

ACQUIRED.

[[(2) THE COMMISSION'S RIGHT TO ENTER AND TAKE POSSESSION OF LAND OR INTERESTS IN LAND PURSUANT TO THIS SECTION COMMENCES IMMEDIATELY UPON THE FILING OF A DECLARATION OF TAKING IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ACCOMPANIED BY THE REQUIRED ESTIMATED PAYMENT. THE DECLARATION OF TAKING MAY BE COMBINED WITH A PETITION FOR CONDEMNATION, EITHER FILED SIMULTANEOUSLY WITH OR AS A PART OF THE SAME PLEADING, OR MAY BE FILED SUBSEQUENT TO A PETITION FOR CONDEMNATION.]]

[[(3)]] (2) AMONG OTHER THINGS, THE DECLARATION OF TAKING FILED BY THE COMMISSION SHALL:

(I) NAME THE COMMISSION AS PLAINTIFF AND THE OWNER OR OWNERS OF THE PROPERTY BEING TAKEN AS DEFENDANTS;

(II) CONTAIN A DESCRIPTION OF THE LAND OR INTEREST IN LAND BEING TAKEN;

(III) SPECIFY THE ESTIMATED FAIR VALUE OF THE PROPERTY BEING TAKEN; AND

(IV) IDENTIFY THE QUALIFIED [[APPRAISER]] APPRAISERS WHO APPRAISED THE PROPERTY BEING TAKEN.

[[(4) IF THE PETITION FOR CONDEMNATION IS NOT ON FILE WITH THE COURT AT THE TIME THE DECLARATION OF TAKING IS FILED, OR IF THE PETITION FOR CONDEMNATION IS FILED SIMULTANEOUSLY WITH THE DECLARATION OF TAKING, THE DECLARATION SHALL BE DOCKETED AS A LAW CASE BY THE CLERK OF THE CIRCUIT COURT.]]

[[(5)]] (3) NOTICE OF THE DECLARATION OF TAKING AND SERVICE OF THE DECLARATION ON THE OWNER OR OWNERS OF THE PROPERTY BEING TAKEN SHALL BE ACCOMPLISHED IN THE SAME MANNER AS NOTICE AND SERVICE OF PETITIONS FOR CONDEMNATION.

[[(6)]] (4) IN ANY SUBSEQUENT PROCEEDING, THE DATE OF FILING THE DECLARATION OF TAKING, ACCOMPANIED BY THE REQUIRED PAYMENT, SHALL BE THE OPERATIVE DATE [[OF THE TAKING]] FOR THE DETERMINATION OF THE FAIR MARKET VALUE OF THE PROPERTY TAKEN AND DAMAGES, IF ANY, OCCASIONED BY THE TAKING.

[[(7)]] (5) THE COMMISSION'S RIGHT TO ENTER AND TAKE POSSESSION OF LAND OR INTERESTS IN LAND IN ACCORDANCE WITH PROVISIONS ENACTED PURSUANT TO THIS SECTION MAY NOT BE EXERCISED UNTIL ANY ENVIRONMENTAL IMPACT STATEMENT REQUIRED BY THE FEDERAL ENVIRONMENTAL