

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2111

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## AN ACT

To direct the Secretary of Agriculture to convey for fair market value 1.06 acres of land in the San Bernardino National Forest, California, to KATY 101.3 FM, a California corporation.

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. LAND CONVEYANCE AND SETTLEMENT, SAN**  
2 **BERNARDINO NATIONAL FOREST, CALI-**  
3 **FORNIA.**

4 (a) CONVEYANCE REQUIRED.—Subject to valid exist-  
5 ing rights and settlement of claims as provided in this sec-  
6 tion, the Secretary of Agriculture shall convey to KATY  
7 101.3 FM (in this section referred to as “KATY”) all  
8 right, title and interest of the United States in and to a  
9 parcel of real property consisting of approximately 1.06  
10 acres within the San Bernardino National Forest in River-  
11 side County, California, generally located in the north ½  
12 of section 23, township 5 south, range 2 east, San  
13 Bernardino meridian.

14 (b) LEGAL DESCRIPTION.—The Secretary and  
15 KATY shall, by mutual agreement, prepare the legal de-  
16 scription of the parcel of real property to be conveyed  
17 under subsection (a), which is generally depicted as Ex-  
18 hibit A-2 in an appraisal report of the subject parcel dated  
19 August 26, 1999, by Paul H. Meiling.

20 (c) CONSIDERATION.—Consideration for the convey-  
21 ance under subsection (a) shall be equal to the appraised  
22 fair market value of the parcel of real property to be con-  
23 veyed. Any appraisal to determine the fair market value  
24 of the parcel shall be prepared in conformity with the Uni-  
25 form Appraisal Standards for Federal Land Acquisition  
26 and approved by the Secretary.

1 (d) SETTLEMENT.—In addition to the consideration  
2 referred to in subsection (c), upon the receipt of \$16,600  
3 paid by KATY to the Secretary, the Secretary shall release  
4 KATY from any and all claims of the United States arising  
5 from the occupancy and use of the San Bernardino  
6 National Forest by KATY for communication site purposes.  
7

8 (e) ACCESS REQUIREMENTS.—Notwithstanding section  
9 1323(a) of the Alaska National Interest Lands Conservation  
10 Act (16 U.S.C. 3210(a)) or any other law, the  
11 Secretary is not required to provide access over National  
12 Forest System lands to the parcel of real property to be  
13 conveyed under subsection (a).

14 (f) ADMINISTRATIVE COSTS.—Any costs associated  
15 with the creation of a subdivided parcel, recordation of a  
16 survey, zoning, and planning approval, and similar expenses  
17 with respect to the conveyance under this section,  
18 shall be borne by KATY.

19 (g) ASSUMPTION OF LIABILITY.—By acceptance of  
20 the conveyance of the parcel of real property referred to  
21 in subsection (a), KATY, and its successors and assigns  
22 will indemnify and hold harmless the United States for  
23 any and all liability to General Telephone and Electronics  
24 Corporation (also known as “GTE”) KATY, and any  
25 third party that is associated with the parcel, including

1 liability for any buildings or personal property on the par-  
2 cel belonging to GTE and any other third parties.

3 (h) TREATMENT OF RECEIPTS.—All funds received  
4 pursuant to this section shall be deposited in the fund es-  
5 tablished under Public Law 90–171 (16 U.S.C. 484a;  
6 commonly known as the Sisk Act), and the funds shall  
7 remain available to the Secretary, until expended, for the  
8 acquisition of lands, waters, and interests in land for the  
9 inclusion in the San Bernardino National Forest.

10 (i) RECEIPTS ACT AMENDMENT.—The Act of June  
11 15, 1938 (Chapter 438:52 Stat. 699), as amended by the  
12 Acts of May 26, 1944 (58 Stat. 227), is further  
13 amended—

14 (1) by striking the comma after the words  
15 “Secretary of Agriculture”;

16 (2) by striking the words “with the approval of  
17 the National Forest Reservation Commission estab-  
18 lished by section 4 of the Act of March 1, 1911 (16  
19 U.S.C. 513),”;

20 (3) by inserting the words “, real property or  
21 interests in lands,” after the word “lands” the first  
22 time it is used;

23 (4) by striking “San Bernardino and Cleve-  
24 land” and inserting “counties of San Bernardino,  
25 Cleveland and Los Angeles”;

1           (5) by striking “county of Riverside” each place  
2           it appears and inserting “counties of Riverside and  
3           San Bernardino”;

4           (6) by striking “as to minimize soil erosion and  
5           flood damage” and inserting “for National Forest  
6           System purposes”; and

7           (7) after the “Provided further, That”, by  
8           striking the remainder of the sentence to the end of  
9           the paragraph, and inserting “twelve and one-half  
10          percent of the monies otherwise payable to the State  
11          of California for the benefit of San Bernardino  
12          County under the aforementioned Act of March 1,  
13          1911 (16 U.S.C. 500) shall be available to be appro-  
14          priated for expenditure in furtherance of this Act.

Passed the Senate October 5 (legislative day, Sep-  
tember 22), 2000.

Attest:

*Secretary.*



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