

Department of Planning and Budget 2011 Fiscal Impact Statement

1. Bill Number: SB1300

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|------------------------|--|-------------------------------------|------------------------------------|
| House of Origin | <input checked="" type="checkbox"/> Introduced | <input type="checkbox"/> Substitute | <input type="checkbox"/> Engrossed |
| Second House | <input type="checkbox"/> In Committee | <input type="checkbox"/> Substitute | <input type="checkbox"/> Enrolled |

2. Patron: Ruff

3. Committee: Courts of Justice

4. Title: Department of Conservation and Recreation; conveyance of property.

5. Summary: This bill authorizes the Department of Conservation and Recreation (DCR) to divest itself of certain properties that were conveyed to it by Norfolk Southern Railroad for the High Bridge Trail State Park. These properties have no potential utility to the High Bridge Trail State Park and the divestiture would eliminate any liability to DCR associated with the private use of property by adjacent landowners, which preceded the donation by Norfolk Southern Railroad.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary.

8. Fiscal Implications: This bill allows DCR to divest of two small parcels (0.201 acres and 0.305 acres) at High Bridge State Park in Farmville, Virginia, that have no present or potential future utility to DCR and for which adjacent landowners had integrated the use of these properties into their property prior to conveyance to DCR by Norfolk Southern Railroad.

These two small parcels are vertically separated from the 30-mile long railroad abandonment that was given to DCR by Norfolk Southern Railroad company. This 30-mile railroad abandonment is now being developed into High Bridge Trail State Park. These small parcels of land were incorporated into residential yards by the adjacent landowners back when the property was owned by the railroad. Now that the parcels are owned by DCR, this could lead to a liability for the activities that occur on the properties.

These parcels have no utility to DCR and conveying them would prevent the Commonwealth from assuming associated liability for its continued use by the adjacent landowners. According to DCR, the adjacent landowners are willing to receive the land as a gift. Divesting of these properties will be approved and reviewed by both the Department of General Services and the Office of the Attorney General. These review processes are already considered in the workload of impacted agencies. As such, any costs associated with

negotiation and execution of the land exchange authorized by this bill are standard and can be absorbed by the affected agencies.

9. Specific Agency or Political Subdivisions Affected: Department of Conservation and Recreation, Department of General Services, Office of the Attorney General.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: January 24, 2011

c: Secretary of Natural Resources