

§ 121-38. Validity of agreements.

- (a) No conservation or preservation agreement shall be unenforceable because of
 - (1) Lack of privity of estate or contract, or
 - (2) Lack of benefit to particular land or person, or
 - (3) The assignability of the benefit to another holder as defined in this Article.
- (b) These agreements are interests in land and may be acquired by any holder in the same manner as it may acquire other interests in land.
- (c) These agreements may be effective perpetually or for shorter stipulated periods of time.
- (d) These agreements may impose present, future, or continuing obligations on either party to the agreement, or their successors, in furtherance of the purposes of the agreement.
- (e) These agreements may contain provisions which require the payment of a fee upon a future conveyance of the property that is subject to the agreement. (1979, c. 747, s. 5; 2008-165, s. 1.)