

SENATE BILL NO. 287

INTRODUCED BY MANLEY, CONROY, GRAHAM, GALT

IN THE SENATE

January 26, 1981	Introduced and referred to Committee on Judiciary.
February 19, 1981	Committee recommend bill do pass as amended. Report adopted.
February 20, 1981	Bill printed and placed on members' desks.
February 21, 1981	Motion pass consideration.
February 23, 1981	Second reading, pass consideration.
February 24, 1981	Second reading, do pass as amended.
February 25, 1981	On motion rules suspended. Bill placed on calendar for third reading this day.  Third reading, passed. Ayes, 49; Noes, 0. Transmitted to House.

IN THE HOUSE

March 3, 1981	Introduced and referred to Committee on Judiciary.
March 28, 1981	Committee recommend bill be concurred in as amended. Report adopted.
March 30, 1981	On motion rules suspended and bill allowed to be transmitted on 71st legislative day. Motion adopted.

March 31, 1981

Second reading, concurred in.

On motion rules suspended  
and bill placed on third  
reading this day.

Third reading, concurred in  
as amended. Ayes, 96; Noes, 0.

IN THE SENATE

April 1, 1981

Returned from House with  
amendments.

April 10, 1981

Second reading, amendments  
concurred in.

April 11, 1981

Third reading, amendments  
concurred in. Ayes, 46;  
Noes, 1. Sent to enrolling.

Reported correctly enrolled.

1 *Senate* BILL NO. *287*  
 2 INTRODUCED BY *Monty Conroy*  
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR  
 5 DISPOSITION OF ABANDONED REAL PROPERTY INTERESTS ACQUIRED  
 6 FOR A PUBLIC USE; REPEALING SECTIONS 60-4-201 THROUGH  
 7 60-4-205 AND 60-4-207, MCA."  
 8

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Abandonment of real property interest  
 11 obtained by eminent domain. Any real property interest  
 12 obtained by right of eminent domain is considered abandoned  
 13 when:

14 (1) the public use for which it was taken is formally  
 15 discontinued by:

16 (a) written declaration of an authorized  
 17 representative of the condemnor;

18 (b) order of a court of competent jurisdiction; or

19 (c) order of a regulatory body acting within its  
 20 authority;

21 (2) the public use for which it was taken is  
 22 discontinued for a period of more than 3 years;

23 (3) it becomes impossible to use the real property  
 24 interest for the public purpose for which it was taken;

25 (4) it ceases to be necessary to use the real property

1 interest for the public purpose for which it was taken; or  
 2 (5) it is not put to the public use for which it was  
 3 taken within a period of 1 year from the date of its taking.

4 Section 2. Reversion of abandoned real property  
 5 interest taken by eminent domain -- procedure. (1) Whenever  
 6 a condemnor possessing less than fee simple absolute title  
 7 to real property obtained by right of eminent domain  
 8 abandons such property as set forth in [section 1], the real  
 9 property interest shall revert to the original owner of the  
 10 fee or his heirs, assigns, or successors in interest at the  
 11 time of the abandonment or [at the time this act becomes  
 12 effective], whichever is later.

13 (2) The owner of the fee need not return the  
 14 condemnation money originally paid as compensation for the  
 15 taking.

16 (3) The condemnor may remove structures that have been  
 17 attached to the soil only upon written permission of the  
 18 owner of the fee entitled to the reversion.

19 (4) The owner of the fee may seek enforcement of this  
 20 section in accordance with the quiet title procedure  
 21 outlined in Title 70, chapter 28, part 1. The condemnor  
 22 bears the burden of disproving an intent to abandon the  
 23 condemned property.

24 Section 3. Exchange of abandoned property taken by  
 25 eminent domain -- procedure. (1) Whenever a condemnor

1 possessing fee simple absolute title in real property  
 2 obtained by right of eminent domain abandons such property  
 3 as set forth in [section 1], the condemnor may exchange the  
 4 interest, either as entire or partial consideration, for any  
 5 other real property interest needed for such public purpose.

6 (2) The condemnor shall notify the owner or successor  
 7 in interest of its intention to exchange the interest.

8 (3) The owner from whom the interest was originally  
 9 acquired by the condemnor or the owner's successor in  
 10 interest may require the condemnor to offer the real  
 11 property interest for sale in the manner provided in  
 12 [section 4].

