

**Chapter 56**  
**EMINENT DOMAIN**

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[HISTORY: Adopted by the Mayor and Council of the City of Hyattsville 9-19-88 as HB No. 7-88. Amendments noted where applicable.]

**§ 56-1. Statutory authority.**

All proceedings for the acquisition of private property for public use by condemnation shall be in accordance with those established in Title 12 of the Real Property Article of the Annotated Code of Maryland and Subtitle U of the Maryland Rules, except as hereinafter provided.

**§ 56-2. Acquisition by condemnation.**

If the city determines that it is necessary to take possession of real property within the city on an expedited basis, it may acquire such property by condemnation under the quick-take provisions contained in this chapter, after making every reasonable and good faith effort to negotiate its purchase with the owner of the property.

**§ 56-3. Procedure for condemnation of property.**

To condemn property under this chapter, the city shall:

- A. File a petition for condemnation in the Circuit Court for Prince George's County, Maryland; and
- B. Pay to the owner of the property or into the Court for the owner's benefit the amount that the city estimates to be the fair value of the property to be acquired and fair compensation for any damage resulting to the remaining property of the owner.

**§ 56-4. Possession of property.**

After the petition is filed and payment is made under §56-3, the city may take immediate possession of the property to be acquired and use it in any lawful manner.

**§ 56-5. Property owner to receive payment.**

On written request to the Clerk of the Court, the property owner shall be entitled to receive any amount paid into the Court for his benefit, without prejudice to any of his rights, if he thereby agrees to repay to the city any excess of that amount over any final award that is allowed him in any subsequent condemnation proceedings.

**§ 56-6. Effect of payment.**

A payment made under §56-3 does not limit in any way the amount of any final award that may be allowed in any subsequent condemnation proceedings.

## HYATTSVILLE CHARTER AND CODE

### **§ 56-7. Final award.**

At the conclusion of any subsequent condemnation proceedings, the city shall pay to the property owner any excess of any final award over the amount paid under §56-3.