

interest therein expropriated, and the nature of the public use or purpose for which it is expropriated.

When real estate is expropriated, a certified copy of such judgment shall be recorded in the registry of deeds of the place in which the property is situated. Such registration shall have an effect of vesting in the plaintiff the title to the real estate so described for such public use or purpose.

Uncertain Ownership; Conflicting Claims

If the ownership of the property taken is uncertain, or there are conflicting claims to any part thereof, the court may order any sum or sums awarded as compensation for the property to be paid to the court for the benefit of the person adjudged in the same proceeding to be entitled thereto. But the judgment shall require the payment of the sum or sums awarded to either the defendant or the court before the plaintiff can enter upon the property, or retain it for the public use or purpose if entry has already been made.

Effect of Appeal

An appeal taken from the judgment shall not delay the right of the plaintiff to enter upon the property of the defendant and appropriate the same for public use or purpose.

Effect of Reversal

If the appellate court determines that plaintiff has no right of expropriation, it shall render judgment ordering the Regional Trial Court to forthwith enforce the restoration to the defendant of the possession of the property, and to determine the damages which the defendant sustained and may recover by reason of the possession taken by the plaintiff.

Costs

The fees of the commissioners shall be taxed as a part of the costs of the proceedings. All costs, except those of rival claimants litigating their claims, shall be paid by the plaintiff. However, when an appeal is taken by the owner of the property and the judgment is affirmed, the costs of the appeal shall be paid by the owner.