

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1980.

Approved May 27, 1980.

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CHAPTER 709

(Senate Bill 456)

AN ACT concerning

Eminent Domain - Maryland Environmental Trust and  
Maryland Historical Trust Easement Sites

FOR the purpose of providing that any easement or restriction donated to the Maryland Historical Trust or the Maryland Environmental Trust is not to be considered in computing the fair market value of land or any interest in land for the award of damages in eminent domain condemnation proceedings; and clarifying language.

BY repealing and reenacting, with amendments,

Article - Real Property  
Section 12-104(g)  
Annotated Code of Maryland  
(1974 Volume and 1979 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article - Real Property

12-104.

(g) [The] IF ANY EASEMENT IN GROSS OR OTHER RIGHT TO RESTRICT USE OF LAND OR ANY INTEREST IN LAND HAS BEEN DONATED TO THE MARYLAND HISTORICAL TRUST OR THE MARYLAND ENVIRONMENTAL TRUST, THE damages to be awarded [for the taking of land or an interest in land over which any easement in gross or other right to restrict its use has been donated without consideration pursuant to Article 41. § 181E of the Code] IN ANY CONDEMNATION PROCEEDINGS UNDER THIS TITLE shall be the fair market value of the land or interest in it, computed as though the easement or other right did not exist.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1980.