

(2) IF THE BOARD OF PUBLIC WORKS REJECTS FOR CAUSE THE COMMISSIONER'S CERTIFICATE WITHIN THE PERIOD SPECIFIED IN PARAGRAPH (1) OF THIS SUBSECTION, THE PATENT MAY NOT BE ISSUED AND THE APPLICANT IS ENTITLED TO REIMBURSEMENT FROM THE STATE OF ALL REASONABLE EXPENSES AND REASONABLE ATTORNEY'S AND SURVEYOR'S FEES INCURRED BY THE APPLICANT IN THE APPLICATION PROCEEDINGS. THE BOARD SHALL PROVIDE FOR PAYMENT OF THE REIMBURSEMENT FROM FUNDS AVAILABLE TO IT AND MAKE THE REIMBURSEMENT AS SOON AS IS PRACTICABLE.

(C) [(b)] The issuance of a patent under this title is not subject to the provisions of Article 78A of the Code governing the sale or disposition of State property.

13-503.

(a) The issuance of a patent [grants a fee-simple interest in vacant land and] operates as a quitclaim of the interest of the State in the land.

13-504.

(a) Subject to subsection (b) of this section, if, after the exhaustion of all available defenses and appeals, a court of competent jurisdiction determines that the patent is invalid as to any portion of the vacant land for which it was issued, the person to whom the patent was issued is entitled to reimbursement from the State of [the pro rate] THAT PORTION OF THE ENTIRE PURCHASE PRICE PAID [FOR] THAT IS EQUITABLY ATTRIBUTABLE TO the vacant land held to have been invalidly patented, BASED ON A PRO RATA APPORTIONMENT OF THE ENTIRE PURCHASE PRICE OR ANY OTHER FACTOR WHICH THE BOARD OF PUBLIC WORKS DETERMINES TO BE RELEVANT.

(c) If the Board of Public Works determines that the applicant is entitled to reimbursement under this section, it shall ESTABLISH THE AMOUNT OF THE REIMBURSEMENT, provide for PAYMENT OF the reimbursement from funds available to it, and make the reimbursement as soon as is practicable.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1977.

Approved April 29, 1977.

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CHAPTER 163

(Senate Bill 147)

AN ACT concerning