

OR RELATED PARKING OR SERVICE AREA THE LAND FOR WHICH WAS ACQUIRED UNDER THIS SUBTITLE.

(2) THIS SUBSECTION DOES NOT APPLY TO ANY TOLL HIGHWAY.

(D) INTEREST THAT MAY BE ACQUIRED.

THE INTERESTS IN LAND THAT MAY BE ACQUIRED UNDER THIS SECTION INCLUDE EASEMENTS RESTRICTING OR SUBJECTING TO ADMINISTRATIVE REGULATION THE RIGHT OF THE OWNER OR OTHER PERSONS TO:

(1) ERECT BUILDINGS OR OTHER STRUCTURES;

(2) CONSTRUCT A PRIVATE DRIVE OR ROAD;

(3) REMOVE OR DESTROY SHRUBBERY OR TREES;

(4) PLACE TRASH OR UNSIGHTLY OR OFFENSIVE MATERIAL ON THE LAND; OR

(5) DISPLAY SIGNS, BILLBOARDS, OR ADVERTISEMENTS ON THE LAND.

(E) INSTRUMENT OF CONVEYANCE.

IF ANY LAND IS ACQUIRED UNDER THIS SECTION, THE INSTRUMENT CONVEYING THE LAND SHALL SET FORTH CLEARLY THE SPECIFIC RESTRICTIONS OR OTHER INTERESTS ACQUIRED. THESE RESTRICTIONS SHALL RUN WITH THE LAND TO WHICH THEY APPLY AND BIND ALL SUBSEQUENT HOLDERS, EXCEPT AS THE INSTRUMENT OTHERWISE EXPRESSLY PROVIDES.

REVISOR'S NOTE: This section presently appears as Art. 89B, §8. Subsection (a)(2)(ii) of this section is new language derived from Art. 89B, §213 (b).

As to subsection (b) of this section, the present language — "shall not have the right to acquire such property other than by purchase or gift" — literally is more limited than was the apparent intent; for example, it would not appear to cover an acquisition by lease. However, in context it is clear that the quoted language was intended to do nothing more than to preclude acquisition by condemnation. This interpretation is supported, for example, by the last sentence of Art. 89B, §8A(a), which clearly equates the phrase "other than by purchase or gift", as used in the first clause of that sentence, with the term "condemnation", as referred to in the clause next following.

Subsection (c)(2) of this section is corrected to clarify its applicability only to