

Why Conserve?

We all have that something special that connects us with our natural lands. For some, it is a favorite trail in a forest. For others, it is the beauty and wonder of a heron nesting in our wetlands. For many, it is the beauty of Delaware's natural lands that reminds us of home.

First State residents have the opportunity to act as stewards of our natural legacy, and preserve the places each of us holds dear.

This guide presents the many options available to landowners who want to leave a legacy of conservation and preservation of Delaware's natural lands for future generations.



Disclaimer

This pamphlet serves only as a general guide to a landowner's options. Please contact the Land Preservation Office to further discuss how you can create a lasting impact on the beauty of our state. Always take time and consult an attorney or tax professional before making any lasting decisions.

Contact information:

**Delaware Department of Natural
Resources and Environmental Control
Division of Parks and Recreation
Land Preservation Office
89 Kings Highway
Dover, Delaware 19901
Phone: (302) 739-9235**



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PARKS**
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Protecting our Natural Landscapes

Conservation Options for Landowners in the First State



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Sale

Conservation agencies often have limited funds. Any purchase of land must align with larger conservation portfolios and goals.

Fair Market Sale

Landowners receive the full appraised value for their land. This usually results in a high capital gains tax.

Bargain Sale

By selling to an agency at below Fair Market Value, landowners are able to claim the difference between the appraised value and the sale value as a charitable donation.



Installment Sale

To avoid the capital gains tax, a landowner may choose to sell portions of land to an agency over a period of time.

An agency may not be able to purchase a property presently but may want the option to buy it in the future. The landowner and agency can agree to a Right of First Refusal. This option provides the agency with the opportunity to match any offer for the agreed-upon land.

Donation

The simplest way to preserve your land is to make an outright donation to a conservation agency. This results in no cost to the agency. An outright donation is not feasible for everyone. Other forms of donations are also available to landowners.

An Endowment is encouraged with any sale or donation of land. Many agencies will earmark the gift for management of that specific property.

The highest form of preservation is dedication as a State Nature Preserve. This prestigious ceremony is used to conserve unique and significant parts of natural Delaware for the benefit of the people. Some families have used this option to honor the memory of loved ones or preserve a family's name in connection to the land.

Conservation Easement

Conservation easements are an agreement between a landowner and a conservation agency that protects all, or part of, their land in perpetuity. The agreement takes the form of restrictions aimed at preserving the characteristics of the land: its natural or scenic landscape, its historic significance or its open space value. Enforcement of these restrictions falls to the conservation agency.

Benefits:

- You maintain ownership of the land and have the choice regarding public access.
- You may receive a payment in exchange for establishing an easement.
- You may be able to count any reduction in land value as a charitable donation on your income tax returns.

