored to work with the Land Trust to preserve the environment for the future and for those citizens downstream. What a fine organization. They don't just talk about the environment. They do something about it."  
- Sky Preece

*Sky signed a conservation easement with WVLT and the Mountain Castles Soil and Water Conservation District to protect creek frontage and wetlands on his Botetourt County land.*

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Providing complete conservation easement services:

- Free consultation and educational materials
- Referrals to experienced legal, tax and appraisal professionals
- Advance Funding program to front costs of conservation easements
- Coordination of entire process of completing conservation easement and registering and marketing land preservation tax credits

[www.conservationpartnersllc.com](http://www.conservationpartnersllc.com)

13 Court House Square  
Lexington, VA 24450  
540-464-1899

# 12 Cash for Conservation

## Virginia tax credit sales offer landowners new options

The primary reason landowners donate conservation easements is to preserve some natural, scenic, agricultural or historic resource of their land forever. Many want to establish a legacy for their children and grandchildren. Most value the peace of mind from knowing that their land will always be protected from development. However, landowners can't ignore the value of their property. For many rural landowners, real estate is their primary asset and permanent reduction in its value can't be taken lightly. Fortunately, there are many financial benefits to donating conservation easements. Remember, the IRS considers a conservation easement to be a charitable gift because you're giving the ability to do certain things with your land—and that has a value! A certified appraiser must determine an easement's value (the basis of all tax advantages) by showing the difference between what land is worth before being conserved and what it's worth after being placed under easement. For example, if a \$500,000 farm were worth \$300,000 if the owner gives up the right to turn it into a subdivision, the easement value would be \$200,000.

### 1. State Tax Credit

Virginia offers easement donors a tax credit worth 40% of their easement value. This credit can be applied against state income tax for up to ten years. (Using our example above, 40% of \$200,000 equals \$80,000 in tax credits.) As a result, many easement donors won't have to pay state income tax for ten years. However, even after eliminating state taxes for ten years, many easement donors would have

to leave significant tax credit value unused. Since 2003, the unused tax credit can be sold. Any owner of Virginia land who donates land or an easement for conservation purposes is entitled to a tax credit worth 40% of their gift. Any portion of the tax credit may be sold or given to other Virginia taxpayers. This credit may even be sold by out-of-state residents who donate conservation easements on Virginia property. WVLT is not directly involved in the sale of conservation tax credits, but can provide a list of brokers upon request. Prospective easement donors should also consult their own financial and legal advisors.

### 2. Federal Income Tax Deduction

The donation of an easement is treated as a special charitable gift and the value of the easement may be deducted from the donor's income for purposes of calculating income taxes. Landowners may claim a deduction of 50% of their adjusted gross income (AGI) in the year the donation is given, and the unused portion of the gift may be carried forward to be used as a deduction for up to an additional fifteen years, subject to the 50% limit each year. The deduction may not be transferred. In addition to the 50% deductibility, all easement donors who make over 50% of their income from agricultural production in the year of the gift may be able to deduct 100% of their income from income taxes. Congress has extended this deduction through Dec. 31, 2009.

### 3. Estate Tax Reduction

Estate taxes often surprise heirs as land values increase. In some cases, a landowner's heirs must sell the property just to pay estate taxes. By donating an easement, landowners can reduce these taxes in two ways: First, the estate will have been reduced by the value of the

easement (smaller estate value means less — or perhaps no — estate tax due). Second, heirs may exclude up to an additional 40% of the remaining value of their land from estate taxes up to \$500,000.

### 4. Reduced Real Estate Taxes

The Code of Virginia requires local jurisdictions to assess land protected by a conservation easement only for the value of its permitted uses. In other words, if your land values are going up due to residential subdivisions, your land assessments should not go up if an easement prevents such use. In addition, if your county offers land-use taxation, a conservation easement guarantees that your property qualifies. If you now qualify for land-use taxation, a conservation easement probably won't make any more difference in your real estate tax bill today. But as times and land values change, it could mean big savings in the future. **505**

### TESTIMONIAL



"My husband and I count ourselves as fortunate to have made a small contribution to the future and to have maintained one more permanent view from the Blue Ridge Parkway."  
- Jeanne Martin

*Jeanne and husband Robert signed conservation easements with the Western Virginia Land Trust, the Virginia Outdoors Foundation, and the Blue Ridge Soil and Water Conservation District to protect their property along the Parkway in Franklin County.*

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## Attorney and CPA Workshops


