

2000 SESSION

INTRODUCED

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HOUSE BILL NO. 590

Offered January 20, 2000

A BILL to amend and reenact § 10.1-1701 of the Code of Virginia, relating to local authority to purchase conservation easements.

Patron—Black

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 10.1-1701 of the Code of Virginia is amended and reenacted as follows:

§ 10.1-1701. Authority of public bodies to acquire or designate property for use as open-space land.

To carry out the purposes of this chapter, any public body may (i) acquire by purchase, gift, devise, bequest, grant or otherwise title to or any interests or rights of not less than five years' duration in real property that will provide a means for the preservation or provision of open-space land and (ii) designate any real property in which it has an interest of not less than five years' duration to be retained and used for the preservation and provision of open-space land. Any such interest may also be perpetual. *On and after July 1, 2000, if any locality acquires a conservation easement by purchase, the instrument conveying the easement shall provide that the public will be allowed access to the land that is subject to the easement for the duration of the easement and that signs will be posted on the land to notify the public that such access is available.*

The use of the real property for open-space land shall conform to the official comprehensive plan for the area in which the property is located. No property or interest therein shall be acquired by eminent domain by any public body for the purposes of this chapter; however, this provision shall not limit the power of eminent domain as it was possessed by any public body prior to the passage of this chapter.

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