

105TH CONGRESS
1ST SESSION

H. R. 2299

To direct the Secretary of the Army to convey lands acquired for the Candy Lake project, Osage County, Oklahoma.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 1997

Mr. COBURN introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To direct the Secretary of the Army to convey lands acquired for the Candy Lake project, Osage County, Oklahoma.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. LAND CONVEYANCES.**

4 (a) IN GENERAL.—The Secretary of the Army,
5 through the Real Estate Division of the Tulsa District,
6 United States Army Corps of Engineers, shall convey all
7 right, title, and interest of the United States in and to
8 the land acquired by the United States for the Candy Lake
9 project in Osage County, Oklahoma, in accordance with
10 this Act.

1 (b) QUALIFIED PREVIOUS OWNERS OF LAND.—

2 (1) IN GENERAL.—The Secretary shall give
3 qualified previous owners of land first option to pur-
4 chase the land which they previously owned.

5 (2) APPLICATION.—

6 (A) IN GENERAL.—To be eligible to pur-
7 chase land under this subsection, a qualified
8 previous owner of land shall file an application
9 to purchase such land with the Secretary not
10 later than 180 days after receiving notice pur-
11 suant to section 2.

12 (B) FIRST TO FILE HAS FIRST OPTION.—

13 If more than one application is filed for a parcel
14 of land, the first option to purchase such parcel
15 of land shall be allotted in the order in which
16 applications for such parcel of land were filed.

17 (3) IDENTIFICATION OF PREVIOUS OWNERS.—

18 As soon as practicable after the date of the enact-
19 ment of this Act, the Secretary shall, to the extent
20 practicable, identify each previous owner of land.

21 (4) CONSIDERATION.—Consideration for land
22 conveyed under this subsection shall be the fair mar-
23 ket value of that land.

24 (c) PUBLIC AUCTION.—Any parcel of land for which
25 an application has not been filed pursuant to subsection

1 (b)(2) within the applicable time period shall be sold at
2 public auction.

3 (d) EASEMENTS EXTINGUISHED.—All flowage ease-
4 ments acquired by the United States for use in the Candy
5 Lake project in Osage County, Oklahoma, are hereby ex-
6 tinguished.

7 **SEC. 2. NOTICE.**

8 (a) IN GENERAL.—The Secretary shall notify—

9 (1) each individual identified as a previous
10 owner of land pursuant to section 1(b)(3), not later
11 than 30 days after identification, by United States
12 mail; and

13 (2) the general public not later than 30 days
14 after the date of the enactment of this Act, by publi-
15 cation in the Federal Register.

16 (b) CONTENT OF NOTICE.—Notice under this section
17 shall include—

18 (1) a copy of the provisions of this Act;

19 (2) information sufficient to separately identify
20 each parcel of land subject to this Act; and

21 (3) the fair market value of each parcel of land
22 subject to this Act.

23 (c) OFFICIAL DATE OF NOTICE.—The official date
24 of notice under this section shall be the later of—

- 1 (1) the date upon which actual notice is mailed;
2 or
3 (2) the date of publication of the notice in the
4 Federal Register.

5 **SEC. 3. DEFINITIONS.**

6 In this Act, the following definitions apply:

7 (1) FAIR MARKET VALUE.—The term “fair
8 market value” means the amount for which a willing
9 buyer would purchase and a willing seller would sell
10 such land, as determined by a qualified, independent
11 land appraiser.

12 (2) PREVIOUS OWNER OF LAND.—The term
13 “previous owner of land” means a person who con-
14 veyed, and in the case of an individual, a person
15 whose parent conveyed, such land to the United
16 States Army Corps of Engineers for use in the
17 Candy Lake project in Osage County, Oklahoma.

18 (3) QUALIFIED PREVIOUS OWNER OF LAND.—
19 The term “qualified previous owner of land” means
20 a previous owner of land who demonstrates a will-
21 ingness and ability to pay fair market value for the
22 land which was previously owned.

23 (4) SECRETARY.—The term “Secretary” means
24 the Secretary of the Army.

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