

**382.810 Creation -- Acceptance and recordation necessary -- Duration --
Preexisting property interest.**

- (1) Except as otherwise provided in KRS 382.810 to 382.860, a conservation easement may be created, conveyed, recorded, assigned, released, modified, terminated, or otherwise altered or affected in the same manner as other easements.
- (2) No right or duty in favor of or against a holder and no right in favor of a person having a third-party right of enforcement shall arise under a conservation easement before its acceptance by the holder and a recordation of the acceptance.
- (3) Except as provided in KRS 382.820(2), a conservation easement shall be unlimited in duration unless the instrument creating it otherwise provides.
- (4) An interest in real property in existence at the time a conservation easement is created shall not be impaired by it unless the owner of the interest is a party to the conservation easement or consents to it.

Effective: July 15, 1988

History: Created 1988 Ky. Acts ch. 251, sec. 2, effective July 15, 1988.