Public Law 98-420
98th Congress

An Act

Granting the consent of Congress to an amendment to the Wheeling Creek Watershed Protection and Flood Prevention District Compact entered into by the States of West Virginia and Pennsylvania.

Sept. 25, 1984
[H.R. 5177]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is given to an amendment to the Wheeling Creek Watershed Protection and Flood Prevention District Compact entered into by the States of West Virginia and Pennsylvania and consented to by Congress by the Act of December 8, 1967 (81 Stat. 553), which amendment adds at the end of article VI of such compact the following:

81 Stat. 555.

"(i) The commission, subject to the conditions herein, may sell, exchange or lease property, real or personal, or any interest therein.

Real property.
Personal property.

"When the property, or any interest or right therein, is being held for future use, it may be leased. When the real property, or any part thereof, or any interest or right therein, is deemed by the commission not necessary, or desirable for present or presently foreseeable future use, it may be exchanged for other property, or any interest or right therein, deemed by the commission to be necessary or desirable for present or presently foreseeable future use, or may be sold. In addition the commission may exchange real property, or any part thereof, or any interest or right therein, even though it may be desirable or necessary for present or presently foreseeable future use, if the exchange is made for other real property, or any interest or right therein, in close proximity thereto which the commission deems of equal or superior value for presently foreseeable future use. In making exchanges the commission may make allowances for differences in values of the properties being exchanged and may move or pay the cost of moving buildings, structures, or appurtenances in connection with the exchange.

"Every such sale of real property, or any interest or right therein or structure thereon, shall be at public auction in the county in which the real property, or the greater part thereof in value, is located, and the commission shall advertise, by publication or otherwise, the time, place and terms of such sale at least twenty days prior thereto. The property shall be sold in the manner which will bring the highest and best price therefor. The commission may reject any and all bids received at the sale. The commission shall keep a record, open to public inspection, indicating the manner in which such real property or any interest or right therein or structure thereon, was publicly advertised for sale, the highest bid received therefor and from whom the person to whom sold, and payment received therefor. Such record shall be kept for a period of five years and may thereafter be destroyed.

Public auction.

Public availability.

"The commission may insert in a deed or conveyance, whether it involves an exchange, lease or sale, such conditions as are in the public interest.

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Funds.

"All moneys received from the exchange, sale or lease of real or personal property, or any right or interest therein, shall be paid into the commission's treasury and used for the purpose for which the commission was created.

"If the commission has heretofore sold and conveyed away or leased any such property, such transaction and the documents of lease or transfer therefor are hereby approved and confirmed and shall be as effective as if the authority to lease or convey the said property had been given in this statute as originally enacted.".

Approved September 25, 1984.

LEGISLATIVE HISTORY—H.R. 5177:

HOUSE REPORT No. 98-821 (Comm. on the Judiciary).
CONGRESSIONAL RECORD, Vol. 130 (1984):
June 18, considered and passed House.
Sept. 10, considered and passed Senate.