13 Section 4. Sale of abandoned property taken by eminent  
 14 domain -- procedure. (1) Whenever a condemnor possessing fee  
 15 simple absolute title to a real property interest obtained  
 16 by right of eminent domain abandons such interest as set  
 17 forth in [section 1], the condemnor may sell the interest to  
 18 the highest bidder at public auction or by sealed bids.

19 (2) The condemnor shall publish notice of the public  
 20 sale in a newspaper published in the county in which the  
 21 real property interest is located once a week for 2  
 22 successive weeks. Sale shall be held in the county where the  
 23 real property interest is located.

24 (3) The condemnor shall notify the owner from whom the  
 25 real property interest was originally acquired by eminent

1 domain or his successor in interest:

2 (a) that bids were received for the purchase of the  
 3 real property interest;

4 (b) of the amount of the highest bid; and

5 (c) that he may exercise the option to purchase under  
 6 [section 5].

7 Section 5. Option of original owner or successor in  
 8 interest to purchase at sale price. (1) The owner from whom  
 9 the real property interest was originally acquired by  
 10 eminent domain or his successor in interest has the option  
 11 to purchase the interest by offering therefor an amount of  
 12 money equal to the highest bid received for the interest at  
 13 the sale.

14 (2) If no bids are received by the condemnor and the  
 15 optionholder indicates in writing to the condemnor that he  
 16 wishes to exercise the option, the condemnor shall have the  
 17 real property interest appraised and sell the interest at  
 18 that price to the optionholder.

19 Section 6. Abandonment of real property interest  
 20 acquired for public use without exercising right of eminent  
 21 domain. Whenever a person or entity acquires a real property  
 22 interest for a public use without exercising the right of  
 23 eminent domain and subsequently abandons it as set forth in  
 24 [section 1], the real property interest shall be disposed of  
 25 in accordance with the provisions of [sections 1 through 5].

LC 1210/01

1       Section 7. Codification instruction. Sections 1  
2 through 6 are intended to be codified as an integral part of  
3 Title 70, chapter 30, and the provisions of Title 70,  
4 chapter 30, apply to sections 1 through 6.

5       Section 8. Repealer. Sections 60-4-201 through  
6 60-4-205 and 60-4-207, MCA, are repealed.

-End-

Approved by Committee  
on Judiciary

SENATE BILL NO. 287

INTRODUCED BY MANLEY, CONROY, GRAHAM, GALT

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR  
DISPOSITION OF ABANDONED REAL PROPERTY INTERESTS ACQUIRED  
FOR A PUBLIC USE; REPEALING SECTIONS 60-4-201 THROUGH  
60-4-205 AND 60-4-207, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Abandonment of real property interest  
obtained by eminent domain. Any real property interest  
obtained by right of eminent domain is considered abandoned  
when:

(1) the public use for which it was taken is formally  
discontinued by:

(a) written declaration of an authorized  
representative of the condemnor;

(b) order of a court of competent jurisdiction; or

(c) order of a regulatory body acting within its  
authority;

(2) the public use for which it was taken is  
discontinued for a period of more than 3 years;

(3) it becomes impossible to use the real property  
interest for the public purpose for which it was taken;

(4) it ceases to be necessary to use the real property

interest for the public purpose for which it was taken; or  
(5) it is not put to the public use for which it was  
taken within a period of ~~1-year~~ 10 YEARS from the date of  
its taking.

Section 2. Reversion of abandoned real property  
interest taken by eminent domain -- procedure. (1) Whenever  
a condemnor possessing less than fee simple absolute title  
to real property obtained by right of eminent domain  
abandons such property as set forth in [section 1], the real  
property interest shall revert to the original owner of the  
fee or his heirs, assigns, or successors in interest at the  
time of the abandonment or [at the time this act becomes  
effective], whichever is later.

(2) The owner of the fee need not return the  
condemnation money originally paid as compensation for the  
taking.

(3) The condemnor may remove structures that have been  
attached to the soil only upon written permission of the  
owner of the fee entitled to the reversion.

(4) The owner of the fee may seek enforcement of this  
section in accordance with the quiet title procedure  
outlined in Title 70, chapter 28, part 1. The condemnor  
bears the burden of disproving an intent to abandon the  
condemned property.

