

COURT OF RECORD OF THIS STATE. IN NO EVENT SHALL THE FINAL AMOUNT AWARDED IN A SUBSEQUENT CONDEMNATION PROCEEDING BE LESS THAN THE ESTIMATED PAYMENT MADE PURSUANT TO THIS SECTION. THE PAYMENT TO THE PROPERTY OWNER(S), OR INTO THE COURT FOR THE BENEFIT OF THE OWNER(S), IN NO WAY LIMITS THE AMOUNT WHICH MAY BE AWARDED FINALLY IN SUBSEQUENT CONDEMNATION PROCEEDINGS INVOLVING THE SAME LAND OR INTERESTS IN LAND.

(5) IF MONEY IS PAID INTO THE COURT FOR THE BENEFIT OF THE OWNER OR OWNERS OF THE LAND OR INTERESTS IN LAND INVOLVED IN A PROCEEDING PURSUANT TO THIS SECTION, THE PROPERTY OWNER(S), UPON WRITTEN REQUEST TO THE CLERK OF THE COURT, MAY RECEIVE THE SUM SO PAID WITHOUT PREJUDICE TO ANY OF THE RIGHTS OF THE OWNER(S)[[, IF THE OWNER(S) AGREED TO REPAY TO THE COMMISSION THE DIFFERENCE, IF ANY, BETWEEN THAT SUM AND THE FINAL AWARD]].

(6) [[IF THE COMMISSION AND THE OWNER OR OWNERS OF LAND OR INTERESTS IN LAND BEING TAKEN PURSUANT TO THIS SECTION ARE UNABLE TO AGREE AS TO THE COMPENSATION AND DAMAGES, IF ANY, CAUSED BY THE TAKING, THE COMMISSION SHALL INSTITUTE CONDEMNATION PROCEEDINGS PURSUANT TO ARTICLE 33A OF THE ANNOTATED CODE. IF CONDEMNATION PROCEEDINGS ARE NOT INSTITUTED AT THE TIME THE COMMISSION PAYS TO THE OWNER OR OWNERS OR INTO THE COURT, AS THE CASE MAY BE, THE ESTIMATED FAIR VALUE OF THE PROPERTY BEING TAKEN, THE COMMISSION SHALL INSTITUTE CONDEMNATION PROCEEDINGS NOT LATER THAN 30 DAYS AFTER RECEIPT OF WRITTEN NOTICE FROM THE PROPERTY OWNER(S) OF THE DISAGREEMENT AS TO THE VALUE OF THE PROPERTY.]] THE COURT SHALL HEAR AND DETERMINE CONDEMNATION PROCEEDINGS AS SOON AS PRACTICABLE AFTER THESE PROCEEDINGS HAVE BEEN INSTITUTED.

(7) THE COMMISSION'S RIGHT TO ENTER AND TAKE POSSESSION OF LAND OR INTERESTS IN LAND PURSUANT TO THIS SECTION COMMENCES IMMEDIATELY UPON COMMENCEMENT OF CONDEMNATION PROCEEDINGS AND THE FILING OF A DECLARATION OF TAKING IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY, ACCOMPANIED BY THE REQUIRED ESTIMATED PAYMENT. THE DECLARATION OF TAKING MAY BE COMBINED WITH A PETITION FOR CONDEMNATION, EITHER FILED SIMULTANEOUSLY WITH OR AS A PART OF THE SAME PLEADING, OR MAY BE FILED SUBSEQUENT TO A PETITION FOR CONDEMNATION.

[[(B)]] C FURTHER PROVISIONS.

(1) THE TAKING OF LAND OR INTERESTS IN LAND PURSUANT TO THE PROVISIONS AUTHORIZED BY THIS SECTION MAY BE INITIATED PRIOR TO OR AFTER THE BEGINNING OF CONSTRUCTION OF THE WHOLE OR ANY PART OF THE PARTICULAR FACILITY OR PROJECT FOR WHICH THE PROPERTY IS BEING