



## 4.0 Easement Agreement

Conservation easement (or covenant) agreements restrict certain land uses and can govern the conservation, restoration and the general natural management of a property through two clauses:

*The parties covenant and agree each with the other that the Restrictions shall be deemed to be restrictive covenants governed by and having the benefit of the Act, that from the registration of this Agreement the burden of such covenants shall run with and bind the Property and every part thereof and the benefit thereof shall enure to the Nature Conservancy for the Term.*

*The Party of the First Part covenants with the Nature Conservancy that the Owner and any licensee or lessee thereof or anyone for whom the Owner is in law responsible or for whom the Owner holds the Property will observe and perform the Restrictions for and during the Term*

Generally, the Conservancy's easement and covenant agreements include two provisions regarding monitoring of the property's natural features, the first is regarding the Baseline Documentation Report which is included as a schedule to the agreement by most Conservancy Regions (see **Part IIID, Baseline Documentation Report**):

*The parties represent and warrant to each other that the Report accurately describes the Property and the current use of and the natural values and features of the Property and is intended to serve as an objective information base for monitoring compliance with this Agreement.*

*The Party of the First Part hereby grants to the Nature Conservancy, pursuant to the authority of the Act, the Easement, for access to the Property for the purposes of conservation, maintenance, restoration or enhancement of all or any portion of the Property or the wildlife on the Property and in particular and without limiting the foregoing for the purposes of enabling the Nature Conservancy to determine through inspection, testing or otherwise whether in its opinion the Restrictions and the obligations of the Owner hereunder are being complied with and the purpose of this Agreement is being achieved, and to carry out any remediation, restoration or rehabilitation of the natural values of the Property as in the opinion of the Nature Conservancy are necessary or desirable. The parties covenant and agree that the burden of the Easement shall run with and bind the Property and every part thereof from the registration of this Agreement so long as the Restrictions are in effect and the benefit of the Easement shall enure to the Nature Conservancy.*