Section 3. Exchange of abandoned property taken by

1 eminent domain -- procedure. (1) Whenever a condemnor  
2 possessing fee simple absolute title in real property  
3 obtained by right of eminent domain abandons such property  
4 as set forth in [section 1], the condemnor may exchange the  
5 interest, either as entire or partial consideration, for any  
6 other real property interest needed for such public purpose.

7 (2) The condemnor shall notify the owner or successor  
8 in interest of its intention to exchange the interest.

9 (3) The owner from whom the interest was originally  
10 acquired by the condemnor or the owner's successor in  
11 interest may require the condemnor to offer the real  
12 property interest for sale in the manner provided in  
13 [section 4].

14 Section 4. Sale of abandoned property taken by eminent  
15 domain -- procedure. (1) Whenever a condemnor possessing fee  
16 simple absolute title to a real property interest obtained  
17 by right of eminent domain abandons such interest as set  
18 forth in [section 1], the condemnor may SHALL sell the  
19 interest to the highest bidder at public auction or by  
20 sealed bids.

21 (2) The condemnor shall publish notice of the public  
22 sale in a newspaper published in the county in which the  
23 real property interest is located once a week for 2  
24 successive weeks. Sale shall be held in the county where the  
25 real property interest is located.

1 (3) The condemnor shall notify the owner from whom the  
2 real property interest was originally acquired by eminent  
3 domain or his successor in interest:

4 (a) that bids were received for the purchase of the  
5 real property interest;

6 (b) of the amount of the highest bid; and

7 (c) that he may exercise the option to purchase under  
8 [section 5].

9 Section 5. Option of original owner or successor in  
10 interest to purchase at sale price. (1) The owner from whom  
11 the real property interest was originally acquired by  
12 eminent domain or his successor in interest has the option  
13 to purchase the interest by offering therefor an amount of  
14 money equal to the highest bid received for the interest at  
15 the sale.

16 (2) If no bids are received by the condemnor and the  
17 optionholder indicates in writing to the condemnor that he  
18 wishes to exercise the option, the condemnor shall have the  
19 real property interest appraised and sell the interest at  
20 that price to the optionholder.

21 ~~Section 6. Abandonment of real property interest~~  
22 ~~acquired for public use without exercising right of eminent~~  
23 ~~domain. Whenever a person or entity acquires a real~~  
24 ~~property interest for a public use without exercising the~~  
25 ~~right of eminent domain and subsequently abandons it as set~~

1 ~~forth--in--[section--1],--the--real--property--interest--shall--be~~  
2 ~~disposed--of--in--accordance--with--the--provisions--of--[sections--1~~  
3 ~~through--5].~~

4 Section 6. Codification instruction. Sections 1  
5 through 6 5 are intended to be codified as an integral part  
6 of Title 70, chapter 30, and the provisions of Title 70,  
7 chapter 30, apply to sections 1 through 6 5.

8 Section 7. Repealer. Sections 60-4-201 through  
9 60-4-205 and 60-4-207, MCA, are repealed.

-End-



## SENATE BILL NO. 287

INTRODUCED BY MANLEY, CONROY, GRAHAM, GALT

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR  
DISPOSITION THE RIGHT OF FIRST REFUSAL TO THE FORMER OWNER  
OF ABANDONED REAL PROPERTY INTERESTS ACQUIRED FOR A PUBLIC  
USE; ~~REPEALING SECTIONS 60-4-201 THROUGH 60-4-205 AND~~  
~~60-4-207, MCA."~~

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

~~Section is Abandonment of real property interest  
obtained by eminent domain. Any real property interest  
obtained by right of eminent domain is considered abandoned  
when:~~

~~(1) the public use for which it was taken is formally  
discontinued by:~~

~~(a) written declaration of an authorized  
representative of the condemnor;~~

~~(b) order of a court of competent jurisdiction; or~~

~~(c) order of a regulatory body acting within its  
authority;~~

~~(2) the public use for which it was taken is  
discontinued for a period of more than 3 years;~~

~~(3) it becomes impossible to use the real property  
interest for the public purpose for which it was taken;~~

~~(4) it ceases to be necessary to use the real property  
interest for the public purpose for which it was taken; or~~  
~~(5) it is not put to the public use for which it was  
taken within a period of 1 year 18 YEARS from the date of  
its taking.~~

