

TITLE 3. COUNTY AGRICULTURAL LAND PRESERVATION EASEMENTS

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SUBTITLE 1. IN GENERAL

§ 24-3-101. AUTHORITY.

- (a) *Purchase.* The county may purchase an easement on real property to preserve agricultural land in

the county.

(b) *County may accept donation.*

(1) In addition to its authority to purchase easements under this title, the county may accept the donation of an easement or other interest in property for agricultural land preservation purposes.

(2) The county may accept the donation of an easement:

(i) If the easement meets the criteria established in this title; or

(ii) In accordance with other county regulations.

(c) *Operation of the easement.* The agricultural land preservation easement shall:

(1) Restrict residential, commercial, and industrial use of the land; and

(2) Give the landowner the rights and responsibilities as provided for under § 24-3-108 of this subtitle.

(1988 Code, §§ 14-457, 14-458, 14-460) (Bill No. 50-93, 1993, § 2, 7-10-1993; Bill No. 19-00, § 2, 2-2-2000; Bill No. 74-03, § 3, 7-1-2004)

§ 24-3-102. PURCHASE OF COUNTY EASEMENTS FROM APPROVED APPLICATIONS.

(a) *Authority to purchase.* Notwithstanding any other provision of law, the county may purchase an easement on real property from the County Council approved applications for state agricultural easements in § 24-2-103 of this article to preserve agricultural land in the county.

(b) *Purchasing requirements.* When purchasing an easement in accordance with this section, the county shall comply with §§ 24-3-106 and 24-3-107(f),(i),(j),(k), and (l) of this subtitle.

(1988 Code, § 14-454.1) (Bill No. 21-00, § 1, 3-24-2000; Bill No. 74-03, § 5, 7-1-2004)

§ 24-3-103. ELIGIBLE SELLERS; ELIGIBLE FARMLAND; CRITERIA.

(a) *Eligible sellers.* The county may purchase easements only from:

(1) The holder of fee simple title to productive agricultural land; or

(2) A person or institution that has entered into a binding contract or option to purchase fee simple title to productive agricultural land, if and when that person or institution takes title to the productive agricultural land.

(b) *Productive agricultural land.*

(1) The easement shall be purchased on productive agricultural land with the characteristics required under paragraphs (2) through (5) of this subsection.

(2) (i) The majority of land area of a district shall consist of USDA soil capability classes I, II, III and those soils determined by USDA to be of equal productivity to classes I, II, III.

(ii) Exceptions may include land areas of lower general capabilities if an existing farm is of specialized production, including dairy, livestock, poultry, fruit, or berry production.

(3) The land shall be located within an agricultural protection area, or, if outside an agricultural protection area, shall be in an existing state agricultural district.

(4) (i) 1. The land shall be a minimum of collectively 50 acres in size; or

2. Land held in different ownerships shall each be at least 20 acres in size and total 50 acres.

(ii) If within an agricultural protection area, land of at least 20 acres in size, which is either contiguous or in close proximity to existing state agricultural districts or state, county, or land trust easements or state park or public land, may be considered even if it does not comprise a 50 acre parcel.

(5) The land shall have a current soil conservation district approved soil conservation and water quality plan and, where appropriate, a nutrient management plan.

(c) *Criteria.* The Agricultural Board shall seek to buy easements from the most productive farms in those locations where continued commercial agriculture is most likely to occur and shall evaluate easements on the following factors:

- (1) Size;
- (2) Quality of farm;
- (3) Location;
- (4) Proximity to other state agricultural districts and easements;
- (5) Adjacent land use;
- (6) Owner-operated as opposed to leased;
- (7) Gross farm sales;
- (8) Specialized farm operation;
- (9) Development pressure on the property;
- (10) Number of development rights;
- (11) Growth management area;
- (12) Percentage of gross area in production;
- (13) Price of easement;
- (14) Other factors the county determines are needed to preserve agricultural land.

(1988 Code, §§ 14-457, 14-458) (Bill No. 50-93, 1993, § 2, 7-10-1993; Bill No. 19-00, § 2, 7-1-2004; Bill No. 74-03, § 3, 7-1-2004)

§ 24-3-104. COUNTY AGRICULTURAL LAND PRESERVATION FUND.

