

ANY OF ITS INSTRUMENTALITIES OR POLITICAL SUBDIVISIONS MAY NOT PROCEED WITH CONDEMNATION UNTIL IT FIRST OBTAINS A NEW AUTHORIZATION TO ~~CONDEMN~~ ACQUIRE THE PROPERTY.

~~12-106.~~

~~(a) The plaintiff shall pay all the costs in the trial court.~~

~~(b) The costs in a condemnation proceeding include:~~

~~(1) The usual per diem to the jurors;~~

~~(2) The cost of transporting the trier of fact to view the property;~~

~~(3) The cost of meals for the jury if the court so orders;~~

~~(4) The cost of recording the inquisition among the land records and of all documentary stamps which may be required in the transfer of the property to the plaintiff; and~~

~~(5) An allowance to the defendant, as fixed by the court, for the reasonable legal, appraisal, and engineering fees actually incurred by the defendant because of the condemnation proceeding[. if:]~~

~~(4) If the judgment is for the defendant on the right to condemn; OR~~

~~(H) IF THE JUDGMENT IS FOR THE PLAINTIFF ON THE RIGHT TO CONDEMN, THE AMOUNT OF DAMAGES AWARDED TO THE DEFENDANT IS AT LEAST 30% MORE THAN:~~

~~1. IN A "QUICK TAKE" PROCEEDING, THE AMOUNT OF MONEY PAID INTO COURT; OR~~

~~2. IN ANY OTHER PROCEEDING, THE AMOUNT OFFERED BY THE PLAINTIFF IN WRITING AT LEAST 30 DAYS BEFORE THE COMPLAINT WAS FILED.~~

~~(e) In proceeding under Article III of the Constitution of the State, or any amendment to it, the plaintiff shall pay interest at the rate of 6 percent per annum on any difference between the amount of money initially paid into court for the use of the defendant and the jury award as stated in the inquisition, from the date the money was paid into court to the date of the inquisition or final judgment, whichever date is later.~~