

106TH CONGRESS
2^D SESSION

H. R. 4929

To direct the Secretary of Agriculture to convey certain land to Lander County, Nevada, for continued use as a cemetery.

IN THE HOUSE OF REPRESENTATIVES

JULY 24, 2000

Mr. GIBBONS introduced the following bill; which was referred to the Committee on Resources

A BILL

To direct the Secretary of Agriculture to convey certain land to Lander County, Nevada, for continued use as a cemetery.

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.**

4 Congress finds that—

5 (1) the historical use by settlers and travelers
6 since the late 1800's of the cemetery known as
7 “Kingston Cemetery” in Kingston, Nevada, predates
8 incorporation of the land on which the cemetery is
9 situated within the jurisdiction of the Forest Service;

1 (2) it is appropriate that the use of the parcel
2 as a cemetery be continued through local public own-
3 ership of the parcel rather than through the permit-
4 ting process of the Federal agency; and

5 (3) to ensure that all areas that may have un-
6 marked gravesites are included and to ensure the
7 availability of adequate gravesite space in future
8 years, a parcel of approximately 10 acres, the acre-
9 age included in the original permit issued by the
10 Forest Service for the cemetery, should be conveyed
11 for that purpose.

12 **SEC. 2. CONVEYANCE OF CEMETERY ON PUBLIC LANDS TO**
13 **LANDER COUNTY, NEVADA.**

14 (a) CONVEYANCE.—Notwithstanding any other provi-
15 sion of law, the Secretary of Agriculture, acting through
16 the Chief of the Forest Service (referred to in this section
17 as the “Secretary”), simultaneously with or as soon as
18 practicable after the conveyance of the core parcel under
19 subsection (b), shall convey, without consideration, subject
20 to valid existing rights, to Lander County, Nevada (re-
21 ferred to in this section as the “county”), all right, title,
22 and interest of the United States in and to the remaining
23 parcel of the land described in subsection (c).

24 (b) CONVEYANCE OF CORE PARCEL.—The making of
25 the conveyance under subsection (a) is contingent on the

1 making of a conveyance, under Public Law 85–569 (com-
2 monly known as the “Townsite Act”; 7 U.S.C. 1012a; 16
3 U.S.C. 478a), of 1.25 acres of the land described in sub-
4 section (c) in which gravesites have been identified.

5 (c) DESCRIPTION OF LAND.—The parcel of land re-
6 ferred to in subsection (a) is the parcel of National Forest
7 System land (including any improvements on the land)
8 known as “Kingston Cemetery,” consisting of approxi-
9 mately 10 acres and more particularly described as SW1/
10 4SE1/4SE1/4 of section 36, T. 16N., R. 43E., Mount Dia-
11 blo Meridian.

12 (d) USE OF LAND.—

13 (1) IN GENERAL.—The county (including its
14 successors) shall continue the use of the parcel con-
15 veyed under subsection (a) as a cemetery.

16 (2) REVERSION.—If the Secretary, after notice
17 to the county and an opportunity for a hearing,
18 makes a finding that the county has discontinued
19 the use of the parcel conveyed under subsection (a)
20 as a cemetery, title to the parcel shall revert to the
21 Secretary.

22 (e) ACCESS.—At the time of the conveyance under
23 subsection (a), the Secretary shall grant the county an
24 easement granting access for persons desiring to visit the
25 cemetery and other cemetery purposes over Forest Devel-

- 1 opment Road #20307B, notwithstanding any future clos-
- 2 ing of the road for other use.

