

Development has delegated most functions regarding the Section 312 Rehabilitation Loan Program under Section 312 of the Housing Act of 1964 (42 USC 1452(b)) to the Assistant Secretary for CPD. The Assistant Secretary for CPD has previously issued notices re delegating functions under the Section 312 Loan Program, and is by this notice issuing a new updated re delegation.

The Secretary of HUD has also delegated certain functions pertaining to property management and disposition under the Section 312 Rehabilitation Loan Program to the Assistant Secretary for Housing — Federal Housing Commissioner. The most recent delegation to the Assistant Secretary for Housing — Federal Housing Commissioner was published in the **Federal Register** on January 16, 1992, at 49 CFR 1942. That delegation remains in effect today, and is not affected by this present re delegation from the Assistant Secretary for CPD.

Although the section 312 Rehabilitation Loan Program was terminated by Section 289 of the Cranston-Gonzalez Affordable housing Act of 1989 (42 USC 12839), the Section 312 loan collection functions continue under 12 USC 1701(g)-5c (authorizing Section 312 collections to be deposited into the Department's revolving fund for liquidating programs). In order to expedite property foreclosures and judgments against the Section 312 borrowers in default and to take other actions associated with the servicing of Section 312 loans, the Assistant Secretary for CPD has determined that it is necessary to issue an updated re delegation pertaining to Section 312 loans. In this new re delegation, the Assistant Secretary for CPD re delegates authority to additional individuals and provides clarification as to the legal instruments covered by the re delegation. In addition, in this document, the Assistant Secretary for CPD supersedes the prior re delegations pertaining to the Section 312 Loan Program at 52 FR 10952 (dated April 6, 1987), 51 FR 5412 (dated February 13, 1986), 50 FR 13667 (dated April 5, 1985) and 47 FR 33, 324 (dated August 2, 1982).

Accordingly, the Assistant Secretary for CPD re delegates authority as follows:

#### A. Authority Redelegated

The Deputy Assistant Secretary for Grant Programs, Office of Community Planning and Development; the Director, Office of Affordable Housing Programs; the Deputy Director, Office of Affordable Housing Programs; and the Affordable Housing Loan Specialist

appointed as Government Technical Representative to the Section 312 Loan Servicing Contract, Office of Affordable Housing Programs, are hereby individually re delegated the authority to execute in the name of the Secretary written instruments relating to Section 312 Rehabilitation Loans, including but not limited to: Deeds of release, quit claim deeds and deeds of reconveyance; substitutions of trustees; compromises; write-offs; close outs; releases related to insurance policies; assignments or satisfactions of notes, mortgages, deeds of trust and other security instruments; and any other legal instrument or document related to certain Section 312 loan-related property management and disposition functions that have not been delegated to the Assistant Secretary for Housing.

#### B. Authority Superseded

This re delegation supersedes previous re delegations of authority from the Assistant Secretary for CPD to execute legal instruments under the section 312 program, published at 47 FR 33324, August 2, 1982, 50 FR 13667, April 5, 1985; 51 FR 5412, February 13, 1986; and 52 FR 10952, April 6, 1987.

**Authority:** Sec. 312 of the Housing Act of 1964, 42 U.S.C. 1452b; 12 U.S.C. 1701g-5c; and section C, Delegation of Authority, 48 FR 49384, October 25, 1983; Section 7(d), Department of Housing and Urban Development Act, 42 U.S.C. Section 3535(d).

Dated: March 10, 1995

#### Andrew Cuomo,

*Assistant Secretary for Community Planning and Development.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[NV-930-1430-01; N-57973]

#### Notice of Realty Action; Nevada

**AGENCY:** Bureau of Land Management.

**ACTION:** Notice.

**SUMMARY:** The following land in Elko County, Nevada has been examined and identified as suitable for disposal by direct sale, under Section 203 and Section 209 of the Federal Land Policy and Management Act (FLPMA) of October 21, 1976 (43 U.S.C. 1713 and 1719) at no less than fair market value as determined by an appraisal:

#### Mount Diablo Meridian, Nevada

T. 35 N., R. 56 E.,

Sec. 30, lots 5, 13.

