

Public Law 97-401  
97th Congress

An Act

Dec. 31, 1982  
[S. 187]

To authorize the Secretary of the Interior to convey certain lands near Miles City, Montana, and to remove certain reservations from prior conveyances.

Miles City, Mont.  
Lands,  
conveyances.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) the Secretary of the Interior (hereafter in this Act referred to as the "Secretary") shall convey by patent to the city of Miles City, Montana (hereafter, referred to as the "city"), all right, title, and interest, except for those interests described in subsection (b) of this section, of the United States in and to the following lands in Custer County, Montana, in range 47 east of the principal meridian, Montana: In township 8 north, lots 9, 17, 21, 28, 31, and 32 in section 32 and in townships 7 and 8 north, tract Q and tract S.

(b) Any patent issued pursuant to subsection (a) of this section shall contain a reservation to the United States of all gas, oil, coal, and other minerals that may be found in such lands, and the right to prospect for, mine, and remove such minerals, and that patents shall also contain any other reservations required by law.

(c) Any patent issued pursuant to subsection (a) of this section shall provide that if the land is transferred or conveyed by the city, the proceeds of such sale shall be paid to the United States, to be distributed in accordance with section 4 of this Act.

SEC. 2. (a) The Secretary shall take such actions as are necessary to convey to the city the reversionary interests of the United States contained in the patents which conveyed to the city of Miles City, Montana, the lands described in subsection (b) of this section. Such reversionary interests arise when the patentee/grantee violates provisions which (1) require that such lands be used for specified purposes, or (2) prohibit transfer of such lands by the patentee/grantee. All documents of conveyance issued under this subsection shall provide that if the land is conveyed by the city, the proceeds of sale shall be paid to the United States, to be distributed in accordance with section 4 of this Act.

(b) The lands referred to in subsection (a) of this section are the following tracts in range 47 east of the principal meridian, Montana: In townships 7 and 8 north, tracts A and B (conveyed by patent numbered 1,021,511), tracts E and F (conveyed by patent numbered 1,122,295), tract G (conveyed by patent numbered 1,173,770), tract K (conveyed by patent numbered 1,173,768), tract L (conveyed by patent numbered 1,173,769), tract M (conveyed by patent numbered 1,178,764), tract P (conveyed by patent numbered 1,219,817), and tract D (conveyed by the grant made by the Act of July 30, 1890 (26 Stat. 292), lots 16 and 17, section 33 (conveyed by patent numbered 25-81-0094).

SEC. 3. (a) The Secretary shall take such actions as are necessary to convey to the holder of the patent the reversionary interests of the United States contained in the patents which conveyed to the county of Custer, Montana, the lands described in subsection (b) of

this section. Such reversionary interests arise when the patentee violates provisions which (1) require that such lands be used for specified purposes, or (2) prohibit transfer of such lands by the patentee. All documents of conveyance issued under this subsection shall provide that if the land is conveyed by the patentee, the proceeds of such sale shall be paid to the United States, to be distributed in accordance with section 4 of this Act.

(b) The lands referred to in subsection (a) are the following parcels in range 47 east of the principal meridian, Montana: In townships 7 and 8 north, tract C (conveyed by patent numbered 1,023,689) and tract T (conveyed by patent numbered 25-76-0099), and in township 8 north, lot 20 in section 33 (conveyed by patent numbered 25-76-0100).

SEC. 4. (a) Notwithstanding any other provision of law, if the city or any other patentee or grantee transfers any lands described in this Act, such transfer shall be at fair market value for the land and improvements thereon.

Fair market value.

(b) Proceeds from the sale of the land, excluding the value of any improvements on the land and less any sums paid to the United States at the time of original conveyance out of Federal ownership, shall be deposited in the general fund of the Treasury of the United States, to be distributed as follows: At the end of each Federal fiscal year, the United States shall return 5 per centum of the net receipts collected in that fiscal year from the sale of lands described in this Act to the State of Montana, and 10 per centum of such receipts to the county or the city in which the lands are located in amounts proportional to the receipts generated from the sale of such land in each county or city during the fiscal year.

Sale proceeds, distribution.

SEC. 5. All documents of conveyance issued pursuant to this Act shall be subject to valid existing rights.

Approved December 31, 1982.

#### LEGISLATIVE HISTORY—S. 187:

HOUSE REPORT No. 97-904 (Comm. on Interior and Insular Affairs).

SENATE REPORT No. 97-181 (Comm. on Energy and Natural Resources).

#### CONGRESSIONAL RECORD:

Vol. 127 (1981): Sept. 22, considered and passed Senate.

Vol. 128 (1982): Sept. 30, considered and passed House, amended.

Dec. 17, Senate concurred in House amendment.