

(Pub. L. 95-290, title II, §201, June 5, 1978, 92 Stat. 292.)

### § 410cc-22. Acquisition of property

#### (a) Specified property; manner of acquisition

(1) The Secretary is authorized to acquire the properties designated in paragraph (2) of this subsection, or any interest therein, by donation, purchase with donated or appropriated funds, condemnation, or otherwise. Any property or interest therein owned by the Commonwealth of Massachusetts or any political subdivision thereof may be acquired only by donation. The Secretary may initiate condemnation proceedings under this paragraph only after making every reasonable effort to acquire property through negotiations and purchase, and consulting with the Commission (if established) and the city council of Lowell.

(2) The properties referred to in paragraph (1) of this subsection are the following:

(A) The Linus Childs House, 63 Kirk Street.

(B) The H and H Paper Company (commonly referred to as Boott Mill Boarding House), 42 French Street.

(C) Old City Hall, 226 Merrimack Street.

(D) Merrimack Gatehouse, 269 Merrimack Street.

(E) The Wannalancit Textile Company, 562 Suffolk Street.

(F) The structures containing the Jade Pagoda and Solomon's Yard Goods, 210 and 200 Merrimack Street.

(G) The properties shown on the map identified in section 410cc-11(a)(3)<sup>1</sup> of this title as follows:

(i) 91 Pevey Street.

(ii) The portion of 607 Middlesex Place.

(iii) Eagle Court.

(iv) The portion of 50 Payne Street.

(v) 726 Broadway.

#### (b) Other property; criteria for acquisition; manner of acquisition

Until the date on which the Commission conducts its first meeting, the Secretary may acquire any property within the park or preservation district not designated in subsection (a)(2) of this section, or any interest therein, if such property—

(1) is identified in the report of the Lowell Historical Canal District Commission as a property which should be preserved, restored, managed, developed, or maintained in a manner consistent with the purpose of this subchapter;

(2) is listed in the National Register of Historic Places, as maintained by the Secretary pursuant to section 470a(a) of this title, and section 462(b) of this title; or

(3) is determined by the Secretary to be of national significance;

and would be subject to demolition or major alteration in a manner inconsistent with the purposes of this subchapter unless acquired by the Secretary. Such property may be acquired only as provided in subsection (a)(1) of this section.

#### (c) Easements; manner of acquisition

The Secretary may acquire easements within the park for the purpose of carrying out this

subchapter. Such easements may be acquired only as provided in subsection (a)(1) of this section.

(Pub. L. 95-290, title II, §202, June 5, 1978, 92 Stat. 293; Pub. L. 110-229, title III, §312(2), May 8, 2008, 122 Stat. 769.)

#### REFERENCES IN TEXT

Section 410cc-11(a)(3) of this title, referred to in subsec. (a)(2)(G), was in the original "subsection (101)(a)(3)" and was translated as meaning section 101(a)(3) of Pub. L. 95-290, which is classified to section 410cc-11(a)(3) of this title, to reflect the probable intent of Congress.

#### AMENDMENTS

2008—Subsec. (a)(2)(G). Pub. L. 110-229 added subpar. (G).

### § 410cc-23. Agreements and technical assistance

#### (a) Interpretative exhibits or programs

The Secretary may enter into agreements with any owner of property with national historic or cultural significance within the park to provide for interpretive exhibits or programs. Such agreements shall provide, whenever appropriate, that—

(1) the public may have access to such property at specified, reasonable times for purposes of viewing such property or the exhibits or attending the programs established by the Secretary under this subsection; and

(2) the Secretary may make such minor improvements to such property as the Secretary deems necessary to enhance the public use and enjoyment of such property, exhibits, and programs.

#### (b) Request for assistance

(1) The Secretary shall provide, upon request, technical assistance to—

(A) the city of Lowell to assist the city in establishing regulations or laws consistent with the standards and criteria established pursuant to section 410cc-32(e) of this title; and

(B) the Commission to assist the Commission in establishing the index and the standards and criteria required by section 410cc-32 of this title.

(2) The Secretary may provide to any owner of property within the park or preservation district, the Commission, the Commonwealth of Massachusetts, the city of Lowell, and any other Federal entity or any institution such technical assistance as the Secretary considers appropriate to carry out the purpose of this subchapter.

(Pub. L. 95-290, title II, §203, June 5, 1978, 92 Stat. 294.)

### § 410cc-24. Withholding of funds; criteria

The Secretary may refuse to obligate or expend any money appropriated for the purposes described in section 410cc-13(a)(1) or section 410cc-13(a)(2) of this title if the Secretary determines that—

(a) the city of Lowell has failed to establish regulations or laws consistent with the standards and criteria established pursuant to section 410cc-32(e) of this title within one year

<sup>1</sup> See References in Text note below.