Comprising 17.34 acres, more or less.

The above described land is being offered as a direct sale to Walter W. Bear and Allie T. Bear. The land will not be offered for sale until at least 60 days after the date of publication of this notice in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Detailed information concerning this action is available for review at the Bureau of Land Management, Elko Resource Area, 3900 E. Idaho Street, Elko, Nevada.

**SUPPLEMENTARY INFORMATION:** The land has been identified as suitable for disposal by the Elko Resource Management Plan. The land is not needed for any resource program and is not suitable for management by the Bureau or another Federal department or agency. The proposal has been reviewed and approved by the Elko County Planning Commission.

The land is prospectively valuable for oil and gas. Therefore, the mineral estate, excluding oil and gas, will be conveyed simultaneously with the sale of the surface estate. Acceptance of the direct sale offer will constitute an application to purchase the mineral estate having no known value. A nonrefundable fee of \$50.00 will be required with the purchase money. Failure to submit the purchase money and the nonrefundable filing fee for the mineral estate within the time frame specified by the authorized officer will result in cancellation of the sale.

Upon publication of this Notice of Realty Action in the **Federal Register** the lands will be segregated from all forms of appropriation under the public land laws, including the mining laws, but not the mineral leasing laws or disposals pursuant to Sections 203 and 209 of FLPMA. The segregation shall terminate upon issuance of a patent or other document of conveyance, upon publication in the **Federal Register** of a Notice of Termination of Segregation, or 270 days from date of this publication, whichever occurs first.

The patent, when issued, will contain the following reservations to the United States:

1. A right-of-way thereon for ditches and canals constructed by the authority of the United States, Act of August 30, 1890, (43 U.S.C. 945).
2. Oil and gas.

And would be subject to:

Those rights for powerline purposes granted to Sierra Pacific Power Co., its successors or assigns, by right-of-way N-37156, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761).

For a period of 45 days from the date of publication in the **Federal Register**, interested parties may submit comments

to the Elko District Office, Bureau of Land Management, P.O. Box 831, Elko, NV 89803. Any adverse comments will be evaluated by the State Director, who may sustain, vacate or modify this realty action and issue a final determination. In the absence of timely field objections, this realty action will become a final determination of the Department of the Interior.

Dated: March 8, 1995.

**Rodney Harris,**

*District Manager.*

[FR Doc. 95-6448 Filed 3-15-95; 8:45 am]

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[UT-069-05-5700-11; UTU-70117]

**Realty Action Recreation and Public Purposes (R&PP) Act Classification for Conveyance (Patent) of Public Lands in San Juan County, UT**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of Realty Action, UTU-70117, Recreation and Public Purposes (R&PP) Act Classification for Conveyance (Patent) of Public Lands in San Juan County, Utah.

**SUMMARY:** Notice is given that the following public lands in San Juan County, Utah have been examined and found suitable for classification for conveyance (patent) to San Juan County under the provisions of the Recreation and Public Purposes Act, as amended and supplemented (43 U.S.C. 869 *et seq.*). San Juan County proposes to use the lands for a regional sanitary landfill site.

**Salt Lake Meridian, Utah**

T. 39 S., R. 22 E.

Section 3, W2SWSW, SESWSW,  
S2NESWSW, S2SWSESW;

Section 4, S2SE;

Section 9, NE;

Section 10, W2NW, W2NENW, NWSWENW.

The above described land aggregates 390.00 acres more or less.

A plan amendment has been completed and is being reviewed by the public. This amendment, if approved, would allow these lands to be available for disposal under the Recreation and Public Purposes Act for a regional sanitary landfill site.