~~Section 2v. Reversion of abandoned real property  
interest taken by eminent domain procedure. (1) Whenever  
a condemnor possessing less than fee simple absolute title  
to real property obtained by right of eminent domain  
abandons such property as set forth in [section 1], the real  
property interest shall revert to the original owner of the  
fee or his heirs, assigns, or successors in interest at the  
time of the abandonment or [at the time this act becomes  
effective], whichever is later.~~

~~(2) The owner of the fee need not return the  
condemnation money originally paid as compensation for the  
taking.~~

~~(3) The condemnor may remove structures that have been  
attached to the soil only upon written permission of the  
owner of the fee entitled to the reversion.~~

~~(4) The owner of the fee may seek enforcement of this  
section in accordance with the quiet title procedure  
outlined in Title 70, chapter 28, part 1v. The condemnor  
bears the burden of disproving an intent to abandon the  
condemned property.~~

1       ~~Section 3. Exchange of abandoned property taken by~~  
2 ~~eminent domain procedure. (1) Whenever a condemnor~~  
3 ~~possessing fee simple absolute title in real property~~  
4 ~~obtained by right of eminent domain abandons such property~~  
5 ~~as set forth in [section 1], the condemnor may exchange the~~  
6 ~~interest, either as entire or partial consideration, for any~~  
7 ~~other real property interest needed for such public purpose.~~  
8       ~~(2) The condemnor shall notify the owner or successor~~  
9 ~~in interest of its intention to exchange the interest.~~  
10       ~~(3) The owner from whom the interest was originally~~  
11 ~~acquired by the condemnor or the owner's successor in~~  
12 ~~interest may require the condemnor to offer the real~~  
13 ~~property interest for sale in the manner provided in~~  
14 ~~[section 4].~~

15       Section 1. Sale of abandoned property taken by eminent  
16 domain -- procedure. (1) Whenever a condemnor possessing fee  
17 simple absolute title to OF a real property interest  
18 obtained by right of eminent domain abandons such interest  
19 as set forth in [section 1], the condemnor may SHALL MAY  
20 sell the interest to the highest bidder at public auction or  
21 by sealed bids.

22       (2) THE IN THE EVENT THE CONDEMNOR DECIDES TO SELL AN  
23 INTEREST IN REAL PROPERTY AS SET FORTH IN SUBSECTION (1),  
24 THE condemnor shall publish notice of the public sale in a  
25 newspaper published in the county in which the real property

1       interest is located once a week for 2 4 successive weeks.  
2 Sale shall be held in the county where the real property  
3 interest is located. THE NOTICE OF SALE SHALL CONTAIN THE  
4 INFORMATION REQUIRED BY 77-2-322.

5       ~~(3) The condemnor shall notify the owner from whom the~~  
6 ~~real property interest was originally acquired by eminent~~  
7 ~~domain or his successor in interest:~~  
8       ~~(a) that bids were received for the purchase of the~~  
9 ~~real property interest;~~  
10       ~~(b) of the amount of the highest bid; and~~  
11       ~~(c) that he may exercise the option to purchase under~~  
12 ~~[section 5].~~

13       Section 2. Option of original owner or successor in  
14 interest to purchase at sale price. (1) The owner from whom  
15 the real property interest was originally acquired by  
16 eminent domain or his successor in interest has SHALL HAVE  
17 the option to purchase the interest by offering therefor an  
18 amount of money equal to the highest bid received for the  
19 interest at the A sale PROVIDED FOR IN [SECTION 1]. IF MORE  
20 THAN ONE PERSON CLAIMS AN EQUAL ENTITLEMENT, THE OPTION MAY  
21 NOT BE EXERCISED.

22       (2) If no bids are received by the condemnor and the  
23 optionholder indicates in writing to the condemnor that he  
24 wishes to exercise the option, the condemnor shall have the  
25 real property interest appraised and sell the interest at

1 that price to the optionholder.

2 ~~Section 6. Abandonment of real property interest~~  
3 ~~acquired for public use without exercising right of eminent~~  
4 ~~domain. Whenever a person or entity acquires a real~~  
5 ~~property interest for a public use without exercising the~~  
6 ~~right of eminent domain and subsequently abandons it as set~~  
7 ~~forth in [section 1], the real property interest shall be~~  
8 ~~disposed of in accordance with the provisions of [sections 1~~  
9 ~~through 5].~~

10 Section 3. Codification instruction. Sections 1  
11 through AND 6 5 2 are intended to be codified as an integral  
12 part of Title 70, chapter 30, and the provisions of Title  
13 70, chapter 30, apply to sections 1 through AND 6 5 2.

