

(1978 Edition and September, 1984 Supplement, as amended)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 19 - St. Mary's County

113-9.

N. (1) IF THE STATE, COUNTY, OR ANY MUNICIPAL CORPORATION, COMMISSION, BOARD, OR AGENCY OF THE STATE OR COUNTY ACQUIRES FOR PUBLIC USE PROPERTY THAT IS SUBJECT TO A FRONT FOOT BENEFIT CHARGE LEVIED BY THE ST. MARY'S COUNTY METROPOLITAN COMMISSION, THE BENEFIT CHARGE SHALL BE PAID AND EXTINGUISHED BY THE PAYMENT TO THE COMMISSION OF A SUM NECESSARY TO PAY OFF THE BENEFIT CHARGE, COMPUTED IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 113-9 G OF THIS CHAPTER, AND THE SUM SHALL BECOME A LIEN AGAINST THE PROPERTY.

(2) IF THE PROPERTY IS ACQUIRED AS PROVIDED IN THIS SECTION WITHOUT EMINENT DOMAIN PROCEEDINGS, THE AMOUNT NECESSARY TO PAY AND EXTINGUISH THE BENEFIT CHARGE SHALL BE PAID TO THE COMMISSION BEFORE THE DEED EVIDENCING THE TRANSFER MAY BE RECORDED AMONG THE LAND RECORDS OF ST. MARY'S COUNTY.

(3) IF THE PROPERTY IS ACQUIRED THROUGH EMINENT DOMAIN PROCEEDINGS, THE ST. MARY'S COUNTY METROPOLITAN COMMISSION SHALL BE NAMED A PARTY TO THE PROCEEDINGS, AND THE JURY SHALL MAKE A SEPARATE AWARD IN FAVOR OF THE COMMISSION FOR THE SUM REQUIRED TO PAY AND EXTINGUISH THE FRONT FOOT BENEFIT CHARGE.

(4) IF, BY OVERSIGHT OR MISTAKE, THE COMMISSION IS NOT NAMED A PARTY TO THE EMINENT DOMAIN PROCEEDINGS, OR IF NO SEPARATE AWARD FOR THE SUM NECESSARY TO PAY AND EXTINGUISH THE FRONT FOOT BENEFIT ASSESSMENT IS SPECIFIED IN THE JURY'S INQUISITION, THEN THE CONDEMNING AUTHORITY SHALL PAY TO THE COMMISSION THE AMOUNT REQUIRED TO EXTINGUISH THE FRONT FOOT BENEFIT ASSESSMENT AT THE SAME TIME THE CONDEMNING AUTHORITY PAYS THE AMOUNT AWARDED TO THE PROPERTY OWNER IN THE PROCEEDINGS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1985.

Approved May 28, 1985.

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CHAPTER 616

(House Bill 419)

AN ACT concerning