

bequest, devise, ~~lease or otherwise~~ OR LEASE, and through the expenditure of public funds, the fee or any lesser interest or right in real property in order to preserve, through limitation of their future use, open spaces and areas for public use and enjoyment; and

WHEREAS, The Legislature finds that the rapid growth and spread of urban development is encroaching upon, or eliminating, many open areas and spaces of varied size and character, including many having significant scenic or esthetic values, which areas and spaces if preserved and maintained in their present open state would constitute important physical, social, esthetic or economic assets to existing or impending urban and metropolitan development; and

WHEREAS, The Legislature declares that it is necessary for sound and proper urban and metropolitan development, and in the public interest of the people of this State for any county or city, OR THE STATE DEPARTMENT OF FORESTS AND PARKS, to expend or advance public funds for, or to accept by, purchase, gift, grant, bequest, devise, ~~lease or otherwise~~ OR LEASE, the fee or any lesser interest or right in real property to acquire, maintain, improve, protect, limit the future use of or otherwise conserve open spaces and areas within their respective jurisdictions; now, therefore,

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That new Section 357A be and it is hereby added to Article 66C of the Annotated Code of Maryland (1957 Edition), title "Natural Resources", sub-title "Forests and Parks—In General", to follow immediately after Section 357 thereof, and to read as follows:

357A. (a) *The acquisition of interests or rights in real property for the preservation of open spaces and areas constitutes a public purpose for which public funds may be expended or advanced. Any county or city, AND THE STATE DEPARTMENT OF FORESTS AND PARKS, may acquire, by purchase, gift, grant, bequest, devise, ~~lease or otherwise~~ OR LEASE, the fee or any lesser interest, development right, easement, covenant or other contractual right necessary to achieve this end. Any county or city, AND THE STATE DEPARTMENT OF FORESTS AND PARKS, may also ~~acquire~~ PURCHASE OR ACQUIRE BY CONTRACT OR GIFT the fee to any property for the purpose of conveying or leasing said property back to its original owner or other person under such covenants or other contractual arrangements as will limit the future use of the property in accordance with the purposes of this section. THE COUNTY OR CITY SHALL NOT ACQUIRE ANY SUCH FEE OR ANY SUCH LESSER INTEREST IN REAL PROPERTY FOR THE PURPOSES AFORESAID, BY PURCHASE OR CONTRACT REQUIRING A MONETARY CONSIDERATION IN EXCESS OF \$500.00, UNTIL AND UNLESS THE GOVERNING BODY OF SUCH COUNTY OR CITY SHALL ADOPT A RESOLUTION OR FORMAL ORDER DECLARING THE PUBLIC PURPOSE OR USE THEREFOR AND AFTER HOLDING A PUBLIC HEARING RESPECTING THE SAME.*

(b) *For the purposes of this section, an "open space" or "open area" is any space or area characterized by (1) great natural scenic beauty or (2) whose existing openness, natural condition, or present state of use, if retained, would enhance the present or potential value*