14 ~~Section 7. Repealer. Sections 60-4-201 through~~  
15 ~~60-4-205 and 60-4-207, MCA, are repealed.~~

-End-

SENATE BILL NO. 287

INTRODUCED BY MANLEY, CONROY, GRAHAM, GALT

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR DISPOSITION THE RIGHT OF FIRST REFUSAL TO THE FORMER OWNER OF ABANDONED REAL PROPERTY INTERESTS ACQUIRED FOR A PUBLIC USE; ~~REPEALING SECTIONS 68-4-201 THROUGH 68-4-205 AND 68-4-207, MCA.~~"

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

~~Section 1. Abandonment of real property interest obtained by eminent domain. Any real property interest obtained by right of eminent domain is considered abandoned when:~~

~~(1) the public use for which it was taken is formally discontinued by:~~

~~(a) written declaration of an authorized representative of the condemnor;~~

~~(b) order of a court of competent jurisdiction; or~~

~~(c) order of a regulatory body acting within its authority;~~

~~(2) the public use for which it was taken is discontinued for a period of more than 3 years;~~

~~(3) it becomes impossible to use the real property interest for the public purpose for which it was taken~~

~~(4) it ceases to be necessary to use the real property interest for the public purpose for which it was taken; or~~  
~~(5) it is not put to the public use for which it was taken within a period of 1 year 10 YEARS from the date of its taking.~~

~~Section 2. Reversion of abandoned real property interest taken by eminent domain. (1) Whenever a condemnor possessing less than fee simple absolute title to real property obtained by right of eminent domain abandons such property as set forth in [section 1], the real property interest shall revert to the original owner of the fee or his heirs, assigns, or successors in interest at the time of the abandonment or [at the time this act becomes effective], whichever is later.~~

~~(2) The owner of the fee need not return the condemnation money originally paid as compensation for the taking.~~

~~(3) The condemnor may remove structures that have been attached to the soil only upon written permission of the owner of the fee entitled to the reversion.~~

~~(4) The owner of the fee may seek enforcement of this section in accordance with the quiet title procedure outlined in Title 70, chapter 28, part 1. The condemnor bears the burden of disproving an intent to abandon the condemned property.~~

1 ~~Section 3. Exchange of abandoned property taken by~~  
 2 ~~eminent domain procedure. (1) Whenever a condemnor~~  
 3 ~~possessing fee simple absolute title in real property~~  
 4 ~~obtained by right of eminent domain abandons such property~~  
 5 ~~as set forth in [section 1], the condemnor may exchange the~~  
 6 ~~interest, either as entire or partial consideration, for any~~  
 7 ~~other real property interest needed for such public purposes.~~

8 ~~(2) The condemnor shall notify the owner or successor~~  
 9 ~~in interest of its intention to exchange the interest.~~

10 ~~(3) The owner from whom the interest was originally~~  
 11 ~~acquired by the condemnor or the owner's successor in~~  
 12 ~~interest may require the condemnor to offer the real~~  
 13 ~~property interest for sale in the manner provided in~~  
 14 ~~[section 4].~~

15 Section 1. Sale of abandoned property taken by eminent  
 16 domain ACQUIRED FOR PUBLIC USE WHEN USE ABANDONED --  
 17 procedure. (1) Whenever a condemnor PERSON WHO HAS ACQUIRED  
 18 possessing fee simple absolute title to OF a real property  
 19 interest obtained FOR A PUBLIC USE, WHETHER by right of  
 20 eminent domain OR OTHERWISE, abandons such interest--as set  
 21 forth in [section 2] PUBLIC USE AND PLACES SUCH INTEREST FOR  
 22 SALE, the condemnor SELLER may SHALL MAY sell the interest  
 23 to the highest bidder at public auction or by sealed bids.

