

07 NCAC 04R .1402 AGREEMENT CONDITIONS

(a) The specific conditions, clauses, specifications, and terms of a preservation or conservation agreement shall be determined through negotiation between the grantor and grantee.

(b) If the state is a party to the agreement, terms addressing the appropriate and long term preservation of the property shall include:

- (1) duration of the agreement;
- (2) specific methods and techniques for maintaining and administering the property;
- (3) public access or denial thereof;
- (4) provisions for seeking changes or alterations in the property and the agreement;
- (5) provisions for inspection of the property by the grantee;
- (6) provisions for seeking restitution of and remedies for breach of the terms of agreement by either the grantor or grantee;
- (7) procedures for seeking and granting consent or disapproval for proposed changes or alterations in the property or the agreement and for appealing any such actions;
- (8) any special provisions necessary for the effective and long term preservation of the property.

History Note: *Authority G.S. 121-2(4),(5); 121-9(b)(c); 121-35; 121-38; 121-39;*

Eff. February 1, 1985;

Amended Eff. June 1, 1989;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 26, 2015.