Unofficial Copy M4 2003 Regular Session 3lr2017

By: Delegates Glassman and Parrott Introduced and read first time: February 7, 2003 Assigned to: Environmental Matters A BILL ENTITLED 1 AN ACT concerning 2 Maryland Agricultural Land Preservation Foundation - Termination of 3 **Easements** 4 FOR the purpose of authorizing a county to negotiate with the Maryland Agricultural 5 Land Preservation Foundation and a landowner to make a certain change to a 6 certain easement; and generally relating to the Maryland Agricultural Land Preservation Foundation and the termination of easements. 7 BY repealing and reenacting, with amendments, 8 Article - Agriculture 10 Section 2-514 11 Annotated Code of Maryland 12 (1999 Replacement Volume and 2002 Supplement)

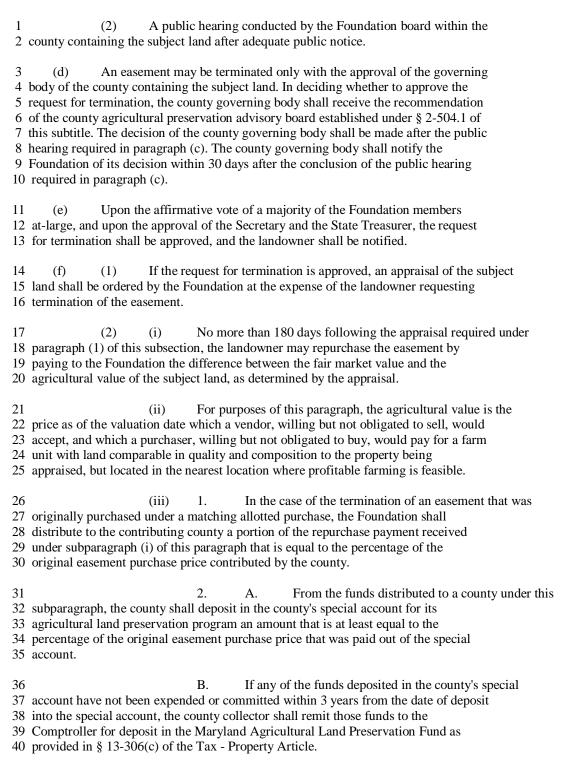
13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

14 MARYLAND, That the Laws of Maryland read as follows:

15 Article - Agriculture

16 2-514.

- 17 (a) It is the intent of the General Assembly that the easement purchased 18 under this subtitle be held by the Foundation for as long as profitable farming is
- 19 feasible on the land under easement, and an easement may be terminated only in the
- 20 manner and at the time specified in this section.
- 21 (b) [At] EXCEPT AS PROVIDED IN SUBSECTION (H) OF THIS SECTION, AT any
- 22 time after 25 years from the date of purchase of an easement, the landowner may
- 23 request that the easement be reviewed for possible termination of the easement.
- 24 (c) Upon a request for review of an easement for termination, an inquiry shall
- 25 be conducted by the Foundation to determine the feasibility of profitable farming on
- 26 the subject land. The inquiry shall be concluded and a decision reached by the
- 27 Foundation within 180 days after the request for termination, and shall include:
- 28 (1) On-site inspection of the subject land; and



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- The county shall deposit the balance of the funds
- 2 distributed to it under this subparagraph in the county's general fund.
- 3 (g) If the request for termination is denied, or if the landowner fails to
- 4 repurchase the easement within 180 days of the appraisal, the landowner may not
- 5 again request termination of the easement until five years after his last request for
- 6 termination.
- 7 (H) IF AUTHORIZED BY A COUNTY LAW, A COUNTY MAY NEGOTIATE WITH THE
- 8 FOUNDATION AND A LANDOWNER TO CONVERT A TERMINABLE EASEMENT
- 9 PURCHASED UNDER THIS SUBTITLE TO AN INTERMINABLE EASEMENT.
- 10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 11 October 1, 2003.