

1997 SESSION

INTRODUCED

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HOUSE BILL NO. 2655

Offered January 20, 1997

A *BILL* to amend the Code of Virginia by adding a section numbered 10.1-1010.1, relating to disclosure in conservation easements.

Patrons—Katzen, Bryant, Dudley, Ingram and Ruff

Referred to Committee on Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 10.1-1010.1 as follows:

§ 10.1-1010.1. Disclosure in conservation easements.

A. *Conservation easements executed under the provisions of this chapter after June 30, 1997, shall not be valid or enforceable unless all limitations and obligations created by the easement are presented in writing in their entirety in the easement document and the owner of the servient estate has (i) signed the consent form described in subsection B and (ii) signed a statement on the conservation easement document attesting to the signing of the consent form.*

B. *The consent form required by subsection A shall contain the name, the principal address, and, if an organization, a brief statement of the organizational purpose, of the easement holder. The grantor shall acknowledge on the consent form an understanding of the limitations and obligations created by the easement and the duration thereof. The grantor of the easement shall also indicate on the consent form whether or not he has consulted an attorney concerning the granting of the easement and if consultation has taken place, the grantor shall indicate the name and address of the attorney consulted.*

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