

## Ontario Land Trust (OLT) – Generic Sample Template

### Property Securement Process – Checklist for Projects

*(Checklist applies to most projects but the order of steps can be variable)*

1. Land Trust becomes aware of a securement opportunity
2. Letter of Intent is obtained in writing from property owner
3. Project budget is developed for the property securement
4. Project fundraising is forecasted from targeted sources
5. Securement opportunity is brought to the attention of Land Securement and Stewardship Committee (the “Committee”) for technical review and support
  - The Committee examines opportunity within the context and criteria for property eligibility, defined priorities, funding sources and staff resources
6. The Committee recommends project to Board of Directors for initial approval to proceed with property investigations and landowner negotiations. Note: Formal Board approval of a project is in two steps: (1) initial approval for the negotiation process to begin AND (2) final approval for the negotiated results prior to legal registration. Initial and final approvals from the Board may be combined where appropriate to expedite projects that have priority and urgency
7. Property owner contacted by the Land Trust and negotiations proceed
8. Fundraising actions are ongoing as the other securement steps continue
9. Property site assessment - Ecological Sensitivity Evaluation completed by a professional from site visits and other sources
10. Environmental audits are completed as may be required
11. Land Trust assessment form, including long term stewardship planning, and provisions for perpetual care (e.g. habitat restoration, maintenance, inspection and compliance management), prepared by the Stewardship Manager
12. Interim Baseline Report prepared by a professional biologist
13. Draft Agreement preparation (with the donor and legal advice)
  - Donor has opportunity to engage legal representation
  - Survey or plans identifying easement areas and restrictive zones
  - Future land use and management plan are determined
  - Estimate of long term stewardship costs and request for donation
  - Confirm owner is fully aware of all financial and tax implications
  - Draft Agreement using current template for restrictive covenants
  - Project submission for Ecological Gift and tax receipt approval
  - Committee of Adjustment approval, if part of holding

14. Lawyer engaged to complete the title search for property and review contents of the draft Conservation Easement Agreement (CEA)
15. Finalize terms of Conservation Agreement with property owner
16. Property appraisal is conducted by a certified land appraiser describing before and after valuations related to the Agreement
  - With respect to properties donated under the Eco-Gifts program, land evaluations (property appraisals) require formal approval by the program's Appraisal Review Panel to support tax receipt
17. The Committee recommends the final approval for securement to the Board of Directors to authorize property closing and land registration. Final approval may be expedited if there is urgency and Eco-Gifts approvals are not required
18. Closing and land registration
  - Registration of easement on title completed by a lawyer
19. Liability and property insurance formally updated
20. G.S.T. status of exemption determined
21. Income Tax receipt issued to land donor
22. Publicity announcing property securement
23. Archival Baseline Report prepared by a professional biologist
24. Donor recognition ceremony organized
25. Payment of taxes (if owned by the Land Trust)
  - Taxes to be reduced or fully exempted – assessment appeal may be necessary under Conservation Land Tax Incentive Program, Managed Forest Incentive Program or Agricultural Tax Incentive Program
26. Signage and public access control implemented
27. Annual monitoring of the Registered Agreement
28. Ongoing stewardship projects as needed or planned
29. Routine communications with the landowner/donor
30. Review of all proposals for any proposed change of use