**The Patent, When Issued, Will Be Subject to the Following Terms, Conditions and Reservations**

1. Provisions of the Recreation and Public Purposes Act and to all applicable regulations of the Secretary of the Interior.

2. A right-of-way will be reserved for ditches and canals constructed by the

authority of the United States (Act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945).

3. All minerals, including oil and gas, shall be reserved to the United States, together with the right to prospect for, mine and remove the minerals.

4. The conveyance of the land will be subject to all valid existing rights, reservations, and privileges of record. Existing rights, reservations, and privileges of record include, but are not limited to:

a. Those rights for powerline purposes granted to PacifiCorp dba UP & L, its successors or assignees by Right-of-Way Numbers UTU-24973, UTU-57106, and UTU-64139.

b. Any other reservations the Authorized Officer determines appropriate to ensure public access and proper management of Federal lands and interests therein.

5. The San Juan County, its successors or assigns, assumes all liability for and shall defend, indemnify, and save harmless the United States and its officers, agents, representatives, and employees (hereinafter referred to in this clause as the United States), from all claims, loss, damage, actions, causes of action, expense, and liability (hereinafter referred to in this clause as claims) resulting from, brought for, or on account of, any personal injury, threat of personal injury, or property damage received or sustained by any person or persons (including the patentee's employees) or property growing out of, occurring, or attributable directly or indirectly, to the disposal of solid waste on, or the release of hazardous substances from the land described above, regardless of whether such claims shall be attributable to: (1) the concurrent, contributory, or partial fault, failure, or negligence of the United States, or (2) the sole fault, failure, or negligence of the United States.

6. Provided, that the title shall revert to the United States upon a finding, after notice and opportunity for a hearing, that the patentee has not substantially developed the lands in accordance with the approved plan of development on or before the date five years after the date of conveyance. No portion of the land shall under any circumstance revert to the United States if any such portion has been used for solid waste disposal or for any other purpose which may result in the disposal, placement, or release of any hazardous substance.

7. If, at any time, the patentee transfers to another party ownership of any portion of the land not used for the purpose(s) specified in the application and approved plan of development, the

patentee shall pay the Bureau of Land Management the fair market value, as determined by the authorized officer, of the transferred portion as of the date of transfer, including the value of any improvements thereon.

8. The above described land has been conveyed for utilization as a regional sanitary landfill. Upon closure, the site may contain small quantities of commercial and household hazardous waste as determined in the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6901), and defined in 40 CFR 261.4 and 261.5. Although there is no indication these materials pose any significant risk to human health or the environment, future land uses should be limited to those which do not penetrate the liner or final cover of the landfill unless excavation is conducted subject to applicable State and Federal requirements.

Publication of this notice in the **Federal Register** constitutes notice to the grazing permittee, Adams Livestock Company, that their grazing lease is directly effected by this action. Specifically, the subject lands are presently used for livestock grazing, involving the White Mesa Allotment—#06840. The Adams Livestock Company (Grazing Record # 436615—cattle) holds the grazing privileges for the 390.00 acre parcel. The estimated permitted grazing capacity of these lands is 19 AUMs, however, there would be no reduction in the permittee's grazing preference as a result of this action. The land (acreage) will have to be excluded from the allotment effective upon issuance of the patent. There are no authorized range improvements on the subject lands.

Upon publication of this notice in the **Federal Register**, the lands will be segregated from all other forms of appropriation under the public land laws, including the general mining laws, except for conveyance under the Recreation and Public Purposes Act and leasing under the mineral leasing laws.

**DATES:** For a period of 45 days from the date of publication of this notice in the **Federal Register**, interested persons may submit comments regarding the proposed conveyance or classification of the lands to the Moab District Manager, Bureau of Land Management, 82 East Dogwood Drive, Suite M, Moab, Utah 84532.

**CLASSIFICATION COMMENTS:** Interested parties may submit comments involving the suitability of the land for a regional sanitary landfill. Comments on the classification are restricted to whether the land is physically suited for the proposal, whether the use will