Public Law 99-215
99th Congress

An Act

Dec. 26, 1985
[H.R. 3003]

To authorize the Secretary of the Interior to convey certain land located in the State of Maryland to the Maryland-National Capital Park and Planning Commission.

Real property.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a)(1) notwithstanding any other provision of law, the Secretary of the Interior is authorized and directed to convey, without monetary consideration, to the Maryland-National Capital Park and Planning Commission all right, title, and interest of the United States to a parcel of land comprising approximately fifty-five acres located in Prince Georges County, Maryland.

Recreation.

(2) Except as provided in subsection (b), the land conveyed pursuant to paragraph (1) shall be used solely for park and outdoor recreation purposes in accordance with a land use plan for the property prepared by the Maryland-National Capital Park and Planning Commission and submitted to the National Capital Planning Commission for review and comment. The instrument for conveyance for the real property conveyed pursuant to subsection (a) shall set forth all terms and conditions of the conveyance. Such instrument shall further provide that all right, title, and interest conveyed to the Maryland-National Capital Park and Planning Commission pursuant to such instrument, except such access as is authorized by subsection (b)(1), shall revert to the United States if such land is used for any purpose other than as stated in this paragraph.

(3) As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of the area designated under paragraph (1) with the Committee on Interior and Insular Affairs, United States House of Representatives, and with the Committee on Energy and Natural Resources of the United States Senate. Such map and description shall have the same force and effect as if included in this Act, except that the correction of clerical and typographical errors in such legal description and map may be made. Such map and legal description shall be on file in the office of the regional director, National Park Service and the National Capital Park Region.

Public availability.

(4) The Maryland-National Capital Park and Planning Commission shall reimburse the Secretary of the Interior for the costs of the land conveyance described in paragraph (1).

(b)(1) Subject to the provisions of this subsection, the Maryland-National Capital Park and Planning Commission may grant access across the real property conveyed pursuant to subsection (a) to the owner of any adjacent real property contingent upon each of the following:

(A) Submission by the owner of the adjacent real property of a land use and development plan, incorporating the provisions of the memorandum of May 7, 1985, to the National Capital Planning Commission for review and comment;

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(B) Approval of the terms and conditions of the memorandum of May 7, 1985, by the Prince Georges County Council;

(C) Compliance by the owner of the adjacent real property seeking such access with the terms and conditions of the memorandum of May 7, 1985, as determined by the National Capital Planning Commission;

(D) Conveyance by the owner of the adjacent real property to the National Capital Planning Commission of an easement in perpetuity which shall run with the land, incorporate the restrictions on development contained in the memorandum of May 7, 1985, and incorporate any other land restrictions imposed by Prince Georges County; and

(E) The availability for such access for public use.

Public availability.

(2) The owner of the adjacent real property shall obtain appropriate road construction bonds as required by State and local government regulation prior to the construction of such access road, and shall establish an interest bearing escrow account in an amount necessary to insure protection of the surrounding parkland and compliance with the conditions of subsection (b)(1). Such amount shall be determined by the owner of the adjacent real property and the Maryland-National Capital Park and Planning Commission. Following completion of the construction of such public use access road, and review by the Maryland-National Capital Park and Planning Commission, said escrow account shall be returned to the owner of the adjacent real property.

State and local governments.

(3)(A) The National Capital Planning Commission and the Maryland-National Capital Park and Planning Commission shall make a copy of the memorandum of May 7, 1985, available for public inspection in the offices of each commission during business hours.

Public availability.

(B) Upon approval of any proposed amendment by both of the parties to the memorandum of May 7, 1985, the proposed amendment shall be published in the Federal Register and concurrently submitted to the congressional committees referred to in subsection (a)(3). The amendment shall not be effective until 60 calendar days after it has been transmitted to the committees.

Federal Register, publication.

(c) For purposes of this Act—

(1) the term "memorandum of May 7, 1985" means the memorandum of understanding entered into on May 7, 1985, between the National Capital Planning Commission and the owner of

the real property adjacent to the land to be conveyed pursuant to subsection (a)(1); and

(2) the term "owner of the adjacent real property" means the owner of the adjacent real property, its successors or assigns, as described in the memorandum of understanding entered into on May 7, 1985.

Approved December 26, 1985.

LEGISLATIVE HISTORY—H.R. 3003:

HOUSE REPORT No. 99-313 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 99-186 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 131 (1985):
Oct. 23, considered and passed House.
Dec. 3, considered and passed Senate, amended.
Dec. 6, House concurred in Senate amendment.