Public Law 96-581
96th Congress

An Act

To authorize the Secretary of Agriculture to convey certain lands in the State of Arizona, to authorize the Secretary of the Interior to convey certain interests in lands in the State of Arizona, to amend the Act of March 14, 1978 (92 Stat. 154), and for other purposes.

Dec. 23, 1980
[S. 1985]

State of Arizona.
Certain lands, conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of Agriculture (hereafter in this section referred to as the "Secretary") is authorized to convey by quitclaim deed, subject to the provisions of subsections (b) and (c) of this section, all right, title, and interest of the United States in and to the following described tract of lands and improvements thereon:

GILA AND SALT RIVER MERIDIAN

(Coconino County, Arizona)

Township 21 North, Range 7 East

Section 15:
North half northeast quarter,
Northeast quarter northwest quarter,
Northeast quarter southeast quarter northwest quarter northwest quarter,
North half southeast quarter southeast quarter northwest quarter northwest quarter.

Section 16:
South half northeast quarter northeast quarter northwest quarter,
Northwest quarter northeast quarter northwest quarter,
South half northeast quarter northwest quarter,
Northwest quarter northwest quarter,
North half northeast quarter southwest quarter northwest quarter,
Southeast quarter northeast quarter southwest quarter northwest quarter,
North half northwest quarter southwest quarter northwest quarter,
East half southeast quarter southwest quarter northwest quarter,
Southeast quarter northwest quarter.

The area described contains 256.25 acres more or less.

(b)(1) Any conveyances pursuant to subsection (a) of this section shall be conditioned upon the Secretary entering into agreements or land exchanges, sufficient to assure the Secretary that any party with whom such agreements or land exchanges are to be made will construct on a site to be determined by the Secretary, administrative improvements equal in value to the lands and improvements authorized to be conveyed by subsection (a) of this section. The lands and

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improvements may be conveyed by a series of transactions or land exchanges.

Depositing cash.

(2) Each party to whom conveyances are to be made may, in the discretion of the Secretary, deposit cash in an amount not less than the fair market value, to be determined at the time of conveyance, of the lands and improvements conveyed. The cash so received shall be deposited into a special fund in the Treasury which when appropriated is authorized to remain available until expended by the Secretary for the purposes of constructing administrative improvements as described in this Act. If the value of any land and improvements thereon authorized to be conveyed by subsection (a) of this section exceeds the value of administrative improvements determined to be necessary by the Secretary to be constructed with respect to such land under this Act, the party to whom such conveyance is to be made shall make a cash payment to the United States in an amount equal to such difference in value.

Flagstaff Medical Regional Center.

(c)(1) Of the tract of land described in subsection (a) of this section, the Secretary shall offer to sell at the fair market value, as determined on the date of enactment of this Act, to the Flagstaff Medical Regional Center, Flagstaff, Arizona, not to exceed 18.25 acres immediately adjacent to said Flagstaff Medical Regional Center and to the city of Flagstaff, Arizona, not to exceed 132.5 acres, under special use permit in effect on the date of enactment of this Act to the city of Flagstaff. Such offers to sell to the Flagstaff Medical Regional Center and to the city of Flagstaff shall remain in effect for periods of not to exceed 3 years and 10 years, respectively. Subject to the limitations contained in this paragraph, the city of Flagstaff and the Flagstaff Medical Regional Center may identify any specific tracts of land they want to purchase.

Public offers.

(2) Except for any land to be conveyed to the Flagstaff Medical Regional Center and the city of Flagstaff, the Secretary shall solicit public offers for the remaining lands and improvements authorized under subsection (a) of this section. All offers shall be publicly opened at the time and place stated in the solicitation in accordance with the administrative requirements of the Secretary. The Secretary shall consider price and land values before entering into agreements or land exchanges with any party whose offer conforming to the solicitation notice is determined by the Secretary to be most advantageous to the Government. Notwithstanding any other provision of this Act, the Secretary may reject any offer if the Secretary determines that such rejection is in the public interest.

SEC. 2. (a) The Secretary of the Interior (hereafter in this section referred to as the Secretary) shall convey by quitclaim deed, without consideration, to the owners that appear on record in the office of the county recorder, Pima County, Arizona, any right, title, or interest, including any mineral rights, which the United States may have in and to the real property described in subsection (b) of this section.

(b) The real property referred to in subsection (a) of this section consists of four separate strips of land that extend for a total distance of nearly four miles, designated as roadways in a certain White Survey, dated December 15, 1876, made pursuant to an Act of Congress dated February 5, 1875, crossing sections 2, 11, and 14, and the east half of sections 3 and 10 of township 14 south, range 13 east of the Gila and Salt River base and meridian, in Pima County, Arizona.

18 USC 305.

Quitclaim deed.

(c) As soon as practicable after the date of enactment of this Act, the Secretary shall cause to be prepared a quitclaim deed effecting the title transfer described in section 1, and shall record such deed in the office of the county recorder, Pima County, Arizona.

(d) Within one year after the date of enactment of this Act, the Secretary shall notify all individuals or other legal entities which, as of the date of such notice, appear upon the tax rolls of Pima County, Arizona, as the owners of lands referred to in subsection (b) of this section, or of interests in such lands—

(1) of the conveyance by the United States of its interests in such lands under section 1 of this Act,

(2) of the possible defect in the title to such lands resulting from such interests of the United States, and

(3) of the opportunity to record a quitclaim deed evidencing the conveyance described in subsection (a) of this section in the records of the affected grantee.

SEC. 3. The Act of March 14, 1978 (92 Stat. 154), is amended as follows: 20 USC 238 note.

(a) In section 1(a), in the first sentence, delete the phrase "two-year", and change "September 30, 1980" to "September 30, 1985"; and

(b) In section 1(c) strike the second sentence in its entirety and insert the following: "There is authorized to be appropriated an amount not to exceed $1,500,000 annually for fiscal years 1979 through 1982 to carry out the provisions of this Act: *Provided,* That any appropriations made pursuant to this Act shall be reduced by the amount of any payments made to said districts pursuant to the Acts of September 23, 1950 (64 Stat. 906), as amended (20 U.S.C. 631 et seq.), and September 30, 1950 (64 Stat. 1100), as amended (20 U.S.C. 236 et seq.). For the authorizations made in this subsection, any amounts authorized but not appropriated in any fiscal year shall remain available for appropriation in succeeding fiscal years.". Appropriation authorization.

SEC. 4. Any mining claim located under the Mining Laws of the United States subsequent to June 18, 1879, and prior to January 17, 1969, in the northwest quarter of the northwest quarter of section 9, township 1 north, range 5 east of the Gila and Salt River base and meridian, State of Arizona, shall be effective to the same extent in all respects as if such lands at the time in location, and at all times thereafter had been open to the operation of the Mining Laws of the United States: *Provided, however,* That the claimants have complied with all requirements of the Mining Laws of the United States, including section 314 of the Federal Land Policy and Management Act of 1976 and that the claims would be subject to any valid intervening rights by private parties under the laws of the United States. 43 USC 1744.

Approved December 23, 1980.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 96-1473, accompanying S. 1985 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 96-954 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 126 (1980):
Sept. 24, considered and passed Senate.
Nov. 21, considered and passed House, amended.
Dec. 9, Senate concurred in House amendments.