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Consideration of adverse claims.

And provided further, That no patent shall issue under the provisions of this Act for any tract to which there is a conflicting claim adverse to that of the applicant, unless and until such claim shall have been finally adjudicated in favor of such applicant.

Appraisal, etc., of lands on application for purchase thereof.

SEC. 2. That upon the filing of an application to purchase any lands subject to the operation of this Act, together with the required proof, the Secretary of the Interior shall cause the lands described in said application to be appraised, said appraisal to be on the basis of the value of such lands at the date of appraisal, exclusive of any increased value resulting from the development or improvement of the lands by the applicant or his predecessors in interest, and in such appraisal the Secretary shall consider and give full effect to the equities of any such applicant.

Approved, December 22, 1928.

December 22, 1928.
[S. 4126.]
[Public, No. 646.]

CHAP. 48.—An Act Authorizing the National Capital Park and Planning Commission to acquire title to land subject to limited rights reserved, and limited rights in land, and authorizing the Director of Public Buildings and Public Parks of the National Capital to lease land or existing buildings for limited periods in certains instances.

District of Columbia Park and playground system.
Vol. 44, p. 374, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the authority of the National Capital Park and Planning Commission, established by the Act approved April 30, 1926 (Statutes at Large, volume 44, page 374), is hereby enlarged as follows:

Lands subject to limited reserved rights may be acquired by National Capital Park and Planning Commission.

Vol. 43, p. 463; Vol. 44, p. 374.

Said commission is hereby authorized to acquire, for and in behalf of the United States of America, by gift, devise, purchase, or condemnation, in accordance with the provisions of the Act of June 6, 1924 (Statutes at Large, volume 43, page 463), as amended by the Act of April 30, 1926 (Statutes at Large, volume 44, page 374), (1) fee title to land subject to limited rights, but not for business purposes, reserved to the grantor: *Provided*, That such reservation of rights shall not continue beyond the life or lives of the grantor or grantors of the fee: *Provided further*, That in the opinion of said commission the permanent public park purposes for which control over said land is needed are not essentially impaired by said reserved rights and that there is a substantial saving in cost by acquiring said land subject to said limited rights as compared with the cost of acquiring unencumbered title thereto; (2) permanent rights in land adjoining park property sufficient to prevent the use of said land in certain specified ways which would essentially impair the value of the park property for its purposes: *Provided*, That in the opinion of said commission the protection and maintenance of the essential public values of said park can thus be secured more economically than by acquiring said land in fee or by other available means: *Provided further*, That all contracts for acquisition of land subject to such limited rights reserved to the grantor and for acquisition of such limited permanent rights in land shall be subject to the approval of the President of the United States.

Provisos.
Time limit of rights.

Park purposes not to be impaired thereby.

Permanent rights in adjoining land to prevent impairment of park property.

Protection, etc., secured by such means.

Contracts subject to approval of President.

Land, buildings, etc., may be leased pending immediate need for park, etc., purposes.

SEC. 2. The Director of Public Buildings and Public Parks of the National Capital is authorized, subject to the approval of the National Capital Park and Planning Commission, to lease, for a term not exceeding five years, and to renew such lease, subject to such approval, for an additional term not exceeding five years, pending need for their immediate use in other ways by the public, and on such terms as the director shall determine, land or any existing building or structure on land acquired for park, parkway, or playground purposes.

Approved, December 22, 1928.