

*benefit charges among the Land Records of Frederick County under the supervision of the Clerk of the Circuit Court, and the recordation with said Clerk of the benefit assessments shall be legal notice of the liens.*

38-7.

*The County Commissioners shall, on or before January 1, of each year, certify its benefit assessments hereunder to the Treasurer of Frederick County for collection from the property owners affected, and the Treasurer shall add the benefit assessments to the State and county property tax bills for collection each year without interest or discount and upon failure of payment of the benefit assessments, they may be deducted from any surplus in the hands of the Treasurer after a sale for non-payment of State and county property taxes under proper order of the Circuit Court. In the alternative, the lien created by the annual benefit assessments may be enforced by bill in equity or by action in personam.*

38-8.

*Before the powers granted by this section to the County Commissioners shall be exercised there shall first be the petition of property owners as hereinbefore provided requesting improvements; public hearing upon the petition after ten days' notice in a newspaper regularly published in Frederick County; approval of the petition by the County Commissioners; and the passage of an appropriate ordinance, pursuant to the authority of this section, setting forth the improvements being constructed, the property owners affected, and all material terms of the annual benefit assessments levied to pay the cost of the improvements, or any reasonable portion thereof, as determined by the County Commissioners; provided that no assessment shall exceed the total assessed value of the property, excluding any improvements thereon, after giving effect to benefits accruing thereto from the improvement for which assessed.*

38-9.

*Any interested person feeling aggrieved by the levying of any benefit assessment under this section shall have the right to appeal to the Circuit Court for Frederick County within thirty days after the final adoption of the ordinance by the County Commissioners, and this court, sitting without a jury, is authorized to hear and determine whether the County Commissioners acted pursuant to the authority granted herein and whether the benefit assessments levied pursuant to the provisions of this act are imposed according to law.*

38-10.

*The authority extended to the County Commissioners by this section shall be in addition to, but not in substitution of, the powers heretofore vested in them for the improvement of roads in Frederick County.*

SEC. 2. *And be it further enacted, That this Act shall take effect July 1, 1972.*

Approved May 26, 1972.