

THIS SECTION DOES NOT PREVENT THE ADMINISTRATION, IN ITS DISCRETION, FROM REMOVING ANY BUILDING OR STRUCTURE FROM THE LAND. IN ADDITION, THE TRANSFEROR MAY NOT CONSTRUCT ANY BUILDING OR OTHER STRUCTURE ON THE LAND OR USE THE LAND IN ANY WAY THAT WILL RESULT IN THE PAYMENT OF ANY ADDITIONAL MONEY OR DAMAGES FOR THE LAND.

REVISOR'S NOTE: This section presently appears as the first two sentences of Art. 89B, §208.

Present §208 is limited, in its language, to land acquired "under this act" (i.e., Ch. 542, Acts of 1957). The other provisions of that Act subsequently were repealed by Ch. 448, Acts of 1968, which enacted the Right-of-Way Revolving Fund provisions that now appear in §8-305 of this subtitle. It is assumed that the legislature, by not repealing this particular provision, intended it to stand on its own and to apply to all acquisitions of property "under this subtitle". This section is revised accordingly. Although present §208 is codified in the midst of provisions relating to State Highway Construction Bonds—Second Issue, it does not appear to be related to those provisions.

The only other changes are in style.

The last sentence of present §208, which relates to the right of a transferor to reacquire property if a project is abandoned, now appears in §8-309(b) (2) of this subtitle.

8-309. SALE OF LAND NOT NEEDED FOR PUBLIC PURPOSES.

(A) PURPOSE OF SECTION.

THE PURPOSE OF THIS SECTION IS TO RETURN UNNEEDED LAND TO THE TAX ROLLS OF THE COUNTIES AND TO MAKE THIS LAND AVAILABLE FOR USE BY PRIVATE ENTERPRISE.

(B) GENERAL REQUIREMENT FOR DISPOSITION OF LAND.

(1) NOTWITHSTANDING ANY OTHER STATUTE TO THE CONTRARY, IF LAND ACQUIRED UNDER THIS SUBTITLE IS NOT NEEDED FOR PRESENT OR FUTURE HIGHWAY OR OTHER PUBLIC PURPOSES, THE ADMINISTRATION SHALL DISPOSE OF THE LAND AS SOON AS PRACTICABLE AFTER THE COMPLETION OR ABANDONMENT OF THE PROJECT FOR WHICH THE LAND WAS ACQUIRED.

(2) IF THE LAND IS FROM A PROJECT THAT WAS ABANDONED, THE PERSON FROM WHOM THE LAND WAS ACQUIRED OR THE SUCCESSOR IN INTEREST OF THAT PERSON HAS THE FIRST RIGHT TO REACQUIRE THE LAND, ON PAYMENT OF AN AMOUNT EQUAL TO THE CONSIDERATION THAT THE ADMINISTRATION OR COMMISSION ORIGINALLY PAID FOR THE LAND. IF THIS RIGHT IS NOT EXERCISED, THE LAND SHALL BE DISPOSED OF UNDER