

(5) Prior to the payment of any funds under the provisions of this Act for the purposes set forth in Section 1(3) above, the City of Frederick shall provide at least an equal and matching fund of \$150,000. No part of an applicant's matching fund may be provided, either directly or indirectly, from funds of the State, whether appropriated or unappropriated. No part of the fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act. In case of any dispute as to what money or assets may qualify as matching funds, the Board of Public Works shall determine the matter, and the Board's decision is final. The City of Frederick has until June 1, 1991 to present evidence satisfactory to the Board of Public Works that the matching fund will be provided. If satisfactory evidence is presented, the Board shall certify this fact to the State Treasurer and the proceeds of the loan shall be expended for the purposes provided in this Act. If this evidence is not presented by June 1, 1991, the proceeds of the loan shall be applied to the purposes authorized in § 8-129 of the State Finance and Procurement Article.

[(6) The Weinberg Center for the Arts shall grant and convey a perpetual preservation easement on the exterior and interior of the improvements, where appropriate, and on the land to the Maryland Historical Trust, in form and substance acceptable to the Trust.]

(6) (A) PRIOR TO THE ISSUANCE OF THE BONDS, THE WEINBERG CENTER FOR THE ARTS SHALL GRANT AND CONVEY TO THE MARYLAND HISTORICAL TRUST A PERPETUAL PRESERVATION EASEMENT TO THE EXTENT OF ITS INTEREST:

(I) ON THE LAND OR SUCH PORTION OF THE LAND ACCEPTABLE TO THE TRUST; AND

(II) ON THE EXTERIOR AND INTERIOR, WHERE APPROPRIATE, OF THE HISTORIC STRUCTURES.

(B) THE EASEMENT MUST BE IN FORM AND SUBSTANCE ACCEPTABLE TO THE TRUST AND THE EXTENT OF THE INTEREST TO BE ENCUMBERED MUST BE ACCEPTABLE TO THE TRUST.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 1995.

Approved May 9, 1995.

CHAPTER 206

(Senate Bill 801)

AN ACT concerning

Creation of a State Debt - Anne Arundel County - Glen Burnie Town Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000, the proceeds to be used as a grant to the County Executive and County Council of Anne Arundel County for certain development or improvement purposes; providing