A draft deed must be approved by VOF and meet the following requirements:

- The property interest, the form of which may be determined by VOF, in most cases must be held by VOF or a locality as specified in Virginia Code §10.1-1801.1.

- The property interest must be dedicated in perpetuity as open-space land under the Open-Space Land Act (Virginia Code §§ 10.1-1700 to 10.1-1705).

- The grant agreement must be recorded as an exhibit to the deed.

Recitals:

- Pursuant to Chapter 18, Title 10.1, Section 10.1-1801.1 the Virginia Outdoors Foundation (VOF) has provided an Open-Space Lands Preservation Trust Fund Grant in the amount of $___________ to Grantee for the protection and enhancement of public open space, as more fully described in the Virginia Outdoors Foundation Open-Space Lands Preservation Trust Fund Grant Agreement attached hereto as Exhibit A.

- When there is acquisition of a property interest by a locality:
  - Grantor is conveying the described property (the “Property”) to Grantee to be retained and used by Grantee in perpetuity as open-space land pursuant to Chapter 17, Title 10.1, Section 10.1-1701 of the Code of Virginia (1950), as amended.

- When property interest is already held by a locality:
  - Grantor is dedicating the described property (the “Property”) to be retained and used in perpetuity as open-space land pursuant to Chapter 17, Title 10.1, Section 10.1-1701 of the Code of Virginia (1950), as amended.

Designation:

- The [owner/public body/grantee] hereby designates the Property to be retained and used in perpetuity as open-space land to Chapter 17, Title 10.1, Section 10.1-1701 of the Code of Virginia (1950) as amended.

Restrictions:

- The deed must include the following restrictions to be imposed in perpetuity:
  - A right of public access.
  - No division.
  - Only structures allowed are those that support public use of the Property as a park. Impervious surface will be limited/capped. 10% of Property is the average cap, though up to 50% will be considered for urban areas/community needs.
  - A conversion/diversion clause.
    - No part of the Property may be converted or diverted from its open-space use unless such conversion or diversion is determined by the [owner/public body] to be in compliance with the provisions of Section 10.1-1704 of the Open-Space Land Act.

- The deed may include the following restrictions to be imposed in perpetuity:
  - A clause in which VOF must agree that the determination of the public body to convert/divert the public land has met all the requirements of 10.1-1704, such as:
    - No part of the Property may be converted or diverted from its open-space use unless such conversion or diversion is determined by VOF to be in compliance with the provisions of Section 10.1-1704 of the Open-Space Land Act.