

Union Calendar No. 359

104TH CONGRESS
2^D SESSION

H. R. 1784

[Report No. 104-691]

To validate certain conveyances made by the Southern Pacific Transportation Company within the cities of Reno, Nevada, and Tulare, California, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 7, 1995

Mrs. VUCANOVICH (for herself and Mr. THOMAS of California) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

JULY 18, 1996

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To validate certain conveyances made by the Southern Pacific Transportation Company within the cities of Reno, Nevada, and Tulare, California, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. LEGALIZATION OF CERTAIN CONVEYANCES.**

2 (a) **IN GENERAL.**—Notwithstanding any other provi-
3 sion of law, and subject to section 2, the following convey-
4 ances are hereby validated to the extent that the convey-
5 ances would have been legal or valid if the land involved
6 in the conveyances had been held by the Southern Pacific
7 Transportation Company, or its subsidiaries, predecessors,
8 successors or assigns, under absolute or fee simple title:

9 (1) Conveyances of parcels from the lands de-
10 scribed in subsection (b) made by the Southern Pa-
11 cific Transportation Company or its subsidiaries,
12 predecessors, successors or assigns, on or before
13 January 1, 1995.

14 (2) Conveyances of parcels from the lands de-
15 scribed in subsection (b) made after January 1,
16 1995, by the Southern Pacific Transportation Com-
17 pany, or its successors or assigns, to the Redevelop-
18 ment Agency of the city of Tulare or the Redevelop-
19 ment Agency of the city of Reno.

20 (b) **LANDS DESCRIBED.**—The lands referred to in
21 subsection (a) are the lands that

22 (1) formed part of a railroad right-of-way
23 granted to the Central Pacific Railroad Company of
24 California or the Southern Pacific Railroad Com-
25 pany, or their successors or assigns, by the Federal
26 Government; and

1 ~~(2)(A)~~ are located within the boundaries of the
2 Downtown Redevelopment Area of the city of Reno,
3 Nevada (as defined and determined by the Secretary
4 of the Interior, in consultation with the appropriate
5 official of the city of Reno, Nevada); or

6 ~~(B)~~ are located within the boundaries of
7 Amended Urban Renewal Plan for California A-8-
8 1 (the Downtown Plan) adopted by the city of
9 Tulare (as defined and determined by the Secretary
10 of the Interior, in consultation with the appropriate
11 official of the city of Tulare, California).

12 **SEC. 2. FILING OF INSTRUMENTS.**

13 As soon as practicable after the date of enact-
14 ment of this Act, the Secretary shall file for
15 recordations in the real property records of Tulare
16 County, California, and Washoes County, Nevada,
17 such instruments as are necessary to document the
18 legal interests validated under section 1.

19 **SECTION 1. LEGALIZATION OF CERTAIN CONVEYANCES.**

20 (a) *IN GENERAL.*—Notwithstanding any other provi-
21 sion of law, and subject to subsections (c) and (d), the fol-
22 lowing conveyances are hereby validated to the extent that
23 the conveyances would have been legal or valid if all right,
24 title, and interest of the United States had been held by

1 *the Southern Pacific Transportation Company at the time*
2 *of such conveyances:*

3 (1) *Conveyances of parcels from the lands de-*
4 *scribed in subsection (b) made by the Southern Pa-*
5 *cific Transportation Company or its subsidiaries,*
6 *predecessors, successors or assigns, on or before Janu-*
7 *ary 1, 1995.*

8 (2) *Conveyances of parcels from the lands de-*
9 *scribed in subsection (b) made after January 1, 1995,*
10 *by the Southern Pacific Transportation Company, or*
11 *its successors or assigns, to the Redevelopment Agency*
12 *of the city of Tulare or the Redevelopment Agency of*
13 *the city of Reno.*

14 (b) *LANDS DESCRIBED.—The lands referred to in sub-*
15 *section (a) are the lands that—*

16 (1) *formed part of a railroad right-of-way grant-*
17 *ed to the Central Pacific Railroad Company of Cali-*
18 *ifornia or the Southern Pacific Railroad Company, or*
19 *their successors or assigns, by the Federal Govern-*
20 *ment; and*

21 (2)(A) *are located within the boundaries of the*
22 *Downtown Redevelopment Area of the city of Reno,*
23 *Nevada; or*

1 (B) are located within the boundaries of Amend-
2 ed Urban Renewal Plan for California A-8-1 (the
3 Downtown Plan) adopted by the city of Tulare.

4 (C) *MINERALS.*—(1) *The United States hereby reserves*
5 *any federally-owned minerals that may exist in land that*
6 *is conveyed pursuant to this Act, including the right of the*
7 *United States, and its assignees or lessees, to enter upon*
8 *and utilize as much of the surface of such land as is nec-*
9 *essary to remove minerals under the laws of the United*
10 *States.*

11 (2) *Any and all minerals reserved by paragraph (1)*
12 *are hereby withdrawn from all forms of entry, appropri-*
13 *ation, and patent under the mining, mineral leasing, and*
14 *geothermal leasing laws of the United States.*

15 (d) *TAKINGS OF PRIVATE LAND.*—*If the validation of*
16 *any conveyance pursuant to subsection (a) would constitute*
17 *a taking of the private property within the meaning of the*
18 *Fifth Amendment to the United States Constitution, the*
19 *validation of the conveyance shall be effective only upon*
20 *payment by the Southern Pacific Transportation Company*
21 *(or its subsidiaries, successors or assigns) to the Secretary*
22 *of the Treasury of the fair market value of the property*
23 *taken.*

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