

104TH CONGRESS
1ST SESSION

H. R. 2709

To provide for the conveyance of certain land to the Del Norte County
Unified School District of Del Norte County, California.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 5, 1995

Mr. RIGGS introduced the following bill; which was referred to the Committee
on Resources

A BILL

To provide for the conveyance of certain land to the Del
Norte County Unified School District of Del Norte Coun-
ty, California.

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.**

4 As soon as practicable after the date of the enactment
5 of this Act, the Secretary of Agriculture shall convey to
6 the Del Norte County Unified School District of Del Norte
7 County, California, all right, title, and interest of the Unit-
8 ed States in and to the property described in section 2.

1 **SEC. 2. PROPERTY DESCRIPTION.**

2 The property referred to in section 1 is that portion
3 of Township 17 North, Range 2 East, Humboldt Meridian
4 in Del Norte County, California, which is further de-
5 scribed as follows:

6 Beginning at Angle Point No. 3 of Tract 41 as
7 resurveyed by the Bureau of Land Management
8 under survey Group No. 1013, approved August 13,
9 1990, and shown on the official plat thereof; thence
10 on the line between Angle Points No. 3 and No. 4
11 of Tract 41, North 89 degrees, 24 minutes, 20 sec-
12 onds East, a distance of 345.44 feet to Angle Point
13 No. 4 of Tract 41; thence on the line between Angle
14 Points No. 4 and No. 5 of Tract 41, South 00 de-
15 grees, 01 minutes, 20 seconds East, a distance of
16 517.15 feet; thence West, a distance of 135.79 feet;
17 thence North 88 degrees, 23 minutes, 01 seconds
18 West, a distance of 61.00 feet; thence North 39 de-
19 grees, 58 minutes, 18 seconds West, a distance of
20 231.37 feet to the East line of Section 21, Township
21 17 North, Range 2 East; thence along the East line
22 of Section 21, North 00 degrees, 02 minutes, 20 sec-
23 onds West, a distance of 334.53 feet to the point of
24 beginning.

1 **SEC. 3. CONSIDERATION.**

2 The conveyance provided for in section 1 shall be
3 without consideration except as required by this title.

4 **SEC. 4. CONDITIONS OF CONVEYANCE.**

5 The conveyance provided for in section 1 shall be sub-
6 ject to the following conditions:

7 (1) The Del Norte County Unified School Dis-
8 trict shall covenant that the property conveyed pur-
9 suant to section 1 will be used primarily for edu-
10 cational or recreational purposes, or both, for a min-
11 imum of 25 years after the date of the conveyance.

12 (2) Del Norte County shall be provided, for no
13 consideration, an easement for County Road No.
14 318 which crosses the Northeast corner of the prop-
15 erty conveyed.

16 (3) The Pacific Power and Light Company shall
17 be provided, for no consideration, an easement for
18 utility equipment as necessary to maintain the level
19 of service provided by the utility equipment on the
20 property as of the date of the conveyance.

21 (4) The United States shall be provided, for no
22 consideration, an easement to provide access to the
23 United States property that is south of the property
24 conveyed.

1 **SEC. 5. BREACH OF COVENANT.**

2 (a) CONSEQUENCES.—If the covenant required by
3 paragraph (1) of section 4 is breached, the Del Norte
4 County Unified School District shall—

5 (1) pay monetary damages to the United States
6 in an amount equal to the fair market value of the
7 property conveyed pursuant to section 1 as of the
8 time that the covenant was breached; or

9 (2) forfeit to the United States all right, title,
10 and interest in and to the property conveyed pursu-
11 ant to section 1.

12 (b) SCHOOL DISTRICT OPTION.—If the covenant re-
13 quired by paragraph (1) of section 4 is breached, the Del
14 Norte County Unified School District shall have the option
15 of paying monetary damages as described in subsection
16 (a)(1) of this section or forfeiting the property as de-
17 scribed in subsection (a)(2) of this section.

18 (c) DETERMINATION OF FAIR MARKET VALUE.—For
19 the purposes of subsection (a)(1) of this section, the fair
20 market value of the property conveyed pursuant to section
21 1 as of the time that the covenant was breached shall be
22 determined by the Secretary of Agriculture.

23 **SEC. 6. ADDITIONAL TERMS AND CONDITIONS.**

24 The conveyance provided for in section 1 shall be sub-
25 ject to such additional terms and conditions as the Sec-
26 retary of Agriculture and the Del Norte County Unified

- 1 School District agree are necessary to protect the interests
- 2 of the United States.

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