

### § 242. Condemnation of land; acceptance of donations

The Secretary of the Interior is authorized to cause condemnation proceedings to be instituted in the name of the United States under the provisions of section 3113 of title 40, to acquire title to the lands, interests therein, or rights pertaining thereto that are privately owned within the boundaries of the said national park, and such property, when acquired, shall become a part thereof: *Provided*, That when the owner of such lands, interests therein, or rights pertaining thereto shall fix a price for the same, which, in the opinion of the Secretary of the Interior, shall be reasonable, the Secretary may purchase the same without further delay: *Provided further*, That the Secretary of the Interior is authorized to accept, on behalf of the United States, donations of land, interests therein, or rights pertaining thereto required for the Theodore Roosevelt National Park: *And provided further*, That title and evidence of title to land and interests therein acquired for said park shall be satisfactory to the Attorney General.

(Apr. 25, 1947, ch. 41, § 2, 61 Stat. 53; Pub. L. 95-625, title VI, § 610, Nov. 10, 1978, 92 Stat. 3521.)

#### CODIFICATION

“Section 3113 of title 40” substituted in text for “the Act of August 1, 1888, entitled ‘An Act to authorize the condemnation of lands for sites for public buildings, and other purposes’ (25 Stat. 357)” on authority of Pub. L. 107-217, § 5(c), Aug. 21, 2002, 116 Stat. 1303, the first section of which enacted Title 40, Public Buildings, Property, and Works.

#### CHANGE OF NAME

Theodore Roosevelt National Memorial Park redesignated Theodore Roosevelt National Park pursuant to Pub. L. 95-625, title VI, § 610, Nov. 10, 1978, 92 Stat. 3521, which is classified to section 241g of this title.

### § 243. Exchange of lands

That for the purposes of acquiring non-Federal lands within the boundaries of said park as established by this subchapter, the Secretary of the Interior is authorized, in his discretion, to exchange federally owned lands within the Roosevelt recreational demonstration area project, located outside the boundaries of the park for State or privately owned lands of approximately equal value within the boundaries of the park, when in his opinion such action is in the interest of the United States, the title to any lands acquired under this section to be satisfactory to the Attorney General. Upon the vesting of title thereto in the United States, any lands acquired pursuant to this authorization shall become a part of the park and shall be subject to the laws applicable thereto.

(Apr. 25, 1947, ch. 41, § 3, 61 Stat. 54.)

### § 244. Construction of log buildings; limitation on cost

The Secretary of the Interior is further authorized to obtain by purchase or condemnation proceedings, as part of said Theodore Roosevelt National Park, lots 6 and 7, section 33, township 144 north, range 102 west; southeast quarter of southeast quarter, section 32, township 144

north, range 102 west; lots 4 and 5, section 4, township 143, range 102 west; and those parts of lot 1 and the southeast quarter of the northeast quarter, section 5, township 143 north, range 102 west, that lie north and east of a line running diagonally from the northwest corner of said lot 1 to the southeast corner of the southeast quarter of the northeast quarter of said section 5, and to reconstruct thereon the log ranch house thirty by sixty feet, the log blacksmith shop sixteen by twenty feet, one log stable sixteen by twenty feet, one log stable twenty by thirty feet, log dog house, three log rectangular corrals, and one log circular corral, as they existed at the time the premises were occupied by Theodore Roosevelt: *Provided*, That the total cost of such land and buildings shall not exceed \$40,000.

(Apr. 25, 1947, ch. 41, § 4, 61 Stat. 54; June 10, 1948, ch. 437, § 1, 62 Stat. 352; Pub. L. 95-625, title VI, § 610, Nov. 10, 1978, 92 Stat. 3521.)

#### AMENDMENTS

1948—Act June 10, 1948, corrected the land description of Theodore Roosevelt’s Elkhorn Ranch.

#### CHANGE OF NAME

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### § 245. Administration, protection, and development

The Administration, protection, and development of the aforesaid park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of sections 1, 2, 3, and 4 of this title, as amended.

(Apr. 25, 1947, ch. 41, § 5, 61 Stat. 54.)

#### TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5, Government Organization and Employees.

### § 246. Repealed. June 10, 1948, ch. 437, § 1, 62 Stat. 352

Section, act Apr. 25, 1947, ch. 41, § 6, 61 Stat. 54, related to construction of a monument to Theodore Roosevelt.

### § 247. Homestead, mineral, and other rights unaffected

That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, mineral, right-of-way, or any other purposes whatsoever, or shall affect the right of any such claimant, locator, or entryman to the full use and enjoyment of his land.

(Apr. 25, 1947, ch. 41, § 6, formerly § 7, 61 Stat. 54; renumbered § 6, June 10, 1948, ch. 437, § 1, 62 Stat. 352.)

#### REFERENCES IN TEXT

Herein, referred to in text, means act Apr. 25, 1947, which was generally classified to this subchapter. For