



County of Albemarle
Community Development Department – Planning Division

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To: Albemarle Conservation Easement Authority
From: James Van Vranken, Natural Resources Planner
Re: Draft ACEA Multi-parcel Combination Policy
Date: September 3, 2025

Background: ACEA easements often protect a single property of multiple parcels under one ownership. These multi-parcel easements may permit or prohibit—depending largely on their size—separate conveyance of a portion of the property under easement. In either case, the easement does not legally combine multiple parcels into one.

Some ACEA Directors have recently raised the concern that these multi-parcel easements may be at risk from new property buyers, who, through ignorance or malice, believe they can sell individual parcels separately. For this reason, the Authority recently asked a landowner to combine her three parcels into one at the same time her easement was recorded.

Discussion: For properties of multiple parcels, the current ACEA deed template states:

Even though the Property consists of ____ parcels for real estate tax purposes and it may have been acquired previously as separate parcels, it shall be considered one parcel for purposes of this Easement, and the restrictions and covenants of this Easement shall apply to the Property as a whole.

In cases where division or separate conveyance of a portion of the property is prohibited, the template further states, “Separate conveyance of a portion of the Property or division of the Property is prohibited.”

While the terms of the deed provide strong protection against subdivision and separate conveyance, court cases are expensive, time-consuming, and best avoided. Requiring donors to combine multiple parcels would reduce the risk of future violations: a landowner would not unwittingly purchase an easement thinking that each separate parcel could be sold; and a landowner intent on selling off a portion of the property would first have to submit a subdivision plat to the County for review, to which ACEA staff would be alerted.

On the other hand, contracting a surveyor to prepare a boundary line adjustment plat and submit it to the County for approval is a significant expense that might put off potential donors.

Staff requests that the Authority discuss the draft policy (Attachment A) and provide feedback on whether to continue work on this policy and, if so, on the content of the policy. Staff will provide any requested revisions at the next meeting.

Attachments:

Attachment A – Draft Parcel Combination Policy

Albemarle Conservation Easement Authority: Parcel Combination Policy

It is the Authority's policy not to accept a multi-parcel conservation easement donation unless the landowner combines all parcels into one parcel when the easement is recorded, unless the Authority specifically permits otherwise as part of its acceptance action.

For donations that permit future division and separate ownership of the property, the landowner must combine parcels such that the number of parcels is less than or equal to the number of permitted separate owners. Later internal boundary-line adjustments may still occur as permitted by the specific deed.

Adopted XXXX