The Western Virginia Land Trust will hold three continuing education workshops for area attorneys, CPAs, and other interested professionals in May of 2009. The workshops, entitled Conservation Easements: What You and Your Clients Need to Know, will cover the basics of conservation easements including legal and financial aspects and the appraisal process. CLE credit will be awarded and each participant will receive a course notebook and certificate of completion. The cost is \$79 per person, and everyone must preregister by May 15. Presenters include attorneys Robert Lambeth and Stephen Lemon, CPA Fulton Galer, and appraiser Sam Long. Course dates and times are as follows:

Date	Location	Time
Tuesday, May 19	Forest Library, Forest	9 am – 12 pm
Wednesday, May 20	Roanoke Higher Ed Center, Rm 408	9 am – 12 pm
Thursday, May 21	Patrick Henry Com College West Hall 127, Martinsville, VA	1-4 pm

You can register online at [www.westernvirginialandtrust.org](http://www.westernvirginialandtrust.org). To request a mail-in registration brochure, call the Land Trust at (540) 985-0000 or e-mail [dperry@westernvirginialandtrust.org](mailto:dperry@westernvirginialandtrust.org). 

## Scenic Virginia Honors WVLT, Outdoors Foundation, City of Roanoke

Scenic Virginia gave its annual watershed protection award to the City of Roanoke, the Western Virginia Land Trust, and the Virginia Outdoors Foundation on Nov. 13, 2008 for their joint effort in protecting Carvins Cove Natural Reserve.


Scenic Virginia Trustee Lucille Miller presented the partnership with the organization's "Scenic Water Corridor Preservation Award" for the group's record-setting conservation easement in Carvins Cove, which permanently protects 6,185 acres of land from development, as well as 14 miles of scenic views from the Appalachian Trail. This was the third time in five years that Scenic Virginia has recognized the Land Trust for its conservation efforts. 



The Carvins Cove partners receive their award from Scenic Virginia

## Hollins Students Intern with Land Trust

Two Hollins University students spent their "J-term" or January mini-session interning with the Western Virginia Land Trust. Meagan Cupka, a sophomore environmental studies major from Roanoke, and Caroline Walz, a junior biology major from Richmond, helped with monitoring the Land Trust's 30-plus conservation easements, in addition to assisting with record-keeping, fundraising, and other duties.

Hollins University has been a great source of volunteer help over the years, with two other Hollins students interning in previous years and several students and faculty helping with a WVLT tree planting project at Camp Easter Seals on Craig's Creek. "We've been very impressed with all the Hollins students, especially Meagan and Caroline," said WVLT Project Manager David Perry. "They've all been bright and highly motivated." 



Roger Holnback (left) works with Caroline Walz and Meagan Cupka in Craig County.



