

sitions and an affidavit of the person at whose instance such deposition was taken that notice was given to all parties to the proceeding.

20. *Proceedings on return of certificate.*

(a) *Filing of certificate; correction and amendment.* The Commissioner shall examine the certificates and plats returned by the surveyor and, if they appear to comply with the requirements of Section 18, shall file them in the proceeding. If the certificate or plat is found to be incorrect or incomplete, it shall be returned to the surveyor for completion or appropriate amendment.

(b) *Valuation of vacant land.* When a certificate containing any alleged vacant land has been filed, the duplicate copy thereof returned by the surveyor shall be forwarded to the Supervisor of Assessments for the county in which such land lies. The Supervisor shall make such investigation or inspection of the land as he deems appropriate; shall endorse on the duplicate certificate his affidavit of the actual fair market value of the alleged vacant land and the improvements thereon and a statement of the reasons for such valuation; and shall return the duplicate certificate so endorsed to the Commissioner. Such valuation shall thereafter be deemed to be prima facie evidence of the actual fair market value of the vacant land and improvements referred to in the certificate; but upon written exception by the applicant or objection by any person, the Commissioner shall conduct a hearing on the issue so presented.

21. *Determination by Commissioner.*

(a) *Time for determination.* The certificate shall remain upon record in the office of the Commissioner for a period of six months from the date that it is filed by the surveyor. At the end of such period, the Commissioner shall promptly determine, on the basis of the criteria set forth in subsection (b), whether a patent should be issued.

(b) *Findings by Commissioner.* A patent shall be prepared by the Commissioner and presented to the Governor only upon affirmative findings by the Commissioner that:

(i) No land described in the certificate has been held in possession for twenty years by a person other than the applicant and those through whom he derives title;

(ii) No patent has theretofore been issued for any land shown in the certificate of the surveyor as vacant land;

(iii) Any land shown in the certificate of the surveyor to have been resurveyed has been held in possession of the applicant and those through whom he derives title for the period of twenty years next preceding the date of filing the application;

(iv) The valuation placed upon any vacant land pursuant to Section 20 represents the actual fair market value of such land;

(v) No portion of any vacant land described in the certificate has been sought, by written request filed in the proceeding, by any agency of the State, municipal corporation or governmental body of any State subdivision, for a purpose for which such agency, corporation or body has power of eminent domain; and

(vi) All procedural requirements of this subtitle have been fulfilled.