

Commission, the County Executive and the owner or owners of property which is the subject to the resolution. Approval of the resolution by both the County Executive and the County Council is required before the Commission may proceed further in accordance with these provisions.

(4) After approval is obtained from the County Executive and the County Council, but before the Commission is authorized to enter upon and take possession of the land or interests in land pursuant to the authority provided in this section and in the local legislation implementing this authority, the Commission shall first institute condemnation proceedings pursuant to the Real Property Article of the Annotated Code, file a declaration of taking, and pay to the owner or owners of the land or interests in land involved, or into the Circuit Court for Montgomery County for the benefit of the owner or owners, a sum of money which the Commission estimates to be the fair market value of the property being acquired. This estimate may not be less than the appraised value of the property being acquired as determined by the average of two appraisals by each of two experienced and qualified appraisers, whose qualifications as appraisers have been accepted by a court of record of this State. In no event shall the final amount awarded in a subsequent condemnation proceeding be less than the estimated payment made pursuant to this section. The payment to the property owner(s), or into the court for the benefit of the owner(s), in no way limits the amount which may be awarded finally in subsequent condemnation proceedings involving the same land or interests in land.

(5) If money is paid into the court for the benefit of the owner or owners of the land or interests in land involved in a proceeding pursuant to this section, the property owner(s), upon written request to the clerk of the court, may receive the sum so paid without prejudice to any of the rights of the owner(s).

(6) The court shall hear and determine condemnation proceedings as soon as practicable after these proceedings have been instituted.

(7) The Commission's right to enter and take possession of land or interests in land pursuant to this section commences immediately upon commencement of condemnation proceedings and the filing of a declaration of taking in the Circuit Court for 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.

(c) Further provisions.

(1) The taking of land or interests in land