

**Study Committee on Advisability of formation of drafting committee to revise Uniform  
Conservation Easement Act  
Dec. 11, 2017, Conference Call**

**Agenda**

**State Provisions that Differ From the UCEA  
(page references are to June 11, 2017 Background Report)**

**(i) Topics that could potentially be covered in other statutes**

- Eminent domain (discussed on first call/seemed to be off the table) pp 5, 21-27
- Property tax assessments (discussed on first call/seemed to be off the table) pp 5, 30-33
- Adverse possession; pp18-19
- Marketable title acts; p 5, 27-29
- Tax lien laws; pp 27-30
- Holder immunity from liability; pp 52-53
- Coordination with local permitting processes; pp 53-54

**(ii) Topics that could potentially be addressed by good drafting of easement document**

- Liberal construction in favor of conservation purposes; pp 13-14
- Enforcement—Holder's Right of Entry; pp14-15
- Laches, estoppel, and waiver; pp18
- Attorney's fees and costs; p 19
- Transfer notice provisions; pp 54-55

**(iii) Other topics**

- Public review process at creation; pp 4, 8-10
- Registration or notice requirement; pp 10-12
- Minimum life for nonprofit holders (discussed on first call/seemed to be off table); p 12
- Holder's monitoring obligation; pp 12-13
- Enforcement—Injunction, Damages, etc. (see also CT's Encroachment statute); pp 14-18
- Back-up holder; pp 19-21
- Merger; pp 28-29
- Amendment and extinguishment (discussed on Nov. 2017 call); pp 33--45
- Standing to sue (discussed on Nov. 2017 call); pp 45-52
- Protection of water areas or water rights; pp 55-56
- Any other subject raised by Committee members or Observers
  - Note from Leslie Ratley-Beach: On the December 11, 2017 call the study committee chair Steve Cawood inquired about the benefit of a *national uniform statutory conservation easement template*