

such orders as may be just to the Commission and to the owners of the property to be condemned and may require an undertaking or other security to secure such owners against any loss or damage by reason of the failure of the Commission to accept and pay for the property, but neither such undertaking or security nor any act or obligation of the Commission shall impose any liability upon the State except as may be paid from the funds provided under the authority of this subheading.

146.

(b) Whenever a reasonable price cannot be agreed upon, or whenever the owner is legally incapacitated or is absent, unknown or unable to convey valid title, the Commission is hereby authorized and empowered to acquire by condemnation or by the exercise of the power of eminent domain any lands, rights-of-way, property, rights, franchises, easements and other property of any person, copartnership, association, railroad, public service, public utility or other corporation, or municipality or political subdivision deemed necessary or convenient for the construction or the efficient operation of any project or necessary in the restoration of public or private property damaged or destroyed. Any such proceedings shall be conducted, and the compensation to be paid shall be ascertained and paid, in the manner provided by or referred to in § 8 or § 64 or § 9 of this article or in Title 12 of THE REAL PROPERTY Article [21] of [this] THE Code, or in any of said sections or amendments thereto, or by the Constitution or any other law or laws of the State of Maryland then applicable which relate to condemnation or to the exercise of the power of eminent domain. Title to any property acquired by the Commission shall be taken in the name of the State. In any condemnation proceeding the court having jurisdiction of the suit, action or proceeding may make such orders as may be just to the Commission and to the owners of the property to be condemned and may require an undertaking or other security to secure such owners against any loss or damage by reason of the failure of the Commission to accept and pay for the property, but neither such undertaking or security nor any act or obligation of the Commission shall impose any liability upon the State except as may be paid from the funds provided under the authority of this subheading.

238.

The interest in any land authorized to be acquired and maintained under this subtitle may be the fee simple, or any lesser interest, as determined by the State Roads Commission to be necessary to accomplish the purposes of this subtitle. Such acquisition may be by purchase, gift