

VIRGINIA ACTS OF ASSEMBLY -- 2011 SESSION

CHAPTER 159

An Act to amend and reenact § 10.1-1700 of the Code of Virginia, relating to the Open-Space Land Act.

[S 1104]

Approved March 15, 2011

Be it enacted by the General Assembly of Virginia:

1. That § 10.1-1700 of the Code of Virginia is amended and reenacted as follows:

§ 10.1-1700. Definitions.

As used in this ~~article~~ *chapter*, unless the context requires a different meaning:

"Open-space easement" means a nonpossessory interest of a public body in real property, whether easement appurtenant or in gross, acquired through gift, purchase, devise, or bequest imposing limitations or affirmative obligations, the purposes of which include retaining or protecting natural or open-space values of real property, assuring its availability for agricultural, forestal, recreational, or open-space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural or archaeological aspects of real property.

"Open-space land" means any land which is provided or preserved for (i) park or recreational purposes, (ii) conservation of land or other natural resources, (iii) historic or scenic purposes, (iv) assisting in the shaping of the character, direction, and timing of community development, ~~or~~ (v) wetlands as defined in § 28.2-1300, *or (vi) agricultural and forestal production.*

"Public body" means any state agency having authority to acquire land for a public use, or any county or municipality, any park authority, any public recreational facilities authority, any soil and water conservation district, any community development authority formed pursuant to Article 6 (§ 15.2-5152 et seq.) of Chapter 51 of Title 15.2, or the Virginia Recreational Facilities Authority.