- (a) *Established.* There is a County Agricultural Land Preservation Fund.
- (b) *Source of funding.* The Fund consists of:
 - (1) The county's share of the state agricultural transfer tax;
 - (2) Easement repurchases and reimbursements;
 - (3) General obligation bonds; and
 - (4) Other available monies for the purchase of easements under this article.
- (c) *Purpose of the Fund.* The Fund shall be used for agricultural land preservation purposes.
- (d) *Special Fund.* The Fund is a special, non-lapsing fund.
- (e) *Unexpended funds.*

(1) In this subsection, “unexpended funds” means revenue from the agricultural transfer tax in the Fund which has not been expended or committed on or within 3 years after the date of deposit into the Fund.

- (2) On or before July 1, the Director shall advise the Agricultural Board of:
 - (i) Funds available for the fiscal year; and
 - (ii) Those funds which will become unexpended funds and must be used.

(1988 Code, §§ 14-450, 14-458) (Bill No. 50-93, 1993, § 2, 7-10-1993; Bill No. 19-00, § 2, 7-1-2004; Bill No. 90-02, § 1, 10-25-2002; Bill No. 74-03, § 3, 7-1-2004)

§ 24-3-105. COUNTY PURCHASE METHODS.

- (a) *In general.* To purchase an easement, the county may use:
 - (1) Negotiations;
 - (2) Competitive bidding; or
 - (3) Any other method that is fair and equitable to the owners of agricultural land.
- (b) *Easement value.* The purchase price may be based on an appraisal or by the formula as specified in § 24-3-106 of this subtitle.
- (c) *Restriction on use of transfer tax funds.* The county may not purchase easements on land that has

no development rights with funds derived from the state transfer tax revenue.

(1988 Code, § 14-458) (Bill No. 50-93, 1993, § 2, 7-10-1993; Bill No. 19-00, § 2, 7-1-2004; Bill No. 74-03, § 3, 7-1-2004)

§ 24-3-106. VALUE OF EASEMENTS.

(a) *Formula price.* The value of the easement shall be based on a formula price unless, at the county's option, an appraisal method is used.

(b) *Easement purchase area.*

(1) The landowner shall establish the easement purchase area.

(2) The landowner may subdivide in accordance with existing zoning regulations before easement sale, but the subdivision may affect the offer price and ranking of the property for selection.

(c) *Formula price.*

(1) The formula price shall be based on a formula that is recommended by the Agricultural Board and adopted by the Department by regulation before the annual application deadline.

(2) The formula price shall take into account factors that include size, soil productivity, importance of the land for agriculture, and development rights.

(d) *Appraisal option.* Under the appraisal method, the maximum value of the easement is determined by appraisal and is the difference between the fair market value of the land and the restricted value as determined by the appraisal of the property as though the easement conditions were already applied.

(e) *Landowner discount.*

(1) The landowner is encouraged to submit an easement offer price below the formula or appraised price.

(2) The discount shall be considered in the ranking of the farms.

(1988 Code, § 14-459) (Bill No. 50-93, 1993, § 2, 7-10-1993; Bill No. 19-00, § 2, 7-1-2004; Bill No. 90-02, § 1, 10-25-2002; Bill No. 74-03, § 3, 7-1-2004)

§ 24-3-107. APPLICATION TO SELL AN EASEMENT TO THE COUNTY.

(a) *Owner may offer.* An owner of agricultural land that meets the criteria in this title may offer by written application to sell an easement to the county.

(b) *Application deadline.* Subject to available funding, the county shall, at a minimum, have an annual deadline for applications.

(c) *Application materials.* The landowner shall submit an application complete with property description and other materials the Agricultural Board considers necessary to make a determination on

purchasing the development rights.

(d) *Agricultural Board evaluation.*

(1) The Agricultural Board shall evaluate a farm or property based on, at a minimum, the factors listed in § 24-3-103(c) of this subtitle.

(2) Following the evaluation, the Agricultural Board shall submit to the Director a priority ranking list of the easement applications that the Agricultural Board recommends in descending order from the highest ranked farm.

(3) The ranking of priority farms for a county agricultural easement may include farms applying for state agricultural easements

(e) *Council approval.*

(1) The Director shall review the priority ranking list and either approve it or send it back to the Agricultural Board for reconsideration.

(2) The Director shall submit an approved priority ranking list to the County Administrative Officer for introduction as a resolution before the County Council.

(3) The County Administrative Officer shall submit the priority ranking list to the County Council for introduction as a resolution.

