

III and IV of this subtitle.

For the highway related condemnation powers of the Maryland Transportation Authority, see §4-206 of this article.

For procedural rules applicable to condemnation, generally, see Subtitle U of the Maryland Rules.

As to the respective powers of the Administration and the Commission, see Subtitle 2 of this title and revisor's note to §8-207 of that subtitle.

8-303. TRANSFERS BETWEEN STATE AND POLITICAL SUBDIVISION.

(A) POWER OF ADMINISTRATION IN GENERAL.

AS PROVIDED IN THIS SECTION, THE ADMINISTRATION MAY ACQUIRE ANY PUBLICLY OWNED PROPERTY OR JURISDICTION OVER IT, FOR ANY PURPOSE AUTHORIZED BY THIS SUBTITLE.

(B) TRANSFERS BY GOVERNMENTAL UNITS.

(1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ANY POLITICAL SUBDIVISION OR AGENCY OF STATE OR LOCAL GOVERNMENT MAY TRANSFER TO THIS STATE, FOR USE BY THE ADMINISTRATION IN A HIGHWAY PROJECT, ANY PUBLICLY OWNED PROPERTY OR JURISDICTION OVER IT, AS NECESSARY OR DESIRABLE FOR THAT PROJECT.

(2) IF TITLE TO PROPERTY ALREADY IS HELD BY THIS STATE FOR THE USE OF A POLITICAL SUBDIVISION OR AGENCY OF STATE OR LOCAL GOVERNMENT AND THE POLITICAL SUBDIVISION OR AGENCY CONSENTS TO THE TRANSFER, THIS STATE MAY TRANSFER TO ITSELF, FOR USE BY THE ADMINISTRATION IN A HIGHWAY PROJECT, ANY REQUIRED PART OF THE PROPERTY OR JURISDICTION OVER IT.

(C) TERMS OF TRANSFER.

(1) THE TERMS OF A TRANSFER OF PROPERTY UNDER THIS SECTION SHALL BE THOSE THAT THE ADMINISTRATION AND THE TRANSFEROR AGREE TO AS REASONABLE AND FAIR.

(2) A TRANSFER UNDER THIS SECTION MAY BE MADE EVEN IF THE PROPERTY IS USED OR IS INTENDED TO BE USED FOR ANOTHER PUBLIC PURPOSE.

(3) NEITHER A TRANSFER UNDER THIS SECTION NOR THE TERMS OF THE TRANSFER MAY MODIFY OR IMPAIR ANY CONTRACT, COMMITMENT, DECLARATION OF TRUST, OR SIMILAR INSTRUMENT MADE BY THE TRANSFEROR.

(D) EFFECT OF SECTION.