

109TH CONGRESS
1ST SESSION

H. R. 3462

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.

IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2005

Mr. BISHOP of Utah introduced the following bill; which was referred to the Committee on Resources

A BILL

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. LAND CONVEYANCE, WHITE ACRE AND GAMBEL**
4 **OAK PROPERTIES, BUREAU OF LAND MAN-**
5 **AGEMENT, PARK CITY, UTAH.**

6 (a) CONVEYANCE REQUIRED.—The Secretary of the
7 Interior shall convey to Park City, Utah, all right, title,
8 and interest of the United States in and to four parcels

1 of real property located in Park City, Utah, that are under
2 the administrative jurisdiction of the Bureau of Land
3 Management and are designated by the Bureau as parcels
4 8, 16, 17, and 18, of which parcels 8 and 16 are generally
5 known as the White Acre and Gambel Oak properties.
6 Subject to subsection (e), the conveyance shall be subject
7 to all valid existing rights, and the Secretary shall make
8 the conveyance in a manner consistent with the 1975 Bu-
9 reau of Land Management Framework Plan.

10 (b) CONSIDERATION.—As consideration for the con-
11 veyance under subsection (a), Park City, Utah, shall pay
12 to the Secretary an amount equal to the fair market value
13 of the real property, based on the continued and primary
14 use of the property as open space. The fair market value
15 of the property shall be determined by an appraisal agreed
16 upon by the Secretary and the City. The consideration re-
17 ceived under this subsection shall be available to the Sec-
18 retary, until expended and without further appropriation,
19 for use to enhance existing resources under the adminis-
20 trative jurisdiction of the Bureau of Land Management,
21 as determined by the Utah State Bureau of Land Manage-
22 ment Office.

23 (c) USE OF PROPERTY.—Subject to subsection (e),
24 the real property conveyed under subsection (a) shall be
25 maintained as open space and be used only for public

1 recreation purposes or other purposes consistent with its
2 maintenance as open space, as determined by Park City,
3 Utah, in consultation with the Secretary. This subsection
4 shall not be considered to prohibit construction or mainte-
5 nance of recreational facilities, utilities, or other necessary
6 structures on the conveyed property.

7 (d) REVERSIONARY INTEREST.—The Secretary may
8 include in the conveyance under subsection (a) a condition
9 under which all right, title, and interest in and to the con-
10 veyed real property, including any improvements thereon,
11 shall revert, at the option of the Secretary, to the United
12 States if the Secretary determines that Park City, Utah,
13 is not using the property in accordance with subsection
14 (c). Any determination of the Secretary under this sub-
15 section shall be made on the record after an opportunity
16 for a hearing, and the United States shall have the right
17 of immediate entry onto the property upon the making of
18 such a determination.

19 (e) RESOLUTION OF EXISTING CLAIMS.—The con-
20 veyance under subsection (a) shall be conditional on the
21 Secretary being able to convey the real property described
22 in such subsection to Park City, Utah, free and clear of
23 any mining claims or other encumbrances of any kind
24 under the Act of May 10, 1872 (30 U.S.C. 22 et seq.;
25 commonly known as the Mining Act of 1872), along with

1 a full release of the Secretary and the United States for
2 any actions in connection with such mining claims or en-
3 cumbrances arising from the conveyance. This condition
4 on the authority of the Secretary to convey the real prop-
5 erty under subsection (a) shall be considered to be satis-
6 fied if, in exchange for the release of the mining claims
7 or other encumbrances by the holder thereof, Park City,
8 Utah, agrees to convey a portion of the property acquired
9 by the City to the holder of such mining claims or encum-
10 brances.

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