

**SAMPLE CLAUSES AND LANGUAGE FOR THE PURPOSES  
SECTION OF A LAND TRUST'S ARTICLES  
OF INCORPORATION**

**RIGHTS UNDER ARTICLE 97 OF THE  
MASSACHUSETTS CONSTITUTION**

Article 97 of the Massachusetts Constitution includes the following rights:

People shall have the right to (these are Public Purposes):

- 1) clean air and water
- 2) freedom from excessive and unnecessary noise
- 3) natural, scenic, historic and esthetic qualities of their environment
- 4) conservation, development and utilization of the agricultural, mineral, forest, water, air and other natural resources

**SUGGESTED AND SAMPLE LANGUAGE**

Below are a number (8) of categories of Purposes. Included within each are sample clauses, wording and concepts to assist a land trust in deciding upon how best to describe the Purposes which it intends to pursue and which should be included in Article II of its Articles of Incorporation (these are private purposes that may involve partnering with government or commercial entities).

They are merely samples taken from different organizations and reworked to provide a vast array designed to assist your land trust in choosing what is appropriate to describe your purposes in as accurate a manner as possible.

**NOTE: This is not an exercise in filling your shopping cart. The idea is to work with those phrases, concepts and language that best describe the purposes and objectives of your organization. Of necessity, your Board may want to discuss this very carefully.**

**In order to best describe your purposes, do not leave out what you do focus upon. It is permissible and advisable to include what you may not presently focus upon, but which you intend to in the future. These suggestions are not set in stone. You can pick and choose from the language below to define your purposes in a manner that matches your goals. Language from one category may actually work well with purposes from another category ((e.g., under Category 4, Planning (Land Use), the first clause is, "lessens the burden of state and local government." This phrase could easily be relevant to one or more of the other categories.))**

- (1) Protect water and land resources
  - Promote, maintain, protect, preserve, conserve
  - ecologically significant and environmentally sensitive
  - flora, fauna, land and water resources

- scenic beauty, rural character, local productivity and recreational opportunities of the region
- to benefit the general public
- open space and natural resources, plant and animal life, scenic, natural and historic sites
- recreational, agricultural and forested sites

## (2) Education

- Educate the public, including families and children
- Wise use of natural resources
- Sound conservation practices and principles
- Value of open space
- Principles of open space planning
- Appreciation and understanding of the inter-relationships between people and their shared environment
- To provide technical assistance to farmers, forest owners, water suppliers
- To promote healthy outdoor activities and recreation
- Political, social, economic and natural history of the region

## (3) Science

- scientific study of forests, watercourses, marshes and wetlands
- foster understanding, enjoyment and appreciation of animals, birds, plants
- Study natural, historical and geological features
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## (4) Planning (Land Use)

- Lessen the burdens of local and state government
- Promote sensible and sustainable development
- Encourage and foster economic health and diversity
- Use of creative land techniques
- Foster open space and recreational use planning
- Promote reduction in stormwater discharge and other types of pollution

## (5) Recreation

- promote the use of and provide maintenance for public and private passive non-motorized trails, including, but not limited to the following uses: walking, skiing, horseback riding, hiking, bird watching, geocaching, etc., subject to reasonable and appropriate rules to ensure the protection of the natural resources
- acquire, protect and preserve land and water for general outdoor passive recreation, such as fishing, swimming, boating, canoeing, kayaking, rafting and other related passive activities
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## (6) Land Management

- Promote the study, discussion and application of sound conservation and land use planning practices that encourage and foster present and future availability of compatible land and water preservation and recreational, residential and commercial uses

## (7) Scenery

- Protect, preserve and nourish viewsheds, natural scenic corridors, rustic and rural roadways and areas of visible natural beauty that help to define and express the character of the surrounding country

## (8) Other

- To purchase, own and sell property in such a manner that allows the organization to carry out its full purposes through reasonable methods of limited development