

105TH CONGRESS  
2D SESSION

# H. R. 4630

To provide for the conveyance of certain Bureau of Land Management lands in Douglas County, Oregon, containing a county park and certain adjacent lands to the county government.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 25, 1998

Mr. DEFAZIO (for himself and Mr. SMITH of Oregon) introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To provide for the conveyance of certain Bureau of Land Management lands in Douglas County, Oregon, containing a county park and certain adjacent lands to the county government.

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. SHORT TITLE.**

4       This Act may be cited as the “Miwaleta Park Expan-

5       sion Act”.

1 **SEC. 2. LAND CONVEYANCE, BUREAU OF LAND MANAGE-**2 **MENT LANDS, DOUGLAS COUNTY, OREGON.**

3       (a) **CONVEYANCE REQUIRED.**—The Secretary of the  
4 Interior shall convey, without consideration, to the County  
5 of Douglas, Oregon (in this section referred to as the  
6 “County”), all right, title, and interest of the United  
7 States in and to certain lands, including improvements  
8 thereon, consisting of the following:

9             (1) Milwaleta Park, which is a county park  
10 managed under agreement by the County on Bureau  
11 of Land Management lands.

12             (2) A parcel of Bureau of Land Management  
13 lands that is adjacent to the county park and is gen-  
14 erally described as all of the land which lies between  
15 Cow Creek County Road (#36) and the high water  
16 line of Galesville Reservoir, in the SE 1/4 of the NW  
17 1/4; SW 1/4 of the NE 1/4; SE 1/4 of the NE 1/  
18 4; and W 1/2 of the NW 1/4 of section 27, township  
19 31 south, range 4 west, Willamette meridian, in the  
20 State of Oregon.

21       (b) **PURPOSE OF CONVEYANCE.**—The purpose of the  
22 conveyance under subsection (a) is to permit the County  
23 to retain and use the conveyed lands as a county park.  
24 Upon receipt of lands, the County may manage and exer-  
25 cise any program or policy that the County considers ap-  
26 propriate in the use of the lands for park purposes.

1       (c) DESCRIPTION OF LANDS.—The exact acreage and  
2 legal description of the lands to be conveyed under sub-  
3 section (a) shall be determined by a survey satisfactory  
4 to the Secretary. The cost of the survey shall be borne  
5 by the County.

6       (d) IMPACT ON FERC WITHDRAWAL.—The convey-  
7 ance of the lands under subsection (a) does not supersede  
8 the conditions and rights provided in Federal Energy Reg-  
9 ulatory Commission Withdrawal No. 7161. In cases where  
10 a conflict arises between the use of the conveyed lands as  
11 a park and the purposes of the withdrawal, the purposes  
12 of the withdrawal shall prevail.

13       (e) REVERSIONARY INTEREST.—If the Secretary de-  
14 termines that the lands conveyed under subsection (a) are  
15 not being used in accordance with the purpose of the con-  
16 veyance specified in subsection (b), all right, title, and in-  
17 terest in and to the lands, including any improvements  
18 thereon, shall revert to the United States, and the United  
19 States shall have the right of immediate entry onto the  
20 lands. Any determination of the Secretary under this sub-  
21 section shall be made on the record after an opportunity  
22 for a hearing.

23       (f) COSTS OF COMPETING TRANSFER.—Except as  
24 provided in subsection (c), costs associated with complet-

1 ing the land conveyance under subsection (a) shall be  
2 borne by the party incurring such costs.

3 (g) ADDITIONAL TERMS AND CONDITIONS.—The  
4 Secretary may require such additional terms and condi-  
5 tions in connection with the conveyance under subsection  
6 (a) as the Secretary considers appropriate to protect the  
7 interests of the United States.

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