



Guidelines for Assigning a GOCO-Funded Conservation Easement

[The term “Assignor” refers to the original holder of the easement; the term “Assignee” refers to the proposed new holder of the easement.]

Assignments of conservation easements must comply with that particular easement’s terms on assignment. Any request to transfer an easement must be in writing, must describe the reasons for the transfer and must contain the following elements.

The Assignor must:

- provide to GOCO a written statement that it has given (or will give) to the Assignee any relevant due diligence documents associated with the original easement grant, including (but not necessarily limited to) the appraisal, recorded easement, and baseline report;
- inform the Assignee and GOCO of any pending or suspected violations of the easement and any other information relevant to the Assignee’s monitoring and enforcement of the easement;
- transfer to the Assignee any funds GOCO contributed to the stewardship endowment or return those funds to GOCO¹;
- in consultation with Assignee, provide a draft assignment document. (A sample assignment document is included.)

The Assignee must:

- provide a written and signed statement that it is willing to assume the responsibilities imposed by the easement;
- submit a stewardship/monitoring plan including a calculation of the stewardship endowment.

Process for Requesting an Assignment:

The easement may contain a certain time frame for submitting a request to GOCO for assignment (e.g., 45 days before closing the assignment transaction). If the easement contains no such time frame, submit the request for assignment at least 45 days before the assignment transaction is to occur. Be sure to include each of the elements listed above.

GOCO will analyze the request and will ask any follow-up questions it deems relevant. If GOCO agrees to the assignment, it will provide its written approval. No assignment transaction is effective until (a)

¹ Assignor must return stewardship funds to GOCO if Assignee demonstrates that it doesn’t need the stewardship funds and can properly monitor the easement with existing resources.

GOCO has first approved of it in writing and (b) then an assignment document is recorded in the county/counties in which the property is located.

Amendment as Part of an Assignment:

If the Assignee wishes to amend the easement after it is assigned, any amendment must comply with GOCO's "Guidelines for Amending Conservation Easements".