

DETERMINES TO BE THE PROPER ASSESSED VALUE OF THE LAND.

13-411. ABANDONMENT OF PROCEEDINGS.

THE COMMISSIONER SHALL ENTER AN ORDER OF ABANDONMENT IF:

(1) A BILL OF COMPLAINT REQUIRED BY §13-407 OF THIS SUBTITLE IS NOT FILED IN THE TIME REQUIRED BY THAT SECTION; OR

(2) THE APPLICANT FAILS TO PAY TO THE STATE THE PURCHASE PRICE FOR ANY VACANT LAND AND ALL OUTSTANDING EXPENSES WITHIN THE TIME SPECIFIED BY THE COMMISSIONER IN THE NOTICE MAILED TO THE APPLICANT UNDER §13-409 OF THIS SUBTITLE.

13-412. SUBSEQUENT APPLICATION FOR PATENT ON PRIOR CERTIFICATE.

(A) APPLICATION BY CERTAIN OBJECTORS.

(1) IF AN OBJECTION BY A PERSON CLAIMING OWNERSHIP UNDER §13-401(2) OF THIS SUBTITLE IS SUSTAINED UNDER §13-408(A)(2) OF THIS SUBTITLE, THEN, WITHIN 60 DAYS AFTER ENTRY OF THE FINAL JUDGMENT SUSTAINING THE OBJECTION, THE OBJECTOR MAY APPLY UNDER THE PREVIOUSLY RETURNED CERTIFICATE OF SURVEY FOR A PATENT FOR ANY OF THE VACANT LAND WHICH IS DESCRIBED IN THE CERTIFICATE OF SURVEY AND TO WHICH THE OBJECTION WAS SUSTAINED.

(2) ON FILING AN APPLICATION IN THE PROPER FORM, THE OBJECTOR SHALL BE SUBSTITUTED IN THE PROCEEDING FOR THE PRIOR APPLICANT, AND FURTHER NOTICE OR PROOF IS NOT REQUIRED.

(B) APPLICATION ON ABANDONMENT.

(1) IF AN ORDER OF ABANDONMENT IS ENTERED UNDER §13-411 OF THIS SUBTITLE, THEN, WITHIN SIX MONTHS AFTER ENTRY OF THE ORDER, ANY PERSON MAY APPLY UNDER THE PREVIOUSLY RETURNED CERTIFICATE OF SURVEY FOR A PATENT FOR ANY OF THE VACANT LAND WHICH IS DESCRIBED IN THE CERTIFICATE OF SURVEY.

(2) THE COMMISSIONER SHALL DOCKET THE APPLICATIONS FOR A PATENT UNDER THIS SUBSECTION IN THE ORDER RECEIVED. IN GRANTING A REQUEST FOR THE PATENT, ANY PRIOR APPLICANT FOR A WARRANT FOR THE SAME LAND, OTHER THAN THE PRIOR APPLICANT WHOSE PROCEEDING WAS ABANDONED, SHALL BE PREFERRED IN THE ORDER OF ORIGINAL RECEIPT OF THE APPLICATIONS FOR A WARRANT.

(3) IF A REQUEST FOR A PATENT IS GRANTED UNDER THIS SUBSECTION, THE NEW APPLICANT SHALL BE SUBSTITUTED IN THE PROCEEDING FOR THE PRIOR APPLICANT, AND FURTHER NOTICE OR PROOF IS NOT REQUIRED.