

2008 SESSION

SENATE SUBSTITUTE

080260244

SENATE BILL NO. 303

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee for Courts of Justice
on January 30, 2008)

(Patron Prior to Substitute—Senator Houck)

A BILL authorizing the Department of Conservation and Recreation to grant an easement across a portion of Lake Anna State Park in exchange for the extinguishment of an existing right-of-way easement.

Be it enacted by the General Assembly of Virginia:

§ 1. That in accordance with and as evidence of General Assembly approval pursuant to § 10.1-109 of the Code of Virginia, the Department of Conservation and Recreation is hereby authorized to convey to Clemens Meyer, Terrill Meyer, Gary Voelker, and Janet Voelker, their successors and assigns (the "Grantees"), upon terms and conditions as the Department deems proper, and with the approval of the Governor and in a form approved by the Attorney General, all as required by § 10.1-109 of the Code of Virginia, a perpetual, non-exclusive right-of-way easement across a portion of Lake Anna State Park, identified as tax map parcels 55(10)-2 and 55(A)-93 in Spotsylvania County, so that the aforesaid Grantees may access their property, identified as tax map parcel 55(A)-93A in Spotsylvania County. Such easement shall be 30 feet in width and in the location described on a plat of survey entitled "Plan of Proposed 30' Wide Right of Way through the Lands Standing in the Name of Commonwealth of Virginia, Department Conservation and Recreation" made by Bell Surveys, Inc. and signed by Joseph E. DiMeglio, dated March 20, 2007, and revised March 30, 2007, or of a width and in such location as the Department deems proper and as further evidenced by a physical survey.

§ 2. The purpose of this conveyance is to allow the Grantees to access their property in a manner advantageous to the Department and the Grantees. In consideration for such conveyance, the Department shall require the extinguishment of existing right-of-way easements currently held by the Grantees across Lake Anna State Park by those certain deeds recorded in Deed Book 481, Page 544 and Deed Book 366, Page 211 in the office of the Clerk of the Circuit Court of Spotsylvania County. The conveyance shall also comply with the requirements of the federal Land and Water Conservation Fund Act (16 U.S.C. § 4601-4 et seq.).

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