

(2) IF THE CIRCUIT COURT DETERMINES FROM THE STATE'S INITIAL FILING THAT THERE IS PROBABLE CAUSE TO BELIEVE THAT A DEFAULT HAS OCCURRED, PENDING FULL DETERMINATION OF THE STATE'S CLAIM, THE COURT SHALL AUTHORIZE A TEMPORARY LIEN ON THE PROPERTY:

(I) IN THE AMOUNT OF THE STATE'S CLAIM PLUS ANY ADDITIONAL AMOUNT ESTIMATED TO BE NECESSARY TO COVER THE COSTS AND REASONABLE ATTORNEYS' FEES INCURRED BY THE STATE; OR

(II) IN OTHER AMOUNTS THAT THE COURT DETERMINES TO BE REASONABLE.

(3) (I) A TEMPORARY LIEN SHALL TAKE EFFECT:

1. ON THE DATE OF THE COURT'S AUTHORIZATION, IF THE SECRETARY OF THE BOARD OF PUBLIC WORKS RECORDS A NOTICE OF TEMPORARY LIEN IN THE LAND RECORDS OF THE COUNTY OR BALTIMORE CITY IN WHICH THE PROPERTY IS LOCATED WITHIN 10 DAYS AFTER THE COURT'S AUTHORIZATION; OR

2. ON THE DATE A NOTICE OF TEMPORARY LIEN IS RECORDED.

(II) WHILE THE TEMPORARY LIEN IS IN EFFECT, THE OWNER OR ANY PERSON WHO ACQUIRED AN INTEREST IN THE PROPERTY AFTER THE STATE FIRST MADE FUNDS AVAILABLE IN CONNECTION WITH THE PROPERTY MAY NOT WITHOUT THE PRIOR WRITTEN CONSENT OF THE STATE:

1. TAKE ANY ACTION THAT WOULD AFFECT THE TITLE TO THE PROPERTY; OR

2. INSTITUTE ANY PROCEEDINGS TO ENFORCE A SECURITY INTEREST OR OTHER SIMILAR RIGHTS IN THE PROPERTY.

(4) (I) THE OWNER OF THE PROPERTY OR ANY OTHER INTERESTED PARTY MAY OBTAIN RELEASE OF A TEMPORARY LIEN AT ANY TIME BY FILING WITH THE COURT A BOND SECURING THE PAYMENT IN FULL OF THE STATE'S CLAIM AND ANY ADDITIONAL AMOUNT NECESSARY TO COVER THE COSTS AND REASONABLE ATTORNEYS' FEES INCURRED BY THE STATE.

(II) THE OWNER OR OTHER INTERESTED PARTY MAY CAUSE THE RELEASE TO BE RECORDED IN THE LAND RECORDS.

(F) PROCEEDINGS TO DETERMINE THE STATE'S RIGHT TO RECOVER AND THE AMOUNT OF ITS RECOVERY UNDER THIS SUBTITLE SHALL HAVE PRIORITY OVER OTHER CIVIL PROCEEDINGS IN THE CIRCUIT COURTS.

(G) (1) (I) AT THE CONCLUSION OF FULL ADVERSARY PROCEEDINGS ON THE ISSUE OF DEFAULT AND OF ANY DISPUTES OVER THE AMOUNT OF THE STATE'S RECOVERY, THE CIRCUIT COURT SHALL, IF IT FINDS THAT A DEFAULT HAS OCCURRED, ISSUE A FINAL JUDGMENT FOR THE AMOUNT IT FINDS TO BE RECOVERABLE BY THE STATE.