

National Forest, located within and adjacent to the right-of-way for section 8A of the Foothills Parkway between Tennessee Highway Numbered 32 and the Pigeon River.

Upon publication in the Federal Register of an order of transfer by the Secretary of Agriculture, the lands so transferred shall be a part of the Great Smoky Mountains National Park and available for the scenic parkway as authorized by section 403h-11 of this title.

(Pub. L. 88-415, Aug. 10, 1964, 78 Stat. 388.)

**§ 403h-15. Conveyances to Tennessee of lands within Great Smoky Mountains National Park**

The Secretary of the Interior is authorized to convey to the State of Tennessee, subject to such conditions as he may deem necessary to preserve the natural beauty of the adjacent park lands, approximately twenty-eight acres of land comprising a portion of the right-of-way of Tennessee State Route 72 (U.S. 129), and approximately forty-one acres comprising portions of the right-of-way of Tennessee State Route 73 east of Gatlinburg, which are within the boundary of the Great Smoky Mountains National Park.

(Pub. L. 91-57, §1, Aug. 9, 1969, 83 Stat. 100.)

**§ 403h-16. Reconveyance of rights-of-way and lands for control of landslides along Gatlinburg Spur of the Foothills Parkway; conditions**

The Secretary is further authorized to convey to the State of Tennessee, subject to such conditions as he may deem necessary to assure administration and maintenance thereof by the State and to preserve the existing parkway character of the conveyed lands, the rights-of-way heretofore conveyed to the United States for the purposes of the Gatlinburg Spur of the Foothills Parkway together with any and all parcels of land heretofore conveyed by the State of Tennessee to the United States for the control and stabilization of landslides along said Gatlinburg Spur, except such lands as the Secretary determines may be necessary to provide for (1) the interchange between the road known as the Gatlinburg bypass and United States 441, (2) the interchange between United States Highway 441 and the Foothills Parkway in the vicinity of Caney Creek, and (3) the management and administration of the Foothills Parkway: *Provided*, That such reconveyance shall not be effected until construction of the Gatlinburg bypass and of two rock retaining walls to control erosion on the Gatlinburg Spur are completed, and Interstate Route 40 is open to public travel from Newport, Tennessee to United States Route 19 near Waynesville, North Carolina.

(Pub. L. 91-57, §2, Aug. 9, 1969, 83 Stat. 100.)

**§ 403h-17. Elimination of lands from Great Smoky Mountains National Park and Gatlinburg Spur of the Foothills Parkway**

The conveyance of the lands described in sections 403h-15 and 403h-16 of this title shall eliminate them from the park and parkway. Upon such conveyance and upon acceptance by the

State of Tennessee of legislative jurisdiction over the lands and notification of such acceptance being given to the Secretary of the Interior, such jurisdiction is retroceded to the State.

(Pub. L. 91-57, §3, Aug. 9, 1969, 83 Stat. 100.)

**§ 403i. Secretary of the Interior authorized to purchase necessary lands**

The Secretary of the Interior is authorized to acquire on behalf of the United States by purchase, at prices deemed by him to be reasonable, the lands needed to complete the Great Smoky Mountains National Park in the State of Tennessee, in accordance with the provisions of sections 403 and 403a to 403c of this title; and the Secretary of the Interior is further authorized, when in his opinion unreasonable prices are asked for any of such lands, to acquire the same by condemnation under the provisions of section 3113 of title 40.

(Feb. 12, 1938, ch. 27, §5, 52 Stat. 29.)

CODIFICATION

“Section 3113 of title 40” substituted in text for “the Act of August 1, 1888” 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.

**§ 403j. Authorization of appropriation**

There is authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of \$743,265.29 to complete the acquisition of lands within the limits of said park, such funds to be available until expended.

(Feb. 12, 1938, ch. 27, §6, 52 Stat. 29.)

**§ 403k. Boundary between Great Smoky Mountains National Park and Cherokee-Pisgah-Nantahala National Forests**

The portion of the boundary of the Great Smoky Mountains National Park that is common to and between the park and the Cherokee-Pisgah-Nantahala National Forests hereafter shall be as follows:

(a) Between the Pisgah National Forest and Great Smoky Mountains National Park the boundary shall be as follows: Beginning at a point where North Carolina State Highway Numbered 284 first crosses the Cataloochee Divide, said point being common to the boundary of said forest as described in Proclamation Numbered 2187 of July 10, 1936, and the boundary of said park, as authorized by sections 403 and 403a to 403c of this title; thence following the divide northeasterly to the summit of Bent Knee Knob; thence northwesterly and northerly following Trail Ridge and White Oak Mountain to a point where the present national forest boundary leaves White Oak Mountain and running with same northwesterly across Cataloochee Creek to the southeast corner of a tract of national park land and northwesterly through the same following the crest of the ridge next south of the east boundary of the said tract to the old road on the summit of Longarm Mountain; thence southwesterly and northwesterly follows the said road running with the top of Scottish Mountain and through a tract of national forest