Public Law 95-394
95th Congress

An Act

To facilitate the exchange of certain lands in the State of Oregon, and for other purposes.

Sept. 30, 1978
[H.R. 12772]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in order to facilitate the exchange of certain lands in the State of Oregon for purposes of enlarging the Ecola State Park, the Secretary of the Interior (hereinafter referred to as "the Secretary") is authorized and directed to convey to the State of Oregon the reversionary interest retained by the United States pursuant to the first proviso of the first section of the Act of August 11, 1916 (39 Stat. 505) in a tract comprising about one hundred and sixty acres and described as the northwest quarter, section 8, township 5 north, range 8 west, Willamette meridian. Such conveyance shall be made, upon relinquishment to the Secretary of patent numbered 602062 by the State, by issuance of a new patent describing all lands which were described by patent numbered 602062. The conveyance directed by this section shall be made only if, in the judgment of the Secretary, the requirements of sections 2 and 3 of this Act have been met by the State.

Ecola State Park, Oreg.
Land conveyance.

(b) The new patent issued under subsection (a) hereof shall contain all reservations and exceptions required by the Act of August 11, 1916, and contained in patent numbered 602062 except that the reverter provision contained in the proviso referred to in subsection (a) shall not apply to the one-hundred-and-sixty-acre tract described in subsection (a) of this section.

SEC. 2. No conveyance shall be made and no new patent issued pursuant to this Act unless the State of Oregon has shown to the satisfaction of the Secretary that—

(a) the lands described in the first section of this Act will be exchanged for lands of at least equal value, or if not of at least equal value that the values will be equalized by payment of money or other consideration to the State;

(b) the lands received by the State in exchange are at least as suitable for park purposes as the lands conveyed;

(c) the lands obtained by exchange by the State will be used for public park purposes in perpetuity; and

(d) any amount of money or other consideration paid to the State to equalize values on a land exchange under this Act will be used for park purposes.

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SEC. 3. The Secretary, upon his determination that the requirements of section 2 of this Act are satisfied, is authorized and directed to enter into an agreement or agreements with the State of Oregon whereby, in consideration of a conveyance of the reversionary interest of the United States in the lands described in the first section of this Act, and issuance of a new patent, the State of Oregon agrees that—

(a) title to the lands acquired and dedicated for public park purposes pursuant to section 2 of this Act will vest in the United States if such lands ever cease to be used for public park purposes; and

(b) the State of Oregon will include provisions to this effect in any document of transfer of such property; and

(c) the State will execute a document to this effect and deliver such document to the Secretary.

Approved September 30, 1978.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 95-1455 (Comm. on Interior and Insular Affairs).
CONGRESSIONAL RECORD, Vol. 124 (1978):
Aug. 15, considered and passed House.
Sept. 15, considered and passed Senate.