

Calendar No. 1013

110TH CONGRESS
2D SESSION**H. R. 838**

IN THE SENATE OF THE UNITED STATES

MARCH 20, 2007

Received; read twice and referred to the Committee on Energy and Natural
Resources

SEPTEMBER 16, 2008

Reported by Mr. BINGAMAN, with an amendment

[Omit the part struck through and insert the part printed in italic]

AN ACT

To provide for the conveyance of the Bureau of Land Management parcels known as the White Acre and Gambel Oak properties and related real property to Park City, Utah, and for other purposes.

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. CONVEYANCE OF LAND BY THE BUREAU OF**
4 **LAND MANAGEMENT TO PARK CITY, UTAH.**

5 (a) LAND TRANSFER.—Notwithstanding the plan-
6 ning requirements of sections 202 and 203 of the Federal
7 Land Policy and Management Act of 1976 (43 U.S.C.

1 1712, 1713), the Secretary of the Interior shall convey,
2 not later than 180 days after the date of the enactment
3 of this Act, to Park City, Utah, all right, title, and interest
4 of the United States in and to two parcels of real property
5 located in Park City, Utah, that are currently under the
6 management jurisdiction of the Bureau of Land Manage-
7 ment and designated as parcel 8 (commonly known as the
8 White Acre parcel) and parcel 16 (commonly known as
9 the Gambel Oak parcel). The conveyance shall be subject
10 to all valid existing rights.

11 (b) DEED RESTRICTION.—The conveyance of the
12 lands under subsection (a) shall be made by a deed or
13 deeds containing a restriction requiring that the lands be
14 maintained as open space and used solely for public recre-
15 ation purposes or other purposes consistent with their
16 maintenance as open space. This restriction shall not be
17 interpreted to prohibit the construction or maintenance of
18 recreational facilities, utilities, or other structures that are
19 consistent with the maintenance of the lands as open space
20 or its use for public recreation purposes.

21 (c) CONSIDERATION.—In consideration for the trans-
22 fer of the land under subsection (a), Park City shall pay
23 to the Secretary of the Interior an amount consistent with
24 conveyances to governmental entities for recreational pur-
25 poses under the Act of June 14, 1926 (commonly known

1 as the Recreation and Public Purposes Act; 43 U.S.C. 869
2 et seq.).

3 **SEC. 2. SALE OF BUREAU OF LAND MANAGEMENT LAND IN**
4 **PARK CITY, UTAH, AT AUCTION.**

5 (a) SALE OF LAND.—Not later than 180 days after
6 the date of the enactment of this Act, the Secretary of
7 the Interior shall offer for sale any right, title, or interest
8 of the United States in and to two parcels of real property
9 located in Park City, Utah, that are currently under the
10 management jurisdiction of the Bureau of Land Manage-
11 ment and are designated as parcels 17 and 18 in the Park
12 City, Utah, area. The sale of the land shall be carried out
13 in accordance with the Federal Land Policy and Manage-
14 ment Act of 1976 (43 U.S.C. 1701) and other applicable
15 law, other than the planning provisions of sections 202
16 and 203 of such Act (43 U.S.C. 1712, 1713), and shall
17 be subject to all valid existing rights.

18 (b) METHOD OF SALE.—The sale of the land under
19 subsection (a) shall be consistent with subsections (d) and
20 (f) of section 203 of the Federal Land Policy and Manage-
21 ment Act of 1976 (43 U.S.C. 1713) through a competitive
22 bidding process and for not less than fair market value.

23 **SEC. 3. DISPOSITION OF LAND SALES PROCEEDS.**

24 (a) IN GENERAL.—All proceeds derived from the sale
25 of the lands described in this Act shall be deposited in

1 a special account in the treasury of the United States and
 2 shall be available without further appropriation to the Sec-
 3 retary of the Interior until expended for—

4 (1) the reimbursement of costs incurred by the
 5 Bureau of Land Management in implementing the
 6 provisions of this Act, including surveys, appraisals,
 7 and compliance with applicable Federal laws; and

8 (2) environmental restoration projects on Bu-
 9 reau of Land Management administered public lands
 10 within the Salt Lake City Field Office of the Bureau
 11 of Land Management.

12 (b) INVESTMENT OF SPECIAL ACCOUNT.—Any
 13 amounts deposited in the special account shall earn inter-
 14 est in an amount determined by the Secretary of the
 15 Treasury on the basis of the current average market yield
 16 on outstanding marketable obligations of the United
 17 States of comparable maturities, and may be expended ac-
 18 cording to the provisions of this section.

19 **SEC. 3. DISPOSITION OF LAND SALES PROCEEDS.**

20 *All proceeds derived from the sale of land described in*
 21 *this Act shall be deposited in the Federal Land Disposal*
 22 *Account established by section 206(a) of the Federal Land*
 23 *Transaction Facilitation Act (43 U.S.C. 2305(a)).*

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