# Norton Easement Completes 6-year Conservation Effort 15

## Family easement expands protected area along Blue Ridge Parkway

by George Kegley

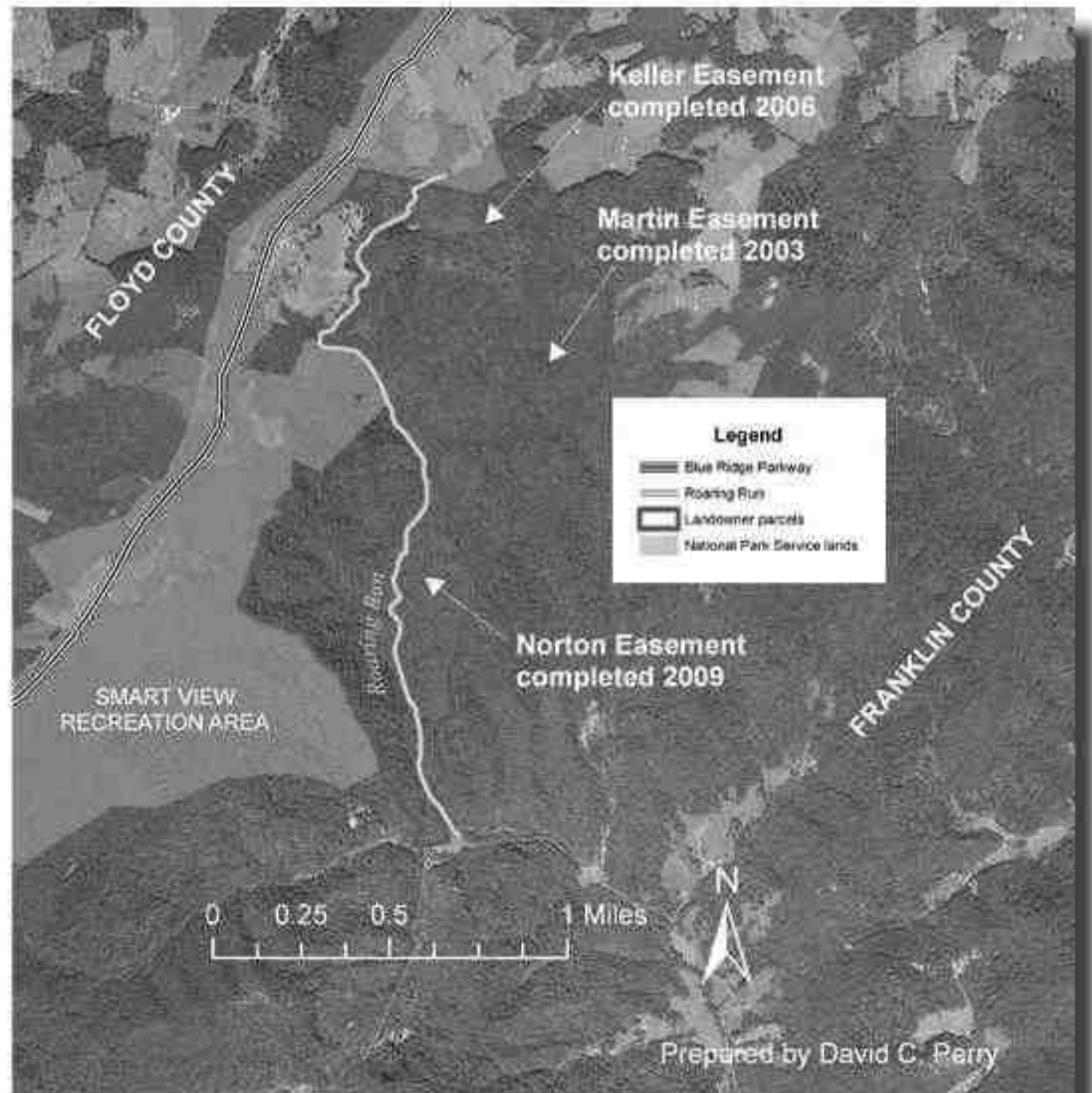
In January, Jack Norton and his family placed a riparian conservation easement on a mile and a half of Roaring Run, a good trout stream below Smart View on the Blue Ridge Parkway in Franklin County. The easement protects the stream, running through property the Norton family has owned for more than 30 years.

Roaring Run flows down from Walnut Knob and Brushy Knob into Rennet Bag Creek and on into Philpott Lake. Jack, who works with auto dealers to place their car inventories online for prospective buyers, loves to throw in a line for native trout, but he always puts them back.

The Nortons' easement is the culmination of more than six years of conservation efforts by the Western Virginia Land Trust on Roaring Run. WVLT worked with upstream landowners Tom Keller and Robert and Jeanne Martin to protect the headwaters of the stream from 2003 to 2006. The Nortons' easement now protects the remaining length of Roaring Run from its headwaters to its confluence with Rennet Bag Creek.


Hank Norton, Jack's father, bought the wooded hillside tract of 212 acres while he was football coach and athletic director at Ferrum College for 34 years. The older Norton retired to Deltaville in eastern Virginia and the property is now owned by Jack, his brother Will and two cousins, Frank and Carter.

The easement on 19.5 acres of stream frontage is co-held by the Western Virginia Land Trust and the Blue Ridge Soil and Water Conservation District. As with all conservation easements, the Nortons still own the land and control access to it. The easement prevents timbering along the creek bottom, but allows the Nortons to fish, hunt, maintain existing trails and do all the things they love.



WVLT's Roaring Run project area

Jack, his wife, Kristi, son Jackson and daughter Summer, enjoy fishing and camping on the family woodland. Jackson loves the outdoors and he's learning to catch trout. Summer is a camper. Hopefully, the children will enjoy the protected stream on into the future, Jack said.

This project received funds from the Water Quality Improvement Act through the Department of Conservation and Recreation. 

WVLT Project Manager, David Perry, talks with landowners in Carroll County

## Workshops for Landowners Offered

The Western Virginia Land Trust will offer workshops for local landowners this spring to share ideas on ways to protect and pass on family lands. For more information on the workshop in your area, see the schedule below or read the full story on page 6. **50¢**

Town	Location	Date	Time
Ruchanan	Elko Ridge Farm Center (John Deere Day)	Saturday, March 7	1 pm
Martinsville	Patrick Henry Community College	Wednesday, March 11	7 pm
Rocky Mount	Goreau Center	Thursday, March 12	7 pm
Bedford	Bedford Central Library	Monday, March 16	7 pm
Stuart	Patrick County Library	Thursday, March 19	6:30 pm
Hillsville	Carroll County Library	Tuesday, March 24	7 pm
Floyd	Floyd County Store	Thursday, March 26	7 pm
Stuartsville	Meadowbrook Public Library	Tuesday, March 31	6:30 pm



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