

mode of payment under any action allowed by law for the benefits so determined to be assessed; and to pass all ordinances necessary and proper to the exercise and enforcement of the powers granted in this section; provided that no land or property shall be taken under the powers given in this section without the payment or tender of just compensation therefor to the party entitled to such compensation as agreed on with the owners of such property or awarded by jury, and provided further that the ordinance or ordinances regulating the condemnation of land or property lying wholly or partly in Mt. Airy, shall provide for a reasonable notice to the owners or owner thereof, and for appeals to the Circuit Court of Carroll County by any person interested, including the Mayor and Council of Mt. Airy, from the decision of any commissioners or other persons appointed to value or assess damages for the taking of any such land or property or interest therein.

1900, ch. 341, sec. Q. 1918 Code, sec. 570. 1920, ch. 645.

**574.** The said Mayor and Council shall have the power to grade and pave or otherwise improve the streets and alleys within the corporate limits, and to regulate the width thereof; to lay walks across said streets and alleys whenever necessary; to provide of what material the said streets and alleys shall be curbed, and how the same shall be done and kept in repair; they may require the owners of the lots of ground in front of which grading and paving, laying or repairing of sidewalks and laying or repairing or curbing are to be done, to do the same at their own expense, and if any owner of a lot shall neglect or refuse to grade and pave the sidewalks or lay the curbing in front of his lot or premises, or repair the same when necessary, for the space of one month after notice has been given him by the Mayor or Town Clerk, in writing, requiring the same to be done, the Mayor and Council may cause the same to be done at the expense of the owner of the lot, which expense shall be a lien on said lot of ground until paid, and may be recovered from the said owners by the Mayor and Council as other debts of like amount are recovered in this State by law; they may also require the owners of the lots of ground fronting on either side of the street or alley, graded or paved or otherwise improved, to pay two-thirds of the expense incurred in grading and paving or otherwise improving the same, to be apportioned among them by the Mayor and Council, payable whenever said work may be finished; such apportionment to be in proportion to the front feet of said lots owned by them respectively; and whenever payment thereof is refused the Mayor and Council may recover the same by law in the same manner as county taxes are collected in this State, the remaining one-third of the said expense shall be paid by the Mayor and Council out of the taxes levied by them upon the citizens of the town generally.\*

\*Sec. 2, ch. 645, 1920, reads as follows: This Act shall not affect or impair any rights vested, or any contracts, obligations, duties, liabilities or penalties whatever now existing.