

Binding Donors & Future Landowners to Present Promises

September 22, 2011
National Christian Conference Center
Valley Forge, PA (Chester County)

“If you miss PALTA’s seminar, you’re leaving money on the table. Use it all or just a piece -- there is something for everyone.”

**Part I.
Pledges & Donation
Agreements**

**Part II.
Stewardship Fees**

Agenda

Attend one or both parts

Registration: 8:30 a.m. - 9:00 am

Part I: 9:00 am – 11:30 am

Lunch: 11:30 am – 12:30 pm

Part II: 12:30 pm - 3:30 pm

Part I.

Pledges and Donation Agreements: Obtaining Commitments for Conservation Projects

A conservation organization may ask a donor to pledge an annual contribution or special gift with the understanding that, if the donor cannot or will not pay, the conservation organization will not press the issue. But when an organization looks at investing substantial time and resources into a project and needs to recover its costs, the situation is different. The organization may need reasonable assurance that a donor or donors are seriously committed to investing in the project. Before investing time and money in a prospective project, a conservation organization may want the prospective donor’s promise to donate cash, land, easements, services, stocks or other valuables to be legally binding. However, donors may fear that a legally binding obligation will nullify the wholly voluntary nature of their gift, thereby eliminating the possibility of receiving a federal income tax deduction for making a charitable contribution.

This seminar offers suggestions on practical ways to address the concerns of both conservation organizations and the donors. The seminar also offers approaches to ensure that there is a meeting of minds between donees and donors and to minimize the potential for misunderstandings. Attendees will review the Pennsylvania Land Trust Association’s *Model Donation Memorandum and Commentary*, which can be tailored to a variety of circumstances

Part II.

Stewardship Fees:

Binding Future Owners to Present Promises

If a landowner lacks the means or is unwilling to make the cash contribution necessary to fully support the long-term stewardship of an eased property at the time of the easement’s creation, what are a land trust’s reasonable options to ensure that such a contribution will be made by the landowner or future owners at a later date? What are the issues, opportunities and risks that need to be considered? If a land trust wants to collect fees triggered by future events (for example, subdivision or transfer of a property) what approaches are available to ensure that landowners pay the fees and do so promptly? What are the tradeoffs between maximizing potential revenue, enforceability, flexibility and ease of administration?

The seminar will explore these questions and offer practical answers. The presenters will engage attendees in a robust review of current research and analysis of this topic. Attendees will leave the seminar broadly informed on the approaches land trusts may take to obtain conservation funding commitments from landowners entering into conservation easements – commitments that may have to be fulfilled by either the present or future landowners. Attendees may also carry away ideas for better supporting previously under-funded stewardship obligations.

The Pennsylvania Land Trust Association has published the guide *Stewardship Fees: Binding Future Owners to Present Promises* as well as the *Model Conservation Funding Covenant and Commentary*. The presenters will review these materials as part of the seminar.

**This course qualifies for 5.5 Continuing
Legal Education (CLE) credits.**

“This seminar provided practical examples, lively presentations and answered all of our questions.”

Pledges and Donation Agreements: Obtaining Commitments for Conservation Projects was rated a 4.79 out of 5 overall by Pennsylvania Land Conservation Conference attendees.

“Pat and Andy-regardless of the subject matter always provide a comprehensive, information-filled session that is never long enough. Totally enjoyable, thought provoking and interactive.”

Stewardship Fees: Binding Future Owners to Present Promises was rated a 4.83 out of 5 overall by Pennsylvania Land Conservation Conference attendees; 83 of 84 Rally 2010 attendees recommended the program to future audiences.



GPS and/or Mapquest address:
1485 Valley Forge Road
Phoenixville, Pa 19460

Directions also available at nc3.org

About the Speakers



Patricia Pregmon, Esq. is the founding partner of Pregmon Law Offices, which concentrates its practice on assisting landowners, land trusts and governments to plan, implement and fund conservation projects. She has prepared an extensive collection of educational and research materials available at ConservationTools.org. Pat has helped to implement more than 500 conservation projects protecting thousands of acres in Pennsylvania, New Jersey and Maryland. She is a graduate of the University of Pennsylvania (A.B. Magna cum Laude), Bryn Mawr College (M.A.) and Villanova University (J.D.)



Andy Loza has 21 years experience in conservation, land use planning, development and public policy. Since 2000, he has served as executive director of the Pennsylvania Land Trust Association. In addition to leading public policy initiatives, his work includes delivery of technical assistance and development of technical guidance including ConservationTools.org. Previously he served as a land trust executive director; led conservation, planning and development initiatives for county government; and consulted on environmental policy.

This seminar is presented by the Pennsylvania Land Trust Association with support from the Pennsylvania Department of Conservation and Natural Resources/ Bureau of Recreation and Conservation Growing Greener Program and the William Penn Foundation.

Registration Form

Registration fee is \$80.00 (includes lunch). You may choose to attend all or a portion of the seminar - please indicate your preference below.

Register one person from your organization and receive half off for each additional registration submitted.

First Name _____ Last Name _____

Title _____

Org _____

Relationship to Org _____ Email _____

Address _____

City _____ Zip _____ Phone (____) _____

- I plan to attend:
- ☐ Part I: Pledges and Donation Agreements
 - ☐ Lunch
 - ☐ Part II. Stewardship Fees

- I require lodging:
- ☐ Single Occupancy (\$70.00)
 - ☐ Double Occupancy (\$55.00 per person)
- Please specify roommate: _____
- ☐ Triple Occupancy (\$50.00 per person)
- Please specify roommates: _____



Dietary Restrictions:

Please make checks payable to PALTA and send to:

Pennsylvania Land Trust Association
Seminar Registration
105 Locust Street, Suite 300
Harrisburg, PA 17101

Registration Fee	\$ 80
Lodging Fee	\$____
Late Fee - after 8/22/2011 (\$15)	\$____
CLE Fee (\$25)	\$____
TOTAL	\$____

In order to avoid late fees, please postmark your form by 8/22/2011.