

ALLOWED IN THE SUBSEQUENT CONDEMNATION PROCEEDINGS.

(C) EFFECT OF PAYMENT.

A PAYMENT MADE UNDER THIS SECTION DOES NOT LIMIT IN ANY WAY THE AMOUNT OF THE FINAL AWARD THAT MAY BE ALLOWED IN THE SUBSEQUENT CONDEMNATION PROCEEDINGS.

REVISOR'S NOTE: This section presently appears as the second sentence of the first paragraph of Art. 89B, §14, and, except for those provisions requiring further payment by the Commission and specifying the interest rate on the final award (see, §8-331 of this subtitle), the second paragraph of present §14.

In subsection (a) of this section, present reference to estimated "fair market value" is changed to "fair value" and a reference to "fair compensation...for...damage resulting to the remaining property" is added to conform with other provisions of present Art. 89B, as contained in this subtitle. (See, e.g., §8-302(c) of this subtitle.)

The present authorization for the Commission to make payments "from any funds in its possession or under its control" is deleted as obsolete in light of the provisions of Title 3 of this article on the Transportation Trust Fund.

The only other changes are in style.

8-324. ENTRY ON PROPERTY.

(A) POSSESSION OF PROPERTY.

EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AFTER THE PETITION IS FILED AND PAYMENT IS MADE UNDER §8-323 OF THIS SUBTITLE:

(1) THE COMMISSION MAY TAKE POSSESSION OF THE PROPERTY TO BE ACQUIRED, AS SHOWN ON THE RECORDED PLATS;

(2) THE ADMINISTRATION MAY PROCEED WITH CONSTRUCTION WITHOUT INTERFERENCE BY THE OWNER; AND

(3) WITH THE PERMISSION OF THE ADMINISTRATION AND UNDER ITS SUPERVISION, ANY PUBLIC OR PRIVATE UTILITY MAY INSTALL ITS FACILITIES ON ANY LAND BEING ACQUIRED BY THE COMMISSION IN FEE SIMPLE.

(B) EXCEPTION.

UNLESS THE OWNER AGREES OTHERWISE, IF A DWELLING OR PLACE OF BUSINESS IS TAKEN, THE RESIDENT OR OCCUPANT NEED