

(b) (1) (I) The easement shall provide that residential subdivision for commercial purposes is not permitted. However, upon written application to the foundation conveyance of one acre or less for the owner who originally sold an easement to the foundation and for each of his children for the purpose of construction of one dwelling house intended for his or their use shall be permitted one time only for that owner and each child, and does not constitute a residential subdivision for commercial purposes. ~~IF--ANY-CHILD-OF-THE-OWNER-WHO-ORIGINALLY-SELL-AN-EASEMENT-TO-THE-FOUNDATION-USES-THIS-PROVISION-TO--CONSTRUCT-A--DWELLING--HOUSE,--THE--CHILD--SHALL-PAY-THE-FOUNDATION-AN-AMOUNT-THAT-THE-FOUNDATION-DETERMINES--TO--BE--A--REASONABLE-AMOUNT---FOR---THE---USE--OF--THE--EASEMENT~~ UPON ANY SUCH CONVEYANCE, THE FOUNDATION SHALL RELEASE THE LAND CONVEYED FROM THE EASEMENT, AND THE BENEFICIARY OF THE RELEASE SHALL REIMBURSE THE FOUNDATION THE PROPORTIONATE AMOUNT ORIGINALLY RECEIVED BY THE OWNER OF THE LAND FOR THE PURCHASE OF THAT PORTION OF THE EASEMENT RELATED TO THE LAND RELEASED.

(II) Before any conveyance is made pursuant to this subsection, an owner shall agree with the foundation not to subdivide any land conveyed. This agreement shall be recorded among the land records where the land is located and shall bind all future owners. The owner also may construct housing for tenants fully engaged in operation of the farm, but this construction may not exceed one tenant house per 100 acres.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1982.

June 1, 1982

The Honorable James Clark, Jr.  
President of the Senate  
State House  
Annapolis, Maryland 21404

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed Senate Bill 95.

This bill would require reimbursement to the Maryland Agricultural Land Preservation Foundation when an owner of land subject to an agricultural preservation easement conveys acreage to his children as otherwise permitted by law.

House Bill 420, which was passed by the General Assembly and signed by me on June 1, 1982, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 95.