

529. *Same; procedure and conditions.*

(a) *Purchase.*—Whenever the Commission deems that the acquisition of any existing water or sewer system or other urban service installation would serve the best interests of the residents and property owners of any area in Wicomico County either by improving the existing service or facilitating the expansion of the system to serve adjacent areas without adequate service, it may purchase the same upon such terms and conditions as may be agreed upon with the owner, whether a municipality or private person or corporation. If the purchase is made by negotiation, the Commission shall take such steps as it deems necessary to acquire the property or system free and clear of all debts, liens and encumbrances except those specifically assumed as part of the purchase agreement. In the event of failure to agree to the purchase price or conditions of purchase of any privately owned water or sewerage system or other urban service installation, the said Commission may acquire the same by condemnation in the same manner as it is authorized to acquire land by this subtitle. In the condemnation of privately owned water or sewerage systems the jury shall take into consideration as part of their award any payment, contribution or tax upon the respective lot owners or purchasers toward the construction of said system, and where said system or systems have been built in connection with or for the purpose of developing home sites, subdivisions or villages, or by any individuals, firm or corporations, and such system or systems have been offered as an inducement for the purchase of lot or land therein, the jury shall deduct from the determined value of the plant or system such sum as it may reasonably determine was added to the purchase price of said land or lots in the sale thereof for the purpose of constructing said systems. Privately owned systems shall be taken under said condemnation by the Commission free and clear of all debts and liens, but said Commission shall make a party defendant any person, firm or corporation having any recorded lien or encumbrance against the same, and the Circuit Court is hereby empowered and authorized to determine the respective amounts due the defendants, and from and after payment into Court or to the proper parties the Commission shall be authorized to take possession of, maintain and operate said system, as part of its general system, and from the date of such payment all properties along the line of any water main or sewer of the system acquired shall stand in the same relation, bear the same benefit assessment, and be subject to the same regulations and penalties as though the system so acquired had been constructed and put into operation by the Commission under the provisions of this subtitle; provided, however, that no building or premises actually connected in an adequate manner with the said acquired system at the time of its purchase shall be required to pay any connection charge. As part of the terms of purchase of any municipally owned water or sewerage system, and where it forms part of the consideration paid for the system, the Commission may, notwithstanding any provision in this subtitle apparently to the contrary, agree that a lower service charge or ad valorem tax shall be charged or imposed against properties located within the then boundaries of the municipality owning said system than shall be charged or imposed against properties not located within its then existing boundaries but then or thereafter connected