

## 2012 SESSION

LEGISLATION NOT PREPARED BY DLS  
INTRODUCED

12104017D

### HOUSE BILL NO. 1113

Offered January 11, 2012

Prefiled January 11, 2012

*A BILL to authorize the Department of Conservation and Recreation to negotiate a land exchange of certain parcels in an area known as Biscuit Run in Albemarle County, Virginia.*

Patrons—Toscano and Landes

Referred to Committee on Agriculture, Chesapeake and Natural Resources

Whereas, the Department of Conservation and Recreation (The Department) acquired the 1,191-acre Biscuit Run tract (the Park Property) for a state park by Deed, dated December 28th, 2009, recorded in the Clerk's Office of the Circuit Court of Albemarle County in Deed Book 3835, at Page 706, et. als; and

Whereas, the deed of conveyance perpetually limited the use of the Property to outdoor recreation or education of the general public or for open-space protection; and

Whereas, the Property borders a 100 acre parcel owned by Southwood Charlottesville, LLC, a wholly owned subsidiary of Habitat for Humanity of Greater Charlottesville (Habitat); and

Whereas, a portion of the Habitat property has significant conservation value and could enhance the Park by providing a natural buffer area for the Park Property, watershed protection and/or additional recreational opportunities; and

Whereas, a portion of the Park Property, if transferred to Habitat, can enhance the efficient utilization of the Habitat property and provide some community amenities that would not be permitted in the Park; and

Whereas, both the Department and Habitat are interested in facilitating the orderly redevelopment of the Habitat property in a manner consistent with the Albemarle County Comprehensive Plan and the findings of the County of Albemarle Community Recreational Facilities, Needs Assessment Study; and

Whereas, Albemarle County has, by resolution, expressed its interest in facilitating said redevelopment and the improvement of the natural buffers between the Habitat property and the Park Property; now, therefore,

#### **Be it enacted by the General Assembly of Virginia:**

*1. § 1. That in accordance with and as evidence of General Assembly approval pursuant to*

*§ 10.1-109 of the Code of Virginia, the Department is hereby authorized to convey to Southwood Charlottesville, LLC, its successors and assigns upon terms and conditions as the Department and the grantee deem proper, and with the approval of the Governor and in a form approved by the Attorney General, all of its right, title, and interest in certain acreage, being a part of the Park Property in Albemarle County, Virginia, owned by the Department, or such other parcel or parcels of land in proximity to the Biscuit Run property that the Department acquires for the purpose of this exchange. The acreage and boundaries of such parcels shall be determined by mutual agreement of the Department and the grantee. Such acreage and boundaries shall be approved by the Director of the Department of General Services.*

*§ 2. That in exchange for such conveyance, the Department is authorized to receive, subject to the approval of the Governor and in a form approved by the Attorney General and subject to § 2.2-1149 of the Code of Virginia, all the respective right, title, and interest in a portion of the Habitat property, the boundaries of which shall be determined by mutual agreement of the Department and Southwood Charlottesville, LLC. The boundaries of such parcel shall be approved by the Director of the Department of General Services.*

*§ 3. That the purpose of this exchange is to enhance the Park Property and the adjacent residential development consistent with the Albemarle County Comprehensive Plan.*

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