

APPENDIX E-3
ENGAGEMENT LETTER TEMPLATE
BARGAIN SALE OF CONSERVATION EASEMENT

Date _____

Dear _____:

Thank you for your interest in selling a conservation easement on your property at a reduced price to The Prairie Enthusiasts, Inc. (TPE). We look forward to working with you on your project and helping you accomplish your goal of protecting your property for future generations.

We would like to explain to you the process for completing this project.

TPE has appointed a project manager to work with you on this. The project manager is _____ . The contact information for the project manager is:

Telephone: _____
E-mail: _____
Address: _____

There are costs you will incur with the project that you should be aware of. TPE recommends you have attorney representation. TPE is unable to provide you with any legal or tax advice. For this type of advice you should rely on your own attorney and accountant. If you wish to pursue a potential tax deduction for the reduced amount of the conservation easement, you will need to have an appraisal conducted as specified below. If there is not a valid survey of the property, you may need to have a survey conducted. You will also be asked to contribute to TPE's conservation easement monitoring and defense funds. Without sufficient funds set aside it will not be possible for TPE to monitor and defend the conservation easement from any violations in the future.

If you wish to proceed with a sale of a conservation easement at a reduced price, the local chapter of TPE will prepare a project proposal to be presented to TPE's Land Protection Committee. The Committee will determine whether this project meets the required criteria for TPE to take on the project. If the Land Protection Committee finds that your project does meet the criteria it will refer the project to the full TPE Board to get preliminary approval. Once preliminary approval has been given we can begin taking the steps necessary to accomplish the transfer.

The project manager will commission a title report and work with our attorney to prepare a conservation easement document and a baseline documentation report in cooperation with you. Once a draft has been prepared we recommend you have an attorney review the documents on

your behalf. The project manager will then order an appraisal to determine the value of the conservation easement. The project manager will then work with an attorney to prepare an option to purchase the conservation easement at a reduced price which will be signed by both parties. Once the option is signed TPE will pursue funding for the conservation easement. Once the funding is secured, the conservation easement documents will be finalized and approved by both your and our attorneys. Once a pledge is made to the conservation easement monitoring and defense funds, the final conservation easement documents will be taken before the Land Protection Committee for final review. If the Land Protection Committee finds that the project is ready to be closed, it will be referred to the full Board of Directors for final approval. Once this approval has been granted we can schedule a time to sign and record the conservation easement and your goal of long term preservation will have been accomplished.

TPE cannot guarantee any potential tax deduction value. You will need to commission an appraisal to determine the value of the reduced purchase price of the conservation easement if you intend to claim a tax deduction for this donation. The appraisal must meet the Internal Revenue Code 170(h) and must be done by an appraiser who follows Uniform Standards of Professional Appraisal Practice. The appraisal must be done within 60 days of when TPE accepts the donation of your property. TPE will request a copy of the appraisal and will not knowingly participate in the project if we have significant concerns about the tax deduction.

Thank you for your interest in selling a conservation easement on your property to TPE. We look forward to working with you to complete your project. Feel free to contact me if you have any questions.

Very truly yours,

Name
TPE Land Protection Committee