

**Calendar No. 68**

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**H. R. 440**

[Report No. 104-45]

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**AN ACT**

To provide for the conveyance of lands to certain individuals in Butte County, California.

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APRIL 7 (legislative day, APRIL 5), 1995  
Reported without amendment

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**IN THE SENATE OF THE UNITED STATES**

FEBRUARY 2 (legislative day, JANUARY 30), 1995

Received; read twice and referred to the Committee on Energy and Natural  
Resources

APRIL 7 (legislative day, APRIL 5), 1995

Reported by Mr. MURKOWSKI, without amendment

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**AN ACT**To provide for the conveyance of lands to certain individuals  
in Butte County, California.

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

3       **SECTION 1. FINDINGS AND PURPOSE.**

4       (a) FINDINGS.—The Congress finds and declares  
5       that—

6               (1) certain landowners in Butte County, Cali-  
7       fornia who own property adjacent to the Plumas Na-

1 tional Forest have been adversely affected by certain  
2 erroneous surveys;

3 (2) these landowners have occupied or improved  
4 their property in good faith and in reliance on erro-  
5 neous surveys of their properties that they believed  
6 were accurate; and

7 (3) the 1992 Bureau of Land Management de-  
8 pendent resurvey of the Plumas National Forest will  
9 correctly establish accurate boundaries between such  
10 forest and private lands.

11 (b) PURPOSE.—It is the purpose of this Act to au-  
12 thorize and direct the Secretary of Agriculture to convey,  
13 without consideration, certain lands in Butte County, Cali-  
14 fornia, to persons claiming to have been deprived of title  
15 to such lands.

16 **SEC. 2. DEFINITIONS.**

17 For the purpose of this Act—

18 (1) the term “affected lands” means those Fed-  
19 eral lands located in the Plumas National Forest in  
20 Butte County, California, in sections 11, 12, 13, and  
21 14, township 21 north, range 5 East, Mount Diablo  
22 Meridian, as described by the dependent resurvey by  
23 the Bureau of Land Management conducted in  
24 1992, and subsequent Forest Service land line loca-  
25 tion surveys, including all adjoining parcels where

1 the property line as identified by the 1992 BLM de-  
2 pendent resurvey and National Forest boundary  
3 lines before such dependent resurvey are not coinci-  
4 dent;

5 (2) the term “claimant” means an owner of real  
6 property in Butte County, California, whose real  
7 property adjoins Plumas National Forest lands de-  
8 scribed in subsection (a), who claims to have been  
9 deprived by the United States of title to property as  
10 a result of previous erroneous surveys; and

11 (3) the term “Secretary” means the Secretary  
12 of Agriculture.

13 **SEC. 3. CONVEYANCE OF LANDS.**

14 Notwithstanding any other provision of law, the Sec-  
15 retary is authorized and directed to convey, without con-  
16 sideration, all right, title, and interest of the United States  
17 in and to affected lands as described in section 2(1), to  
18 any claimant or claimants, upon proper application from  
19 such claimant or claimants, as provided in section 4.

20 **SEC. 4. TERMS AND CONDITIONS OF CONVEYANCE.**

21 (a) NOTIFICATION.—Not later than 2 years after the  
22 date of enactment of this Act, claimants shall notify the  
23 Secretary, through the Forest Supervisor of the Plumas  
24 National Forest, in writing of their claim to affected lands.  
25 Such claim shall be accompanied by—

- 1 (1) a description of the affected lands claimed;
- 2 (2) information relating to the claim of owner-
- 3 ship of such lands; and
- 4 (3) such other information as the Secretary
- 5 may require.

6 (b) ISSUANCE OF DEED.—(1) Upon a determination  
7 by the Secretary that issuance of a deed for affected lands  
8 is consistent with the purpose and requirements of this  
9 Act, the Secretary shall issue a quitclaim deed to such  
10 claimant for the parcel to be conveyed.

11 (2) Prior to the issuance of any such deed as provided  
12 in paragraph (1), the Secretary shall ensure that—

13 (A) the parcel or parcels to be conveyed have  
14 been surveyed in accordance with the Memorandum  
15 of Understanding between the Forest Service and  
16 the Bureau of Land Management, dated November  
17 11, 1989;

18 (B) all new property lines established by such  
19 surveys have been monumented and marked; and

20 (C) all terms and conditions necessary to pro-  
21 tect third party and Government Rights-of-Way or  
22 other interests are included in the deed.

23 (3) The Federal Government shall be responsible for  
24 all surveys and property line markings necessary to imple-  
25 ment this subsection.

1 (c) NOTIFICATION TO BLM.—The Secretary shall  
2 submit to the Secretary of the Interior an authenticated  
3 copy of each deed issued pursuant to this Act no later  
4 than 30 days after the date such deed is issued.

5 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

6 There are authorized to be appropriated such sums  
7 as necessary to carry out the purposes of this Act.

Passed the House of Representatives February 1,  
1995.

Attest:

ROBIN H. CARLE,  
*Clerk.*