

SUBCHAPTER XXXIV—GUADALUPE
MOUNTAINS NATIONAL PARK

§ 283. Establishment; purposes; boundaries

(a) In order to preserve in public ownership an area in the State of Texas possessing outstanding geological values together with scenic and other natural values of great significance, the Secretary of the Interior shall establish the Guadalupe Mountains National Park, consisting of the land and interests in land within the area shown on the drawing entitled "Proposed Guadalupe Mountains National Park, Texas", numbered SA-GM-7100C and dated February 1965, which is on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

Notwithstanding the foregoing, however, the Secretary shall omit from the park sections 7 and 17, P.S.L. Block 121, in Hudspeth County, and revise the boundaries of the park accordingly if the owner of said sections agrees, on behalf of himself, his heirs and assigns that there will not be erected thereon any structure which, in the judgment of the Secretary, adversely affects the public use and enjoyment of the park.

(b) The boundary of Guadalupe Mountains National Park is hereby modified to include the area which comprises approximately 10,123 acres as generally depicted on the map entitled "Boundary Proposal" and dated August 1986, which shall be on file and available for public inspection in the office of the Director of the National Park Service and in the office of the Superintendent of the Guadalupe Mountains National Park.

(Pub. L. 89-667, §1, Oct. 15, 1966, 80 Stat. 920; Pub. L. 100-541, §1, Oct. 28, 1988, 102 Stat. 2720.)

AMENDMENTS

1988—Pub. L. 100-541 designated existing provisions as subsec. (a) and added subsec. (b).

§ 283a. Acquisition of lands

(a) Authority of Secretary; manner and place; concurrence of State owner

Within the boundaries of the Guadalupe Mountains National Park, the Secretary of the Interior may acquire land or interests therein by donation, purchase with donated or appropriated funds, exchange, or in such other manner as he deems to be in the public interest. Any property, or interest therein, owned by the State of Texas, or any political subdivision thereof, may be acquired only with the concurrence of such owner.

(b) Adjacent or vicinal land; exchange of property; cash equalization payments

In order to facilitate the acquisition of privately owned lands in the park by exchange and avoid the payment of severance costs, the Secretary of the Interior may acquire approximately 4,667 acres of land or interests in land which lie adjacent to or in the vicinity of the park. Land so acquired outside the park boundary may be exchanged by the Secretary on an equal-value basis, subject to such terms, conditions, and reservations as he may deem necessary, for privately owned land located within the park. The Secretary may accept cash from

or pay cash to the grantor in such exchange in order to equalize the values of the properties exchanged. In order to provide for an adequate entrance road into the McKittrick Canyon area of the park, the Secretary may accept title to and interests in lands comprising a right-of-way for a road or roads outside of the boundary of the park from United States Highway numbered 62 and 180 to the park boundary, and in exchange therefor he may convey title to and interests in lands comprising a right-of-way from said highway to the boundary which have been donated to the United States. The Secretary may accept cash from or pay cash to the grantor in such exchange in order to equalize the values of the properties exchanged. Lands and interests in lands comprising the right-of-way acquired pursuant to this subsection shall be administered as part of the park.

(Pub. L. 89-667, §2, Oct. 15, 1966, 80 Stat. 920; Pub. L. 94-174, Dec. 23, 1975, 89 Stat. 1029.)

AMENDMENTS

1975—Subsec. (b). Pub. L. 94-174 inserted provisions relating to the exchange of lands in order to provide for an adequate entrance road into the McKittrick Canyon area of the park.

§ 283b. Establishment; notice in Federal Register; property rights

(a) Federal title to property, donation of State and other non-Federal mineral rights and interests, and establishment; notice in Federal Register; acquisition of remaining property; purchase options pending establishment of park; contingent purchase contracts

When the title to all privately owned land within the boundary of the park, subject to such outstanding interests, rights, and easements as the Secretary determines are not objectionable, with the exception of approximately 4,574 acres which are planned to be acquired by exchange, is vested in the United States and after the State of Texas has donated or agreed to donate to the United States whatever rights and interests in minerals underlying the lands within the boundaries of the park it may have and other owners of such rights and interests have donated or agreed to donate the same to the United States, notice thereof and notice of the establishment of the Guadalupe Mountains National Park shall be published in the Federal Register. Thereafter, the Secretary may continue to acquire the remaining land and interests in land within the boundaries of the park. The Secretary is authorized, pending establishment of the park, to negotiate and acquire options for the purchase of lands and interests in land within the boundaries of the park. He is further authorized to execute contracts for the purchase of such lands and interests, but the liability of the United States under any such contract shall be contingent on the availability of appropriated or donated funds to fulfill the same.

(b) Preferential right to reconveyance of mineral rights and interests upon nonuser of lands for national park purposes; notice; period for exercise; beneficiaries

In the event said lands or any part thereof cease to be used for national park purposes, the