§ 49-0303. Definitions.

When used in this title:

1. "Conservation easement" means an easement, covenant, restriction or other interest in real property, created under and subject to the provisions of this title which limits or restricts development, management or use of such real property for the purpose of preserving or maintaining the scenic, open, historic, archaeological, architectural, or natural condition, character, significance or amenities of the real property in a manner consistent with the public policy and purpose set forth in section 49-0301 of this title, provided that no such easement shall be acquired or held by the state which is subject to the provisions of article fourteen of the constitution.

2. "Not-for-profit conservation organization" means a not-for-profit corporation organized inter alia for the conservation or preservation of real property and which has the power to acquire interests in real property. Such organization must have qualified as exempt for federal tax purposes pursuant to Section 501 (c)(3) of the internal revenue code or any similar successor statutory provision.

3. "Public body" means the state or a municipal corporation as that term is defined in section two of the general municipal law or the United States of America acting by and through the department of the interior. Such term shall further include the Palisades interstate park commission; the Central Pine Barrens joint planning and policy commission; and a soil and water conservation district as that term is defined in section three of the soil and water conservation districts law.

4. "Third party enforcement right" means a right which may be granted in a conservation easement which empowers a public body or a not-for-profit conservation organization which is not a holder of the easement to enforce any of the terms of the easement.