

recorded security interest] VALID LIEN created without the ACTUAL knowledge that the [motor vehicle] PROPERTY was being, or was to be used in violation of this [subtitle] SUBHEADING, the court shall order that the [motor vehicle] PROPERTY be released within 5 days to the first priority [secured party of record] LIENHOLDER.

(iii) The [secured party] LIENHOLDER shall sell the [motor vehicle] PROPERTY in a commercially reasonable manner.

(iv) The proceeds of the sale shall be applied as follows:

1. To the court costs of the forfeiture proceeding;

2. To the balance due the [secured party] LIENHOLDER including all reasonable costs incident to the sale;

3. To payment of all other expenses of the proceedings for forfeiture, including expenses of seizure, or maintenance of custody; and

4. To the general funds of the State or the political subdivision that seized the [motor vehicle] PROPERTY.

(L) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, WHEN THE STATE ESTABLISHES BY CLEAR AND CONVINCING EVIDENCE THAT A PERSON HAS COMMITTED A VIOLATION OF ARTICLE 27, § 286, § 286A, § 286B, OR § 286C OF THE CODE, OR ARTICLE 27, § 290 OF THE CODE IN RELATION TO THESE OFFENSES, THERE IS A REBUTTABLE PRESUMPTION THAT ANY PROPERTY OR ANY PORTION THEREOF IN WHICH THAT PERSON HAS AN OWNERSHIP INTEREST IS SUBJECT TO FORFEITURE AS PROCEEDS IF THE STATE ESTABLISHES BY CLEAR AND CONVINCING EVIDENCE THAT:

(I) THE PROPERTY WAS ACQUIRED BY SUCH PERSON DURING THE PERIOD IN WHICH SUCH PERSON HAD COMMITTED VIOLATIONS OF ARTICLE 27, § 286, § 286A, § 286B, OR § 286C OF THE CODE, OR ARTICLE 27, § 290 OF THE CODE IN RELATION TO THESE OFFENSES, OR WITHIN A REASONABLE TIME AFTER SUCH PERIOD; AND

(II) THERE WAS NO LIKELY SOURCE FOR SUCH PROPERTY OTHER THAN THE VIOLATION OF ARTICLE 27, § 286, § 286A, § 286B, OR § 286C OF THE CODE, OR ARTICLE 27, § 290 OF THE CODE IN RELATION TO THESE OFFENSES.

(2) EXCEPT AS PROVIDED IN SUBSECTION (N)(2) OF THIS SECTION, REAL PROPERTY USED AS THE PRINCIPAL FAMILY RESIDENCE MAY NOT BE FORFEITED UNDER THIS SUBSECTION UNLESS IT IS SHOWN THAT ONE OF THE OWNERS OF THE REAL PROPERTY WAS CONVICTED OF ONE OR