

VIRGINIA ACTS OF ASSEMBLY -- 1997 SESSION

CHAPTER 658

An Act to amend and reenact § 11 of Chapter 380 of the Acts of Assembly of 1980, relating to the Capital Region Airport Commission.

[S 1189]

Approved March 21, 1997

Be it enacted by the General Assembly of Virginia:

1. That § 11 of Chapter 380 of the Acts of Assembly of 1980 is amended and reenacted as follows:

§ 11. Eminent domain; right of entry.

The Commission is hereby granted full power to exercise within the participating political subdivisions the right of eminent domain in the acquisition of any lands, easements, privileges or other property interests which are necessary for airport and landing field purposes, including the right to acquire by eminent domain, avigation easements over lands or water outside the boundaries of its airport or landing fields where necessary in the interests of safety for aircraft to provide unobstructed air space for the landing and taking off of aircraft utilizing its airport and landing fields even though such avigation easement be inconsistent with the continued use of such land for the same purposes for which it had been used prior to such acquisition, or inconsistent with the maintenance, preservation and renewal of any structure or any tree or other vegetation standing or growing on said land at the time of such acquisition. Proceedings for the acquisition of such lands, easements and privileges by condemnation may be instituted and conducted in the name of the Commission in accordance with Title 25 of the Code of Virginia.

The authorized agents and employees of the Commission may enter upon any lands, waters, and premises within the participating political subdivisions for the purpose of making surveys, or obtaining environmental samplings as they may deem necessary for the purposes of this chapter, and such entry shall not be deemed a trespass, nor shall an entry for such purpose be deemed an entry under any condemnation proceedings which may be then pending. The Commission shall make reimbursement for any actual damage resulting to such lands, waters, and premises as a result of such activities. The Commission shall disclose the results of any such environmental samplings to the property owner if requested.