

**84.64 CONSERVATION RESTRICTIONS.**

Subdivision 1. **Acquisition.** A conservation restriction for a definite period or in perpetuity may be acquired by:

- (1) the commissioner of natural resources, in the name of the state, by gift, purchase or exchange, with funds specifically made available for that purpose;
- (2) a nonprofit charitable corporation whose purposes include conservation of land or water areas; or
- (3) a home rule charter or statutory city.

Subd. 2. **Definition.** For the purpose of this section, a "conservation restriction" means a right, whether or not stated in the form of a restriction, easement, covenant or condition, in any deed, will or other instrument executed by or on behalf of the owner of land or in any order of taking, appropriate to retaining land or water areas predominately in their natural, scenic, open or wooded condition, or as suitable habitat for fish and wild life, to forbid or limit any or all:

- (1) construction or placing of buildings, roads, signs, billboards or other advertising, utilities or other structures on or above the ground;
- (2) dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste or unsightly or offensive materials;
- (3) removal or destruction of trees, shrubs or other vegetation;
- (4) excavation, dredging or removal of loam, peat, gravel, soil, rock or other material substance in such manner as to affect the surface;
- (5) surface use except for purposes permitting the land or water area to remain predominately in its natural condition;
- (6) activities detrimental to drainage, flood control, water conservation, erosion control or soil conservation, or fish and wild life habitat preservation; or
- (7) other acts or uses detrimental to such retention of land or water areas.

**History:** 1974 c 531 s 1; 1975 c 163 s 1; 1979 c 159 s 1