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## Preservation Easement Process

**1. Initial Consultation.** Following an initial telephone/email inquiry, Maine Preservation staff schedules a site visit to assess the property's condition and discuss the donor's preservation goals. A sample preservation easement agreement will be provided. There is no fee with the initial site visit unless the property owner requests expedited service.

**2. Application.** A prospective easement donor is asked to complete and return Maine Preservation's Preservation Easement Application along with a \$500 non-refundable application fee. The fee includes a one-year membership to Maine Preservation and is applied to the easement stewardship contribution fee if an easement is executed.

**3. Easement Review.** Staff submits the application with recommendations to Maine Preservation's Real Estate Subcommittee. The subcommittee reviews the application and determines eligibility for a preservation easement donation. The subcommittee authorizes staff to enter negotiations with the property owner to accept a preservation easement on the property.

**4. Easement Draft 1.** Maine Preservation staff provides property owner with preliminary easement agreement draft that is specific to the property and addresses donor's stated preservation goals.

**5. Payment Schedule.** Maine Preservation staff and donor agree on payment schedule, including easement preparation fee and stewardship contribution fee. Payment of the easement preparation fee is required to proceed with Steps 6-9 (below) and includes easement negotiation and drafting, baseline documentation, title search, and legal review. The stewardship contribution fee is expected at the time of executing and recording the easement. The final form of agreement varies on a case-by-case basis.

**6. Easement Draft 2** Negotiations for content and language used in the preservation easement agreement begin between Maine Preservation and property owner.

**7. Data Collection.** Maine Preservation staff compiles architectural and historical information about the property that serves as baseline documentation for the easement agreement. This includes a preliminary title search. Staff coordinates photographic documentation and develops site and floor plans as needed.

**8. Board Review.** Staff presents a resolution to the Maine Preservation Board of Trustees to accept the preservation easement. The Board votes to accept the donation of the preservation easement as negotiated between Maine Preservation staff and the donor.

**9. Document Revisions.** Final revision of legal documents and baseline documentation is completed by Maine Preservation staff for review by donor, donor's attorney/advisors, and Maine Preservation's attorney.

**10. Execution.** The preservation easement agreement is executed (signed) by Maine Preservation's Executive Director and the donor.

**11. Recordation.** The legal documents are recorded in the appropriate county's registry of deeds.

**12. Administration.** Maine Preservation's ongoing administration and enforcement begins upon recording of the legal documents and continues in perpetuity.