

THE RIGHT TO UTILIZE FOR UNDERGROUND STORAGE OF GAS, GEOLOGICAL STRATA LYING NOT LESS THAN 800 FEET BELOW THE SURFACE OF A MAXIMUM OF 12,000 ACRES OF LAND IN PRINCE GEORGE'S COUNTY. HOWEVER, THE 12,000 ACRES SHALL BE WITHIN THE AREA LOCATED WEST OF HIGHWAY U.S. 301 WHERE LOCATED AS OF JULY 1, 1965; NORTH OF THE CHARLES COUNTY BOUNDARY LINE; EAST OF 76 DEGREES 56 MINUTES 30 SECONDS WEST LONGITUDE; AND SOUTH OF 38 DEGREES 45 MINUTES 45 SECONDS NORTH LATITUDE. THE USE OF EMINENT DOMAIN IN ANY CASE UNDER THIS SECTION SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF TITLE 12 OF ARTICLE 21 OF THE CODE, WHICH ARE APPLICABLE TO ANY EMINENT DOMAIN PROCEEDING CASE UNDER THIS SUBTITLE.

REVISOR'S NOTE: This subsection presently appears as Article 66C, section 695B of the Code, as amended by Chapter 470, S.B. 1055, Acts of 1973. "July 1, 1965" is the effective date when this section took effect. The only other changes made are in style.

(B) STRATA OWNED BY PUBLIC BODY.—SUBJECT TO THE LIMITATIONS AND PROVISIONS CONTAINED IN THIS SUBTITLE, A GAS STORAGE COMPANY MAY ACQUIRE, IN PRINCE GEORGE'S COUNTY, BY NEGOTIATION AND AGREEMENT, THE RIGHT TO UTILIZE FOR UNDERGROUND STORAGE OF GAS, GEOLOGICAL STRATA OWNED BY ANY PUBLIC BODY AND LYING NOT LESS THAN 800 FEET BELOW THE SURFACE OF LAND, WHICH RIGHT THE PUBLIC BODY MAY GRANT FOR THE CONSIDERATION AGREED UPON WITH THE GAS STORAGE COMPANY. IF THE COMPANY AND PUBLIC BODY CANNOT AGREE UPON THE CONSIDERATION, OR IF THERE IS NO PUBLIC AUTHORITY OTHER THAN THE GENERAL ASSEMBLY WHICH HAS POWER TO ENTER INTO THE AGREEMENT, THEN THE COMPANY MAY ACQUIRE THE RIGHT BY EMINENT DOMAIN, IN THE MANNER PROVIDED IN TITLE 12 OF ARTICLE 21 OF THE CODE FOR THE TAKING BY EMINENT DOMAIN OF PRIVATE PROPERTY FOR A PUBLIC USE, WHICH PROVISIONS ARE APPLICABLE TO ANY CASE UNDER THIS SUBTITLE. IF THE STATE IS MADE A PARTY, SERVICE OF PROCESS SHALL BE MADE UPON THE ATTORNEY GENERAL.

REVISOR'S NOTE: This subsection presently appears as Article 66C, section 695C of the Code, as amended by Chapter 470, S.B. 1055, Acts of 1973. The only changes made are in style.

(C) LAND DEVOTED TO PUBLIC USE.—A GAS STORAGE COMPANY MAY ACQUIRE BY EMINENT DOMAIN THE RIGHTS PROVIDED FOR IN SUBSECTIONS (A) AND (B) IN GEOLOGICAL STRATA LYING NOT LESS THAN 800 FEET BELOW THE SURFACE