

THE PERFORMANCE OF A GOVERNMENTAL FUNCTION. THE EXCLUSIVE REMEDY FOR SUCH BREACH OF CONTRACTS AND TORTS FOR WHICH THE AUTHORITY SHALL BE LIABLE, AS HEREIN PROVIDED, SHALL BE BY SUIT AGAINST THE AUTHORITY. NOTHING CONTAINED IN THIS TITLE SHALL BE CONSTRUED AS A WAIVER BY THE DISTRICT OF COLUMBIA, MARYLAND, VIRGINIA AND THE COUNTIES AND CITIES WITHIN THE ZONE OF ANY IMMUNITY FROM SUIT.

81. JURISDICTION OF COURTS.

THE UNITED STATES DISTRICT COURTS SHALL HAVE ORIGINAL JURISDICTION, CONCURRENT WITH THE COURTS OF MARYLAND AND VIRGINIA, OF ALL ACTIONS BROUGHT BY OR AGAINST THE AUTHORITY AND TO ENFORCE SUBPOENAS ISSUED UNDER THIS TITLE. ANY SUCH ACTION INITIATED IN A STATE COURT SHALL BE REMOVABLE TO THE APPROPRIATE UNITED STATES DISTRICT COURT IN THE MANNER PROVIDED BY ACT OF JUNE 25, 1948, AS AMENDED (28 U.S.C. 1446).

82. CONDEMNATION.

(A) THE AUTHORITY SHALL HAVE THE POWER TO ACQUIRE BY CONDEMNATION, WHENEVER IN ITS OPINION IT IS NECESSARY OR ADVANTAGEOUS TO THE AUTHORITY TO DO SO, ANY REAL OR PERSONAL PROPERTY, OR ANY INTEREST THEREIN, NECESSARY OR USEFUL FOR THE TRANSIT SYSTEM AUTHORIZED HEREIN, EXCEPT PROPERTY OWNED BY THE UNITED STATES, BY A SIGNATORY, OR ANY POLITICAL SUBDIVISION THEREOF, WHENEVER SUCH PROPERTY CANNOT BE ACQUIRED BY NEGOTIATED PURCHASE AT A PRICE SATISFACTORY TO THE AUTHORITY.

(B) PROCEEDINGS FOR THE CONDEMNATION OF PROPERTY IN THE DISTRICT OF COLUMBIA SHALL BE INSTITUTED AND MAINTAINED UNDER THE ACT OF DECEMBER 23, 1963 (77 STAT. 577-581, D.C. CODE 1961, SUPP. IV, §§ 1351-1368). PROCEEDINGS FOR THE CONDEMNATION OF PROPERTY LOCATED ELSEWHERE WITHIN THE ZONE SHALL BE INSTITUTED AND MAINTAINED, IF APPLICABLE, PURSUANT TO THE PROVISIONS OF THE ACT OF AUGUST 1, 1888, AS AMENDED (25 STAT. 357, 40 U.S.C. 257) AND THE ACT OF JUNE 25, 1948 (62 STAT. 935 AND 937, 28 U.S.C. 1358 AND 1403) OR ANY OTHER APPLICABLE ACT; PROVIDED, HOWEVER, THAT IF THERE IS NO APPLICABLE FEDERAL LAW, CONDEMNATION PROCEEDINGS SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE STATE LAW OF THE SIGNATORY IN WHICH THE PROPERTY IS LOCATED GOVERNING CONDEMNATION BY THE HIGHWAY AGENCY OF SUCH STATE. WHENEVER THE WORDS "REAL PROPERTY," "REALTY," "LAND," "EASEMENT," "RIGHT-OF-WAY," OR WORDS OF SIMILAR MEANING ARE USED IN ANY APPLICABLE FEDERAL OR STATE LAW RELATING TO PROCEDURE, JURISDICTION AND VENUE, THEY SHALL BE DEEMED, FOR THE PURPOSES OF THIS TITLE, TO INCLUDE ANY PERSONAL PROPERTY AUTHORIZED TO BE ACQUIRED HEREUNDER.

(C) ANY AWARD OR COMPENSATION FOR THE TAKING OF PROPERTY PURSUANT TO THIS TITLE SHALL BE PAID BY THE AUTHORITY, AND NONE OF THE SIGNATORY PARTIES NOR ANY OTHER AGENCY, INSTRUMENTALITY OR POLITICAL SUBDIVISION