

“Bad” Provisions	“Good” Provisions
<p>Purpose. It is the purpose of this Conservation Easement to preserve and protect the significant, relatively natural habitat, to preserve the open space for scenic enjoyment of the Property, and to permit Grantor’s current use of the Property for ranching, agricultural and recreational purposes as historically undertaken on the Property consistent with the terms of this Conservation Easement.</p>	<p>Purpose. The purpose of this Conservation Easement is to preserve and protect in perpetuity the Conservation Values defined herein. Landowner and Holder intend that this Conservation Easement will confine, in perpetuity, all uses (current and future) to activities that are compatible with the Conservation Purpose, which is the maintain the relatively natural habitat of fish, wildlife, plants or similar ecosystems as that phrase is used in 26 U.S.C. Section 170 (h)(4)(A)(ii) and application regulations. Specifically, the Property is habitat for multiple bird species native to the state.</p>
<p>Recreational Activities. Current recreational uses that do not negatively impact Conservation Values are permitted.</p>	<p>Recreational Activities. Minor or de minimis non-commercial recreational activities engaged in by Landowner that do not materially negatively impact the Conservation Values of the Property and do not require the installation of infrastructure or surface disturbance are permitted.</p>
<p>Commercial Activities. Commercial activities that are otherwise not explicitly prohibited in this Conservation Easement may be conducted on the Property if they do not materially impair Conservation Values.</p>	<p>Commercial Activities. Customary rural enterprises that do not impair the Property’s Conservation Values, do not increase traffic on the Property or otherwise contribute to additional burden, degradation or have other negative impacts on the natural habitats and Conservation Values the Conservation Easement was designed to protect are permitted. Any commercial activities are subject to other limitations on disturbance, use and buildings in this Conservation Easement including prior notice to the Holder.</p>
<p>Change of Topography. Except as necessary to accommodate the activities permitted herein, plowing, excavating, ditching, filling, dredging draining, or otherwise changing the topography of the Property is prohibited.</p>	<p>Change of Topography. Changing the topography of the Property by placing on or removing from it any soil, landfill or other material is prohibited, except as necessary to accommodate permitted agricultural activities or for the purpose of constructing permitted Buildings.</p>
<p>Landscaping and Vegetation. Landscaping in areas that are not determined to be areas of native habitat is permitted.</p>	<p>Conversion of Native Vegetation. Conversion of native vegetation to exotic species or the introduction of non-native plant species or any type of cultivation is prohibited except as follows:</p> <ol style="list-style-type: none"> (1) Gardening for personal use and residential landscaping are permitted within the permitted Building Envelope; and (2) Pursuant to the terms and conditions of a Restoration/Enhancement Plan that is primarily for the purpose of restoring Conservation Values in the event of their degradation or destruction, approved by Holder in its absolute and sole discretion.