

hereinafter defined, and it finds and determines that the remaining number of takings of land or interests therein is needed for said extension or construction project, and the land is located in Prince George's County, the Commission is hereby authorized to enter upon and take possession of such land or interests in land in the foregoing latter mentioned category and proceed with the construction of said water supply, sanitary sewerage or drainage project, provided the Commission shall first pay to the owner or owners of the land or interests in land involved, or into the Circuit Court for Prince George's County for his, her or their benefit, such sum as the Commission shall estimate to be the fair value of the property being acquired by it, which estimate, however, may not be less than the appraised value of the land or interest therein being taken as evaluated by at least one experienced and qualified appraiser, whose qualifications as an appraiser have been accepted by a Court of Record of the State of Maryland, and provided, further, that the payment to the property owner(s) or into the Court for his, her or their benefit shall nowise limit the amount which may finally be awarded in subsequent condemnation proceedings with respect to the land or interests in land so taken. No building or buildings may be taken under the provisions of this section. If the money is paid into the Court for the benefit of the owner or owners of the land or interests in land involved, the property owner(s) may, upon written request to the Clerk of the Court receive the sum so paid without prejudice to any of his, her or their rights, if the property owner(s) agree to pay back to the Commission the difference, if any, between said sum and the final award. If the Commission and the owner or owners of the land or interests in land being taken are unable to agree as to the compensation and damages, if any, caused by the taking, the Commission shall institute condemnation proceedings in the manner prescribed by the provisions of Article 33A of the Annotated Code of Public General Laws and, if the condemnation proceedings are not instituted at the same time as the Commission pays the money to the owner or owners or to the Court for his, it or their benefit, as the case may be, then it shall be the duty of the Commission to institute such proceedings ~~within~~ NOT LATER THAN thirty (30) days after receipt of notice from the property owner(s) that the disagreement exists, and the duty of the Court to hear and determine such proceedings as soon thereafter as practicable. It is the intention of this section to provide that land or interests therein may, in emergencies, in the discretion of the Commission, be condemned after construction of the water supply, sewerage or drainage system, or part thereof, has been commenced as well as prior thereto subject, however, to the prohibition against the taking of any building or buildings under the optional procedure provided for by this section.

(b) The Commission's right to enter and take possession of the land or rights therein which is authorized by this section, in the circumstances and upon the conditions herein stated, shall commence immediately upon the filing of a written declaration of taking in the Circuit Court for Prince George's County, accompanied by the aforementioned estimated payment; provided, however, that in such cases the declaration of taking may be combined with a petition for condemnation, either filed simultaneously with or as part of the same pleading, or filed subsequent to a petition for condemnation, and the Commission's right to enter and take possession of the