Public Law 739

CHAPTER 648

AN ACT

July 20, 1956
[H. R. 9774]

To provide for the conveyance of certain lands of the United States to the Board of Commissioners of Volusia County, Florida.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is authorized and directed to convey for public purposes by quitclaim deed to the Board of Commissioners of Volusia County, Florida, at a price equal to 50 per centum of the fair market value of the property as determined by the Administrator, General Services all of the right, title, and interest of the United States in and to the tracts of land more particularly described as follows:

Volusia County, Fla.
Conveyance.

PARCEL A

Beginning at an 8 inch by 8 inch granite monument marking the northwest corner of the Ponce de Leon Lighthouse Reservation as described in deed executed by Barlota C. Pacetti, Martha J. Pacetti, and Mercides F. de Pacetti, in favor of the United States dated December 1, 1883, measure thence south 10 degrees 00 minutes west for 415 feet to a point; thence south 80 degrees 00 minutes east for 125 feet to a point; thence north 10 degrees 00 minutes east for 160 feet to a point; thence north 60 degrees 00 minutes east for 396.7 feet to a point; thence north 80 degrees 00 minutes west for 428.9 feet to the point of beginning containing 2.08 acres more or less. All as shown on drawing SK–2123 dated March 21, 1955.

PARCEL B

Beginning at an 8 inch by 8 inch monument at the northwest corner of the Ponce de Leon Lighthouse Reservation as described in deed executed by Barlota C. Pacetti, Martha J. Pacetti, and Mercides F. de Pacetti in favor of the United States dated December 1, 1883, measure south 10 degrees 00 minutes west a distance of 445 feet to a point, which is the northwest corner of parcel numbered "B" and the point of beginning of this description.

Thence south 10 degrees 00 minutes west for 215 feet to an 8 inch by 8 inch granite monument; thence south 80 degrees 00 minutes east for 660 feet to a point; thence north 10 degrees 00 minutes east for 215 feet to a point; thence north 80 degrees 00 minutes west for 660 feet to the point of beginning containing 3.26 acres more or less, excepting, however, the right of ingress and egress over a portion of this land which is described as follows:

From the northwest corner of the above-described parcel "B" measure south 80 degrees 00 minutes east a distance of 299 feet to a point which shall be the point of beginning and the northwest corner of the right-of-way; thence south 10 degrees 00 minutes west for 215 feet to a point; thence south 80 degrees 00 minutes east for 25 feet to a point; thence north 10 degrees 00 minutes east for 215 feet to a point; thence north 80 degrees 00 minutes west for 25 feet to the point of beginning.

All as shown on drawing SK–2123 dated March 21, 1955.

SEC. 2. The conveyance authorized by this Act shall contain the following conditions:

Conditions.

(1) A condition that no structure shall be erected on the property

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conveyed which would in any way obscure or otherwise interfere with the usefulness or visibility of the light or tower; and

(2) A condition that in the event the property so conveyed to such county ceases to be used for public purposes, title therein shall revert to the United States.

Approved July 20, 1956.

Public Law 740 CHAPTER 649

July 20, 1956
[S. 976]

AN ACT

To provide for the release of the right, title, and interest of the United States in a certain tract or parcel of land conditionally granted by it to the city of Montgomery, West Virginia.

Montgomery, W. Va. Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is authorized to modify by appropriate written instrument the exception and reservation to the United States of America in the deed executed by the Secretary of War on December 13, 1938, pursuant to the Act of Congress approved June 14, 1938 (52 Stat. 675), of the perpetual right to flood such part of the eight and three-tenths acres conveyed to the town of Montgomery, West Virginia, as may be necessary from time to time in the interests of navigation so as to limit such exception and reservation to the portion of the eight and three-tenths acres located below elevation 619 feet, mean sea level, and to release by appropriate written instrument to the city of Montgomery, West Virginia, such restrictions and conditions imposed by section 2 of said Act of June 14, 1938, and included in the deed granted pursuant thereto: *Provided*, That any release by the Secretary of the Army of the restrictions and conditions imposed by section 2 of said Act of June 14, 1938, shall be effective only in the event the land described in such Act is conveyed to the State of West Virginia within one year from the date of enactment of this Act on condition that it shall be used for National Guard or other military purposes.

Reversion to U. S.

If the State of West Virginia shall cease to use the property for the purpose intended then the title thereto shall immediately revert to the United States and, in addition, all improvements made by the State of West Virginia during its occupancy shall vest in the United States without payment or compensation therefor.

National emergency.

The conveyance of the property authorized by this Act shall be upon the further provision that whenever the Congress of the United States declares a state of war or other national emergency, or the President declares a state of emergency, and upon the determination by the Secretary of Defense that the property conveyed under this Act is useful or necessary for military, air, or for naval purposes, or in the interest of national defense, the United States shall have the right, without obligation to make payment of any kind, to reenter upon the property and use the same or any part thereof, including any and all improvements made thereon by the State of West Virginia, for the duration of such state of war or of such emergency. Upon the termination of such state of war or of such emergency, plus six months, such property shall revert to the State of West Virginia, together with all appurtenances and utilities belonging or appertaining thereto.

Mineral rights.

All mineral rights, including gas and oil, in the lands authorized by this Act shall be reserved to the United States.

Survey cost.

The cost of any surveys necessary as an incidence to the conveyance authorized herein shall be borne by the State of West Virginia.

Approved July 20, 1956.