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**Conservation Easement Transaction Process**

1. Landowner submits completed Project Application to El Rio Reyes.

2. Conservation Committee reviews Project Applications monthly. Projects are reviewed  
against El Rio Reyes’ criteria and conservation plan.

a. Projects approved by Conservation Committee are recommended to the El Rio Reyes Board on several priority (Tier) levels (go to Step 3).  
b. Projects that meet most of El Rio Reyes’ criteria but do not qualify as a priority tier are put on hold for further evaluation, change in funding environment, or to seek partnership with another land trust.  
c. Projects that do not meet El Rio Reyes’ criteria – staff notifies landowner(s).  
d. More information needed – staff follows up with landowner(s) and project is reviewed at future Conservation Committee meeting.

3. Board reviews applications approved by the Conservation Committee.

a. El Rio Reyes’ projects – board will select based on likelihood of funding (go to Step 4). Staff requests exclusive agreement in the form of a Memorandum of Understanding (MOU). Landowner advised to obtain own legal/financial counsel.  
b. Partnership projects – board will prioritize projects and contact potential partner(s).  
Staff requests exclusive agreement. Landowner advised to obtain own legal/financial counsel.  
c. Mitigation projects – board will approve pending meeting with landowner if application filed by developer. Staff requests $5000 from developer. Landowner advised to obtain own legal/financial counsel.

4. El Rio Reyes staff and/or director make an on-site visit to the property. During this visit, El Rio Reyes will also meet with all identified owners of the property and their family members to ensure that all are committed to the project. The owner(s) will select a contact person to work with El Rio Reyes.

5. El Rio Reyes and/or landowner obtain preliminary title report, preliminary appraisal, information on mineral rights and any other relevant documentation.

6. El Rio Reyes identifies potential funding sources. If funding not apparent, project is held pending identification of funding.

7. El Rio Reyes enters into Exclusive Agreement with the landowner to purchase the easement. On partnership projects, El Rio Reyes also enters into a Memorandum of Understanding with the project partner(s).

8. Once preliminary funding identified and conditionally obtained, El Rio Reyes, landowner, and potential funders review El Rio Reyes form conservation easement and negotiate any changes necessary to meet landowner's intent and funding requirements. El Rio Reyes will have easement reviewed by attorney. Following agreement on draft, the document will be provided to the appraiser for completion of final appraisal.

9. El Rio Reyes and landowner enter into option agreement to acquire the conservation easement pending final approval of the funding, and a contribution agreement for payment of the monitoring endowment, cost recovery and landowner contribution.

10. El Rio Reyes and/or landowner obtain hazardous materials phase 1 assessment. If landowner does not own surface mineral rights, a geologist's report is also obtained.  
  
11. Preliminary title report is updated and reviewed. All monetary liens must be released or subordinated to the conservation easement prior to closing the easement transaction.

12. El Rio Reyes finalizes fundraising. Acquisition funds obtained.

13. El Rio Reyes obtains present conditions report, which is prepared in cooperation with landowner. El Rio Reyes and landowner approve report.

14. Project is presented to El Rio Reyes board for final approval, and authority for board president to sign conservation easement and other closing documents

15. Easement is purchased (or donated) and recorded. Monitoring endowment, cost recovery and landowner contribution are paid to El Rio Reyes.

16. Project dedication and publicity.

17. Annual monitoring commences the year following the recording of the easement. If required, sign is ordered and posted.