

offices. The Commission shall forthwith pay to the property owners, whose property is to be taken as shown on the aforementioned plats or maps or into the circuit court of the county or the Superior Court of Baltimore City, as the case may be, in whichever jurisdiction the property is located, such amount as the Commission has theretofore determined to represent the fair value of said property accompanied by a petition stating the name or names and addresses of the property owners, the location of the property and the fair market value of the land and property rights to be obtained as determined by the Commission. Upon the payment of said amount into court or to the property owner and the recording of the plats or maps as aforesaid, the Commission may thereupon take possession of the property designated on the above mentioned plats or maps for the purpose of proceeding with the contemplated highway construction, and said construction shall proceed without any delay caused by the property owner. *Any privately or publicly owned utility company or commission may, with the permission of and under the supervision of the Commission, install its utility facilities in the area being acquired IN FEE SIMPLE by the Commission as shown on such plats or maps.* However, if a dwelling house or commercial establishment is required to be taken the resident or occupant thereof shall not be required to vacate said building until said property has been condemned in the appropriate court and an inquisition returned by the jury as provided by law, unless the Commission and the owner otherwise agree.

When said sum is so paid into court the property owner upon written request to the clerk of the said court shall be entitled to receive the said sum without prejudice to any of said property owner's rights if the said property owner agrees to pay back to the Commission the difference between the said sum and the final award, if said final award be less than the sum paid into court; such payment to the property owner or into court, however, shall in no wise limit the amount to be allowed under subsequent condemnation proceedings hereinafter provided, and the Commission shall make payment to the owner or owners of said land and property rights, from any funds in its possession or under its control, any further sum that may subsequently be finally awarded in subsequent condemnation proceedings, including interest at the rate of six percent (6%) per annum upon such further sum.

SEC. 2. *And be it further enacted,* That this Act shall take effect June 1, 1959.

Approved April 28, 1959.

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## CHAPTER 657

(House Bill 564)

AN ACT to add new Section 4 186 (1) (h) to Article 77 of the Annotated Code of Maryland (1957 Edition), title "Public Edu-

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EXPLANATION: *Italics indicate new matter added to existing law.*

[Brackets] indicate matter stricken from existing law.

CAPITALS indicate amendments to bill.

~~Strike out~~ indicates matter stricken out of bill.