

## (A) ACQUISITION BY ADMINISTRATION.

THE ADMINISTRATION MAY ACQUIRE FOR THIS STATE, BY CONDEMNATION UNDER TITLE 12 OF THE REAL PROPERTY ARTICLE OR BY LEASE, AGREEMENT, GIFT, GRANT, PURCHASE, OR OTHERWISE, ANY PRIVATE PROPERTY FOR ANY PUBLIC PURPOSE THAT IT CONSIDERS NECESSARY OR DESIRABLE TO PERFORM THE DUTIES IMPOSED BY THIS TITLE OR FOR ANY OTHER PURPOSE AUTHORIZED UNDER THIS TITLE.

## (B) CONDEMNATION BY COMMISSION.

ON BEHALF OF AND AT THE REQUEST OF THE ADMINISTRATION, THE STATE ROADS COMMISSION MAY EXERCISE THE AUTHORITY VESTED IN IT BY ARTICLE III, §40B OF THE STATE CONSTITUTION AND ACQUIRE FOR THIS STATE, BY CONDEMNATION UNDER PART III OR PART IV OF THIS SUBTITLE, ANY PRIVATE PROPERTY FOR ANY HIGHWAY PURPOSE.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 89B, §7 (b).

The present reference to "rights or easements" is deleted as unnecessary in light of the definition of "property" in §1-101 of this article.

In subsection (a) of this section, a reference to property acquisition by the Administration "by lease...or otherwise" is added to provide the broadest checklist possible. Elsewhere in this subtitle, where the manner of acquisition is limited, the specific method is specified; see, e.g., §8-313(b) of this subtitle.

In subsection (b) of this section, the introductory phrase, "on behalf of and at the request of the Administration", is added for clarity. It also avoids the need for dual references in this subtitle to acquisitions "by the Administration or the Commission".

Also in subsection (b), the phrase "for any highway purpose" is new language derived from Art. III, §40B of the State Constitution, which grants "quick-take" condemnation power to the Commission. This power is vested exclusively in the Commission; see, §8-218(b) of this title.

For specific purposes for which property may be acquired, see Part II of this subtitle.

For detailed procedures to be followed by the Commission in exercising the Constitutional grant of "quick-take" condemnation, see Parts