

106TH CONGRESS
1ST SESSION

S. 977

To provide for the conveyance by the Bureau of Land Management to Douglas County, Oregon, of a county park and certain adjacent land.

IN THE SENATE OF THE UNITED STATES

MAY 6, 1999

Mr. SMITH of Oregon (for himself and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To provide for the conveyance by the Bureau of Land Management to Douglas County, Oregon, of a county park and certain adjacent land.

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. SHORT TITLE.**

4 This Act may be cited as the “Miwaleta Park Expan-
5 sion Act”.

6 **SEC. 2. LAND CONVEYANCE, BUREAU OF LAND MANAGE-**
7 **MENT LAND, DOUGLAS COUNTY, OREGON.**

8 (a) IN GENERAL.—

1 (1) CONVEYANCE.—The Secretary of the Inte-
 2 rior (referred to in this section as the “Secretary”)
 3 shall convey, without consideration, to Douglas
 4 County, Oregon (referred to in this section as the
 5 “County”), all right, title, and interest of the United
 6 States in and to a parcel of land (including improve-
 7 ments on the land) described in paragraph (2) and
 8 consisting of—

9 (A) Miwaleta Park, a county park man-
 10 aged under agreement by the County on Fed-
 11 eral land managed by the Bureau of Land Man-
 12 agement; and

13 (B) an adjacent tract of Federal land man-
 14 aged by the Bureau of Land Management.

15 (2) LEGAL DESCRIPTION.—The parcel of land
 16 referred to in paragraph (1) is the parcel in the
 17 SW¹/₄ of the NE¹/₄; SE¹/₄ of the NW¹/₄ of sec. 27,
 18 T. 31 S., R. 4 W., W.M., Douglas County, Oregon,
 19 described as follows:

20 The property lying between the southerly right-
 21 of-way line of the relocated Cow Creek County
 22 Road No. 36 and contour elevation 1881.5
 23 MSL, comprising approximately 28.50 acres.

24 (b) USE OF LAND.—

1 (1) IN GENERAL.—After conveyance of land
2 under subsection (a), the County may manage and
3 exercise any program or policy that the County con-
4 siders appropriate in the use of the land for park
5 purposes.

6 (2) REVERSIONARY INTEREST.—

7 (A) IN GENERAL.—If the Secretary deter-
8 mines that the land conveyed under subsection
9 (a) is not being used for park purposes—

10 (i) all right, title, and interest in and
11 to the land, including any improvements on
12 the land, shall revert to the United States;
13 and

14 (ii) the United States shall have the
15 right of immediate entry onto the land.

16 (B) DETERMINATION ON THE RECORD.—

17 Any determination of the Secretary under sub-
18 paragraph (A) shall be made on the record.

19 (c) SURVEY.—The exact acreage and legal descrip-
20 tion of the land to be conveyed under subsection (a) shall
21 be determined by a survey satisfactory to the Secretary
22 and paid for by the County.

23 (d) IMPACT ON FERC WITHDRAWAL.—

24 (1) IN GENERAL.—The conveyance of land
25 under subsection (a) shall have no effect on the con-

1 ditions and rights provided in Federal Energy Regu-
2 latory Commission Withdrawal No. 7161.

3 (2) CONFLICTS.—In a case of conflict between
4 the use of the conveyed land as a park and the pur-
5 poses of the withdrawal, the purposes of the with-
6 drawal shall prevail.

7 (e) COSTS OF CONVEYANCE.—Except as provided in
8 subsection (c), costs associated with the conveyance under
9 subsection (a) shall be borne by the party incurring the
10 costs.

11 (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-
12 retary may require such additional terms and conditions
13 in connection with the conveyance under subsection (a) as
14 the Secretary considers appropriate to protect the inter-
15 ests of the United States.

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