24 (2) The IN THE EVENT THE CONDEMNOR SELLER DECIDES TO  
 25 SELL AN INTEREST IN REAL PROPERTY AS SET FORTH IN SUBSECTION

1 (1), THE condemnor HE shall publish notice of the public  
 2 sale in a newspaper published in the county in which the  
 3 real property interest is located once a week for 2 4  
 4 successive weeks. Sale shall be held in the county where the  
 5 real property interest is located. THE NOTICE OF SALE SHALL  
 6 CONTAIN THE INFORMATION REQUIRED BY 77-2-322.

7 ~~(3) The condemnor shall notify the owner from whom the~~  
 8 ~~real property interest was originally acquired by eminent~~  
 9 ~~domain or his successor in interest.~~

10 ~~(a) that bids were received for the purchase of the~~  
 11 ~~real property interest.~~

12 ~~(b) of the amount of the highest bid, and~~

13 ~~(c) that he may exercise the option to purchase under~~  
 14 ~~[section 5].~~

15 Section 2. Option of original owner or successor in  
 16 interest to purchase at sale price. (1) The owner from whom  
 17 the real property interest was originally acquired by  
 18 eminent domain or his OTHERWISE OR, IF THERE IS A successor  
 19 in interest, THE SUCCESSOR IN INTEREST has SHALL HAVE the  
 20 option to purchase the interest by offering therefor an  
 21 amount of money equal to the highest bid received for the  
 22 interest at the A sale PROVIDED FOR IN [SECTION 1]. IF MORE  
 23 THAN ONE PERSON CLAIMS AN EQUAL ENTITLEMENT, THE OPTION MAY  
 24 NOT BE EXERCISED.

25 (2) If no bids are received by the condemnor SELLER

1 and the optionholder indicates in writing to the condemnor  
2 SELLER that he wishes to exercise the option, the condemnor  
3 SELLER shall have the real property interest appraised and  
4 sell the interest at that price to the optionholder.

5 ~~Section 6. Abandonment of real property interest~~  
6 ~~acquired for public use without exercising right of eminent~~  
7 ~~domain. Whenever a person or entity acquires a real~~  
8 ~~property interest for a public use without exercising the~~  
9 ~~right of eminent domain and subsequently abandons it as set~~  
10 ~~forth in [section 1] the real property interest shall be~~  
11 ~~disposed of in accordance with the provisions of [sections 1~~  
12 ~~through 5].~~

13 Section 3. Codification instruction. Sections 1  
14 through AND 6 5 2 are intended to be codified as an integral  
15 part of Title 70, chapter 30, and the provisions of Title  
16 70, chapter 30, apply to sections 1 through AND 6 5 2.

17 ~~Section 7. Repealer. Sections 60-4-201 through~~  
18 ~~60-4-205 and 60-4-207 NCA are repealed.~~

-End-

Respectfully report as follows: That.....

BE AMENDED AS FOLLOWS:

1. Page 3, line 15.  
Following: "of"  
Strike: "abandoned"  
Following: "property"  
Strike: "taken by eminent"
2. Page 3, line 16.  
Following: line 15  
Strike: "domain"  
Insert: "acquired for public use when use abandoned"  
Following: "a"  
Strike: "condemnor"  
Insert: "person who has acquired"
3. Page 3, line 17.  
Following: "to"  
Strike: "OF"
4. Page 3, line 18.  
Following: line 17  
Strike: "obtained"  
Insert: "for a public use, whether"  
Following: "domain"  
Insert: "or otherwise,"  
Following: "such"  
Strike: "interest"
5. Page 3, line 19.  
Following: line 18  
Strike: "as set forth in [section 1]"  
Insert: "public use and places such interest for sale"  
Following: "the"  
Strike: "condemnor"  
Insert: "seller"
6. Page 3, line 22.  
Following: "EVENT THE"  
Strike: "CONDEMNOR"  
Insert: "seller"
7. Page 3, line 24.  
Following: line 23  
Strike: "THE condemnor"  
Insert: "he"
8. Page 4, line 16.  
Following: "or"  
Strike: "his"  
Insert: "otherwise or, if there is a"  
Following: "interest"  
Insert: ", the successor in interest"
9. Page 4, line 22.  
Following: "by the"  
Strike: "condemnor"  
Insert: "seller"
10. Page 4, line 23.  
Following: "the"  
Strike: "condemnor"  
Insert: "seller"
11. Page 4, line 24.  
Following: "option, the"  
Strike: "condemnor"  
Insert: "seller"