

may be used by the Commission within its discretion for the purpose of policing the several parks or other areas within Montgomery County under its jurisdiction and/or for the purpose of development, beautification or maintenance of such parks and/or other areas and/or the establishment therein of such playground and recreational facilities as the Commission may determine.

10. That whenever it shall be deemed necessary by the Commission to take or acquire any lands, water rights, structures or buildings either in fee or as an easement for parks, parkways, forests, roads, streets, boulevards or highways, ground or spaces, the Commission may purchase same from the owner or owners, or, failing to agree with the owner or owners thereof, may condemn the same by proceedings in the Circuit Court for the county in which said land, water rights structures or buildings are located, as now provided for condemnation of land by public service corporations in Article 33A of the Public General Laws of Maryland; and said Commission may at the same time condemn the interest of any tenant, lessee or other person having an interest in said land or other property. At any time after ten days after the return and recordation of the verdict or award in said proceeding, the Commission may enter and take possession of said property so condemned upon first paying to the Clerk of the Court the amount of said award and all costs taxed to date, notwithstanding any appeal or further proceeding on the part of the defendant. At the time of said payment, however, it shall give its corporate undertaking to abide by and fulfill any judgment on such appeal or further proceeding if there be an appeal, or on the expiration of the appeal time limit if there be no appeal. The Commission is hereby authorized to sell, convey, transfer or exchange any land held by it under this Act, and deemed by the Commission not to be needed for park purposes or other purposes of this Act.

SEC. 2. *And be it further enacted,* That if any clause, sentence, part or parts of this Act, or of any section thereof shall be held unconstitutional, such unconstitutionality shall not affect the validity of the remaining parts of this Act or of any section thereof. The Legislature hereby declares that it would have passed the remaining parts of this Act or any section thereof, if it had known such clause, sentence, part or parts of any section thereof should be declared unconstitutional.