CHAPTER 28

SOLAR EASEMENTS

§1401. Establishment of solar easements

Any easement obtained for the purpose of ensuring access to direct sunlight must be created in writing and must be in interest in real property that may be acquired and transferred and shall be recorded and indexed in the same way as other conveyances of real property interests. Solar easements must be appurtenant and run with the land benefited and burdened, and are subject to court decreed abandonment and other limitations provided by law. [PL 1981, c. 341 (NEW).]

SECTION HISTORY

PL 1981, c. 341 (NEW).

§1402. Contents of solar easements

1. Instrument creating easement; description; terms. Any instrument creating a solar easement may include, but the contents shall not be limited to, either or both of the following:

A. A definite and certain description of the space affected by the easement; [PL 1981, c. 341 (NEW).]

B. Any terms or conditions, or both, under which the solar easement is granted or will be terminated. [PL 1981, c. 341 (NEW).]

[PL 1981, c. 341 (NEW).]

2. Map. The easement may contain a map showing the affected properties and the area protected by the easement. In the case of an inconsistency between the written easement and the map, the written easement shall control.

[PL 1981, c. 341 (NEW).]

SECTION HISTORY

PL 1981, c. 341 (NEW).

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