

County or in Baltimore County and is desired by Anne Arundel or Baltimore County, Maryland, respectively, the County Council of said county may provide for the appointment of an appraiser or appraisers by a Court of Record to value such property and that upon payment of the amount of such evaluation, to the party entitled to compensation, or into Court, and securing the payment of any further sum that may be awarded by a jury, such property may be taken; and where such property is situated in Montgomery County and in the judgment of and upon a finding by the County Council of said County that there is immediate need therefor for right of way for County roads or streets, the County Council may provide that such property may be taken immediately upon payment therefor to the owner or owners thereof, or into court, such amount as a licensed real estate broker appointed by the County Council shall estimate to be the fair market value of such property, provided that the Council shall secure the payment of any further sum that may subsequently be awarded by a jury. This Section 40A shall not apply in Montgomery County if the property actually to be taken includes a building or buildings. The amendment to this section, if adopted by the voters in the year 1968, at the time it becomes effective, is void and of no further effect if the voters of the State prior thereto adopted a revision of the Constitution of Maryland proposed by a Constitutional Convention.

¹ SEC. 40B. The General Assembly shall enact no law authorizing private property to be taken for public use without just compensation, to be agreed upon between the parties or awarded by a jury, being first paid or tendered to the party entitled to such compensation, except that where such property in the judgment of the State Roads Commission is needed by the State for highway purposes, the General Assembly may provide that such property may be taken immediately upon payment therefor to the owner or owners thereof by said State Roads Commission, or into Court, such amount as said State Roads Commission shall estimate to be of the fair value of said property, provided such legislation also requires the payment of any further sum that may subsequently be awarded by a jury.

² SEC. 40C. The General Assembly shall enact no law authorizing private property to be taken for public use without just compensation, to be agreed upon between the parties or awarded by a jury, being first paid or tendered to the party entitled to such compensation, except that

¹ Added by Chapter 607, Acts of 1941, ratified November 3, 1942.

² Added by Chapter 781, Acts of 1965, ratified November 8, 1966.