(f) *Offer to buy.*

(1) On County Council approval of the priority ranking list, the county shall notify landowners of their place on the ranking list.

(2) Except as provided in paragraph (3) of this subsection or the preservation program, the county shall make offers to county applicants to purchase easements in the order approved in the priority ranking list.

(3) (i) 1. If a funding source requires a property to meet specific criteria, farms on the priority ranking list that meet the criteria shall be given first consideration, and may be reranked by the Department based on the specific criteria.

2. If additional applicants need to be considered, the county shall advertise at least 30 days before the closing of an application period for the selection of farms that must meet specific criteria.

(ii) In the case of farms applying for a state agricultural easement, the county may make offers in the order of priority ranking to farms not anticipated to receive a state offer.

(4) The county may make offers immediately, in conjunction with state offers, or at any other time.

(g) *County response to lands not selected.* The county shall inform landowners not selected for purchase or standby status as soon as reasonably possible after the county's selection of productive agricultural lands from which to purchase easements as to whether the rejection is due to insufficient funds, ineligible funds, or another cause.

(h) *Landowner acceptance.*

- (1) The landowner shall accept the county's offer within 30 days after receiving the offer.
- (2) A landowner who fails to respond after 30 days is deemed to have rejected the offer.
- (3) A landowner who rejects a county offer to purchase shall forfeit the landowner's right to sell an easement to the county for a period of 12 months.

(i) *Settlement.* Settlement shall occur after the landowner's acceptance of the county's offer to purchase an easement and is contingent on the landowner:

- (1) Providing a title search and any other evidence, including a land survey, that may be necessary to establish clear title, correct acreage, and legal description; and

- (2) Fulfilling all of the terms, contingencies and conditions specified in the county's offer.

(j) *Same - Full payment; exception.*

- (1) The county shall make payment for the easement in full at time of settlement unless the county agrees to purchase an easement on less than the whole property and the landowner gives the county a legally binding option to purchase an easement on the remainder of the property.

- (2) If the county accepts an option, it shall encumber and set aside funds necessary to complete the easement purchase.

(k) *Same - Installments.*

- (1) The county may agree on and establish a schedule of payment under which the landowner may receive consideration for the easement in installments over a period of up to 10 years after the date of settlement.

- (2) At the time of settlement, the Foundation shall notify in writing each landowner who sells an agricultural easement to the Foundation of the schedule of anticipated ranges of interest rates to be paid on any unpaid balance after the date of settlement.

- (3) If a schedule of installments is agreed on, the county shall retain an amount of money sufficient to pay the landowner according to the schedule.

(l) *Recordation and reporting.*

- (1) The county's acquisition of an easement shall be recorded in the land records and shall be cross referenced in a map data base.

- (2) The Department shall prepare and submit to the County Executive, County Council, and the appropriate state agencies an annual report of the easements purchased, their location, funding, and costs.

(1988 Code, § 14-460) (Bill No. 50-93, 1993, § 2, 7-10-1993; Bill No. 19-00, § 2, 7-1-2004; Bill No. 90-02, § 1, 10-25-2002; Bill No. 74-03, § 3, 7-1-2004)

§ 24-3-108. USE OF LAND.

(a) *Authorized uses.* Authorized uses of land under a county agricultural easement are as provided in

this section and for state agricultural districts under § 24-2-102(a) of this article and uses authorized under regulations adopted by the Department.

(b) *Residential and commercial uses - In general.* The easement shall provide that subdivision for residential and commercial purposes is not authorized except as provided in this section.

(c) *Same - Children's lots.*

(1) On written application, the Agricultural Board shall allow a one time conveyance of 1 acre for each child of the owner who originally sold an easement to the county for the purpose of construction of one dwelling house intended for their use.

(2) The Agricultural Board shall grant the exclusion of lots of 1 acre to be built on for a dwelling for the occupancy of the child of the grantor of the easement if the grantor has owned the property for at least 10 years before this request and subject to the conditions of paragraph (3) of this subsection.

(3) (i) Lots may not be placed on class I, II, and III soils unless no other location is suitable and the location will not significantly diminish the agricultural value of that easement property.

(ii) On approval by the Agricultural Board, lot size may be more than 1 acre when necessary to meet well and septic requirements.

(iii) 1. The lot is for the use of the child of the grantor for the purposes of building and residing in the home.

2. Satisfactory proof of the child's intent to build and reside on these lots shall be submitted to the Agricultural Board as well as a signed affidavit that the child will reside there for a minimum of 1 year.

(iv) The maximum number of children's lots may not exceed one house per 20 acres.

(v) The following number of children's lots shall be granted except as provided for in subparagraph (vi) of this paragraph and limited by subparagraph (iv) of this paragraph:

<i>Individual Size of Easement in Acres</i>	<i>Number of Children's Lots</i>
20 - 50	1
51 - 100	2
101+	2, plus 1 per additional 20 acres (to a maximum of 5 lots)

(vi) 1. The Agricultural Board shall consider, with or without conditions, a request that exceeds the limits in subparagraph (v) of this paragraph but does not exceed subparagraph (iv) of this paragraph.

2. The Agricultural Board shall consider whether the proposed lot exclusion:

A. Is consistent with the intent of this program;

- B. Will result in the loss of any productive agricultural land; and
- C. Will have minimal impact on the continued agricultural use of the property.

(vii) 1. For the purposes of this section, children shall be legal children of the grantor.

2. The Agricultural Board also may consider allowing the same right for children of a brother or sister of the grantor if that child is currently working on the farm and has worked full time on the farm for at least 5 years.

(viii) In order to release a lot, a covenant is to be recorded in the deed stating: the property is located in the vicinity of an agricultural easement in which normal agricultural uses and activities have been afforded the highest priority use status; it can be anticipated that such agricultural uses and activities may now or in the future involve noise, dust, manure and other odors, the use of agricultural chemicals, and night-time farm operations; and the use and enjoyment of this property is expressly conditioned on acceptance of any annoyance or inconvenience that may result from such normal agricultural uses and activities.

(d) *Same - Tenant buildings.*

(1) The landowner may apply to the Agricultural Board for approval of a tenant building.

(2) The Agricultural Board shall determine if the existing agricultural operation and scale justify the need for a tenant.

(3) Lot locations shall be limited as provided in subsection (c)(3)(i) of this section.

(4) New tenant buildings, except for farm labor buildings (building for seasonal labor), may not exceed 2,500 square feet.

(e) *Same - Owner's house.*

(1) The grantor may be entitled to construct an owner's house on the property if one does not exist.

(2) House locations shall be limited as provided in subsection (c)(3)(i) of this section.

(f) *Same - Corporations and partnerships.*

(1) Corporations and partnerships are entitled to children's lots and are eligible for a tenant and owner building.

(2) (i) Only those stockholders or partners designated at the time of easement sale are entitled to children's lots and a tenant and owner building.

(ii) The number of children's lots is limited as provided in subsection (c)(3)(v) of this section with no exceptions.

(g) *Same - Payment to the fund.* An owner who excludes an acre from an easement for a dwelling under subsections (c) through (f) of this section shall reimburse the county agricultural land preservation fund an amount equal to the value per acre received when the easement was sold.

(h) *Same - Existing dwellings.*

(1) All dwellings other than the owner's house either existing at the time of easement sale or constructed in accordance with the easement:

(i) May not be subdivided from the from the property except as provided under subsections (c) through (f) of this section; but

(ii) May continue to be used for the purposes for which they were used at the time of easement sale.

(2) (i) Landowners may utilize an existing dwelling, except the main house, for a child's lot.

(ii) The number of children's lots may not exceed the limits established in subsection (c)(3)(v) of this section.

(i) *Sale of land.* This title does not restrict the right of an owner to sell land on which the county holds an easement.

(j) *Public access.* Purchase of an easement by the county does not create a right of public access to the land unless the easement contract specifically provides for public access.

(k) *Deed form.*

(1) (i) Easements donated in their entirety may be in perpetuity or for a specified term.

(ii) Notwithstanding paragraph (2) of this subsection, special provisions, unique to the land or to the wishes of the donor, may be incorporated in the easement form for consideration by the Agricultural Board.

(2) (i) The restrictions in this paragraph are generally applicable to the encumbered land in any deed for an easement.

(ii) 1. Any agricultural use of the land is authorized.

2. Industrial or commercial use of the land is not authorized with the exception of uses related to the primary processing of agricultural or woodland products and the direct sale of locally produced agricultural and woodland products to the public.

(iii) 1. Except as otherwise provided, subdivision for residential and commercial purposes is not allowed.

2. On written application to, and approval by, the Agricultural Board, conveyance of a lot or lots for the purpose of construction of a dwelling or dwellings as limited by this title at the time that the easement was sold is allowed.

(iv) The property may be subdivided for agricultural purposes with the written approval of the Agricultural Board.

(v) Signs, billboards or outdoor advertising structures may not be displayed on the property, except that one sign, not exceeding applicable county zoning regulations, may be displayed to:

1. State the name of the property and the name and address of the occupant;

2. Advertise an activity allowed in this paragraph; and

3. Advertise the property for sale or rental.

(vi) Dumping of ashes, sawdust, bark, trash, rubbish, or any other material is not allowed except that which is for regular agricultural use.

(vii) Agricultural lands shall be managed in accordance with sound agricultural and soil and water conservation practices, in a manner which will foster soil and water resource protection.

(viii) Woodlands shall be managed in accordance with sound forestry practices and trees may be selectively or clear cut in a manner approved under applicable regulations and in accordance with an approved forest management plan that will consider multiple resource management objectives and assure protection of the soil and water resources.

(ix) 1. The grantee and its representatives, after appropriate notice to the grantors and any person residing on the property, may enter the property for the purpose of inspection and enforcement of the terms of the easement granted under this title.

2. The grantee may not inspect the interior of any dwelling on the subject property.

(x) In case of doubt concerning the appropriateness or authority to engage in agricultural or related uses of encumbered property, the property owner may submit a written request for consideration and approval of the use to the Agricultural Board.

(l) *Enforcement.* The county is charged with the responsibility to enforce this section and any regulations adopted under this title.

(1988 Code, §§ 14-461, 14-462) (Bill No. 50-93, 1993, § 2, 7-10-1993; Bill No. 19-00, § 2, 7-1-2004; Bill No. 90-02, § 1, 10-25-2002; Bill No. 74-03, § 3, 7-1-2004)

§ 24-3-109. CONDEMNATION OF EASEMENT LAND.

If land under easement is purchased or condemned by the county, the county shall transmit funds equal to the then current value of the easement to the county agricultural land preservation fund.

(1988 Code, § 14-462) (Bill No. 50-93, 1993, § 2, 7-10-1993; Bill No. 19-00, § 2, 7-1-2004; Bill No. 90-02, § 1, 10-25-2002; Bill No. 74-03, § 3, 7-1-2004)

§ 24-3-110. RECORDATION AND ADMINISTRATION.

(a) *Recordation - Required.* The county shall record an easement in the land records of the county.

(b) *Same - Not subject to tax.* The recordation of an easement is not subject to a county transfer or recordation tax.

(c) *Administration.* The Department shall administer this title in accordance with this article and state law.

(1988 Code, § 14-463) (Bill No. 50-93, 1993, § 2, 7-10-1993; Bill No. 19-00, § 2, 7-1-2004; Bill No. 74-03, § 3, 7-1-2004)

SUBTITLE 2. IMMINENTLY THREATENED FARM PRESERVATION PROGRAM

§ 24-3-201. PURPOSE.

(a) *In general.* The purpose of the imminently threatened farm preservation program is to enable the county to purchase agricultural land preservation easements in order to protect high quality, vital, or economically important farms from imminent conversion to non-agricultural use.

(b) *Easements purchased without regard to the priority ranking list.* The county may purchase a county agricultural land preservation easement under the preservation program without regard to the priority ranking list established under § 24-3-107 of this title.

(1988 Code, § 14-467) (Bill No. 90-02, § 1, 10-25-2002; Bill No. 74-03, § 3, 7-1-2004)

§ 24-3-202. ELIGIBLE SELLERS AND FARMLAND.

(a) *Applicants.* A person may apply to participate in the preservation program if the person is eligible to apply for a county agricultural land preservation easement under § 24-3-103(a) of this title.

(b) *Eligibility criteria.*

(1) To be considered for the preservation program, a farm must meet all of the criteria established in this subsection.

(2) The farm must meet the requirements of § 24-3-103(b) of this title.

(3) The purchase must be to preserve productive agricultural land as defined and consistent with the Baltimore County Master Plan.

(4) The immediate area around the farm must be generally conducive to retaining its suitability for commercial agriculture.

(c) *Selection criteria.*

(1) A farm must meet at least one of the criteria established in this subsection.

(2) The farm is being purchased by an agricultural producer for commercial agricultural production.

(3) The farm is imminently threatened with development the degree or scale of which would significantly impact the agricultural capability of the farm.

(4) The farm is in jeopardy of being transferred out of ownership of a family farm operation.

(5) The farm is leased for agricultural production, is highly productive, and the owner is under certain financial difficulties that jeopardize retaining the agricultural viability of the farm.

(6) The farm is in a highly critical location, such as:

- (i) The middle of a large block of easements established under this article;
- (ii) On the edge of the Urban-Rural Demarcation Line;
- (iii) On the edge of a Master Plan-designated agricultural protection area; or
- (iv) Adjacent to significant publicly-owned land.

(7) The farm is above average productive agricultural land as determined by soils and production records.

(8) The farm is of extraordinary importance to the security of the agricultural protection area, as defined in the Master Plan, in which it is located.

(1988 Code, § 14-468) (Bill No. 90-02, § 2, 10-25-2002; Bill No. 74-03, § 3, 7-1-2004)

§ 24-3-203. APPLICATION.

(a) *Schedule.* The Department may accept applications at any time.

(b) *Required information.*

(1) The applicant shall submit an application on a form required by the Department.

(2) The applicant shall include with the application:

- (i) A current deed;
- (ii) A current tax assessment;
- (iii) Documentation of financial conditions; and
- (iv) Documentation of imminent threat.

(c) *When Department may consider applications.* The Department may consider applications for participation in the preservation program when funds are sufficient to allow the funding of the purchase of a county agricultural easement.

(1988 Code, § 14-469) (Bill No. 90-02, § 2, 10-25-2002; Bill No. 74-03, § 3, 7-1-2004)

§ 24-3-204. REVIEW AND PURCHASE.

(a) *Department to submit applications to board.* The Department shall:

(1) Review all applications to ensure that they are complete and meet the eligibility criteria established in § 24-3-202(b) of this subtitle; and

(2) Submit those that are complete and eligible to the Agricultural Board along with an analysis of the extent to which each application meets the selection criteria in § 24-3-202(c) of this subtitle.

(b) *Evaluation by the Agricultural Board.*

(1) The Agricultural Board shall evaluate each application based on the selection criteria established in § 24-3-202(c) of this subtitle and determine whether to recommend the farm for the purchase of an easement under the preservation program.

(2) The Agricultural Board shall also score the farm under the easement ranking formula in effect in § 24-3-103(c) of this title at the time of the application.

(3) After reviewing an application, the Agricultural Board shall submit to the Department an evaluation of the threat, the easement ranking score under the easement ranking formula in effect in § 24-3-103(c) of this title, and a recommendation to proceed or not to proceed with the purchase of an easement under the preservation program.

(c) *County approval.*

(1) After receiving a recommendation to proceed on an application from the Agricultural Board, the Department shall determine if the threat is sufficient to proceed with the purchase of an easement under the preservation program.

(2) If the Department determines that the threat is sufficient to proceed with the purchase of an easement under the preservation program, the Department may prepare and submit to the County Administrative Officer:

(i) A resolution for approval by the County Council authorizing the purchase of the easement without regard to the priority ranking list then in effect; and

(ii) An easement purchase contract for approval by the county council.

(d) *Contents of easement purchase contract.*

(1) The Department shall determine the easement price in accordance with § 24-3-106 of this title.

(2) The easement purchase contract shall include conditions determined by the Department which, if not complied with in the time specified in the contract, shall give the Department the right to void the contract.

(e) *Source of funds.* The county shall purchase easements under the preservation program with funds from the county agricultural land preservation fund established under § 24-3-104(a) of this title.

(1988 Code, § 14-470) (Bill No. 90-02, § 2, 10-25-2002; Bill No. 74-03, § 3, 7-1-2004)

§ 24-3-205. USE LIMITATIONS.

An easement purchased under the preservation program is subject to all the limitations and requirements established under this article for county agricultural land preservation easements from the date of the passage of the resolution required under § 24-3-204 of this subtitle until the earlier of:

(1) The voiding of the contract under the § 24-3-204 of this subtitle; or

(2) The termination of the county agricultural land preservation easement under applicable law.

(1988 Code, § 14-471) (Bill No. 90-02, § 2, 10-25-2002; Bill No. 74-03, § 3, 7-1-2004)

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