Public Law 106–432
106th Congress

An Act

Nov. 6, 2000
[H.R. 1725]

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Miwaleta Park Expansion Act.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Miwaleta Park Expansion Act".

SEC. 2. LAND CONVEYANCE, BUREAU OF LAND MANAGEMENT LAND, DOUGLAS COUNTY, OREGON.

(a) IN GENERAL.—

(1) CONVEYANCE.—The Secretary of the Interior (referred to in this section as the "Secretary") shall convey, without consideration, to Douglas County, Oregon (referred to in this section as the "County"), all right, title, and interest of the United States in and to a parcel of land (including improvements on the land) described in paragraph (2) and consisting of—

(A) Miwaleta Park, a county park managed under agreement by the County on Federal land managed by the Bureau of Land Management; and

(B) an adjacent tract of Federal land managed by the Bureau of Land Management.

(2) LEGAL DESCRIPTION.—The parcel of land referred to in paragraph (1) is the parcel in the SW ¼ of the NE ¼; SE ¼ of the NW ¼ of sec. 27, T31S, R4W, W.M., Douglas County, Oregon, described as follows:

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

(b) USE OF LAND.—

(1) IN GENERAL.—After conveyance of land under subsection (a), the County shall manage the land for public park purposes consistent with the plan for expansion of the Miwaleta Park as approved in the Decision Record for Galesville Campground, EA #OR110–99–01, dated September 17, 1999.

(2) REVERSIONARY INTEREST.—

(A) IN GENERAL.—If the Secretary determines that the land conveyed under subsection (a) is not being used for park purposes as described in paragraph 2(b)(1)—

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

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

(B) DETERMINATION ON THE RECORD.—Any determination of the Secretary under subparagraph (A) shall be made on the record.

(c) SURVEY.—The exact acreage and legal description of the land to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary and paid for by the County.

(d) IMPACT ON FERC WITHDRAWAL.—

(1) IN GENERAL.—The conveyance of land under subsection (a) shall have no effect on the conditions and rights provided in Federal Energy Regulatory Commission Withdrawal No. 7161.

(2) CONFLICTS.—In a case of conflict between the use of the conveyed land as a park and the purposes of the withdrawal, the purposes of the withdrawal shall prevail.

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

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

Approved November 6, 2000.

LEGISLATIVE HISTORY—H.R. 1725 (S. 977):

HOUSE REPORTS: No. 106–446 (Comm. on Resources).
SENATE REPORTS: No. 106–206 accompanying S. 977 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD: Vol. 146 (2000):
Mar. 21, considered and passed House.
Oct. 5, considered and passed Senate, amended.
Oct. 23, House concurred in Senate amendments.