

VIRGINIA ACTS OF ASSEMBLY -- 2003 SESSION

CHAPTER 774

An Act to amend the Code of Virginia by adding a section numbered 55-50.1, relating to easements.

[S 1274]

Approved March 20, 2003

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 55-50.1 as follows:

§ 55-50.1. Enjoyment of easement.

Unless otherwise provided for in the terms of an easement, the owner of a dominant estate shall not use an easement in a way that is not reasonably consistent with the uses contemplated by the grant of the easement, and the owner of the servient estate shall not engage in an activity or cause to be present any objects upon the burdened land that unreasonably interfere with the enjoyment of the easement by the owner of the dominant estate. Any violation of this section may be deemed a private nuisance, provided, however, that the remedy for a violation of this section shall not in any manner impair the right to any other relief that may be applicable at law or in equity.