

ANDROSCOGGIN LAND TRUST
AMENDMENT POLICY

It is the policy of Androscoggin Land Trust not to amend conservation easements unless there are exceptional circumstances. Amendments are allowed only by Holder approval. Any proposed amendment to a conservation easement will be reviewed by the Stewardship Committee, a qualified attorney engaged by the Land Trust, and the Board. The Board may grant an amendment to a conservation easement only if both of these conditions are met:

A. There is not a net loss in the financial value of the original conservation easement nor does the amendment result in private inurement or impermissible private benefit;

And

B. at least one of the following conditions results from acceptance of the amendment:

- there is a net gain in the conservation values protected by the original conservation easement; or
- there is a neutral impact on the conservation values protected by the original conservation easement and the amendment facilitates administration of the easement; or
- there is a neutral impact on the conservation values protected by the original conservation easement and the amendment is deemed necessary by the land trust to clarify easement language or to correct an administrative error.

All costs of an amendment incurred by the Land Trust, including legal review, staff time, appraisals, ecological evaluations, baseline data, and other expenses, will be paid by the land owner requesting the amendment, regardless of whether or not the amendment is granted. An exception to this would be an amendment of net gain in conservation value or a neutral impact amendment initiated by the land trust to facilitate administration. In this case the land trust would pay its own costs.

Adopted by Board: May 10, 2012
Amended: