**§476. Definitions**

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1985, c. 395, §3 (NEW).]

**1. Conservation easement.**  "Conservation easement" means a nonpossessory interest of a holder in real property imposing limitations or affirmative obligations the purposes of which include retaining or protecting natural, scenic or open space values of real property; assuring its availability for agricultural, forest, recreational or open space use; protecting natural resources; or maintaining or enhancing air or water quality of real property.

[PL 1985, c. 395, §3 (NEW).]

**2. Holder.**  "Holder" means:

A. A governmental body empowered to hold an interest in real property under the laws of this State or the United States; or [PL 1985, c. 395, §3 (NEW).]

B. A nonprofit corporation or charitable trust, the purposes or powers of which include retaining or protecting the natural, scenic or open space values of real property; assuring the availability of real property for agricultural, forest, recreational or open space use; protecting natural resources; or maintaining or enhancing air or water quality or preserving the historical, architectural, archaeological or cultural aspects of real property. [PL 1985, c. 395, §3 (NEW).]

[PL 1985, c. 395, §3 (NEW).]

**3. Real property.**  "Real property" includes without limitation surface waters.

[PL 2007, c. 412, §1 (AMD).]

**4. Third-party right of enforcement.**  "Third-party right of enforcement" means a right provided in a conservation easement to enforce any of its terms granted to a governmental body, nonprofit corporation or charitable trust, which, although eligible to be a holder, is not a holder.

[PL 1985, c. 395, §3 (NEW).]

SECTION HISTORY

PL 1985, c. 395, §3 (NEW). PL 2007, c. 412, §1 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Maine Legislature and is current through January 1, 2025
. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.