

to his lands, the board of watershed directors may condemn rights-of-way, easements, and other property rights necessary for carrying out the works of improvement, and the procedure shall be as provided for in Title 12 of THE REAL PROPERTY Article [21] of [this] THE Code, and the damages awarded as compensation shall be paid by the board of directors in lieu of the damages awarded by the watershed viewers. Nothing in this subtitle authorizes the use of eminent domain proceedings to acquire the right to use water separate and apart from the land to which it is incident.

SECTION 5. AND BE IT FURTHER ENACTED, That Sections 410, 650(b) (8), 666A, of Article 43 - Health, of the Annotated Code of Maryland (1971 Replacement Volume and 1973 Supplement) be and they are hereby repealed and re-enacted, with amendments, to read as follows:

Article 43 - Health

410.

Said municipal authorities, wherever they deem it necessary may take or acquire any land, structures, buildings, watercourses, water rights or other property, either within or outside of the municipality, either in fee or as an easement, for the construction, establishment, extension, alteration, maintenance or operation of any part or appurtenance of said water supply, sewerage, drainage or refuse disposal system, this to be done by the purchase of the same from the owner or owners, or upon the failure to agree, by the condemnation of the same by proceedings in the circuit court for the county in which the said land, structures, watercourses, water rights or property are located, as now provided for condemnation of land by public service corporations in Title 12 of THE REAL PROPERTY Article [21] of [this] THE Code, and the authorities may at the same time condemn the interest of any tenant, lessee or other person having an interest in said property. At any time after ten days after the return and recordation of the verdict and award in the proceedings, the authorities may enter upon and take possession of said property so condemned, upon first paying to the clerk of the court the amount of the award, and all costs and taxes to date, notwithstanding any appeal or further proceeding upon the part of the defendant. At the time of said payment, however, any authority shall give its corporate undertaking to abide by and fulfill any judgment on the appeal or further proceedings.

650 (b) .

(8) To acquire by gift, purchase or by the exercise