

(d) Conservation easements

The Secretary is authorized to accept donations of conservation easements on lands adjacent to the park. Such conservation easements shall have the effect of protecting the scenic and historic resources on park lands and the adjacent lands or preserving the undeveloped or historic appearance of the park when viewed from within or without the park.

(e) Other provisions

Within the area bounded by the Orange Turnpike, the Orange Plank Road, and McLaws Drive no improved property (as defined in section 425m of this title) may be acquired without the consent of the owner thereof unless the Secretary determines that, in his judgment, the property is subject to, or threatened with, uses which are having, or would have, an adverse impact on the park.

(Pub. L. 101-214, § 3, Dec. 11, 1989, 103 Stat. 1849; Pub. L. 106-150, § 1(b)(1), Dec. 9, 1999, 113 Stat. 1730.)

AMENDMENTS

1999—Subsec. (a). Pub. L. 106-150 designated existing provisions as par. (1), substituted “Except as provided in paragraph (2), the Secretary” for “The Secretary”, and added par. (2).

§ 425m. Retained rights**(a) Retention of use and occupancy**

With the exception of property which the Secretary determines is necessary for development or public use, the owner or owners of improved property acquired pursuant to sections 425k to 425o of this title may retain a right of use and occupancy of such improved property for non-commercial residential purposes for a definite term of not more than twenty-five years, or for a term ending at the death of the owner or the owner's spouse. The owner shall elect the term to be reserved, except that if the owner is a corporation, trust, partnership, or any entity other than an individual, the term shall not exceed twenty-five years. Ownership shall be determined as of June 1, 1989. Unless the property is wholly or partially donated, the Secretary shall pay to the owner the fair market value of the property on the date of such acquisition, less the fair market value of the right retained by the owner.

(b) Terms and conditions

Any rights retained pursuant to this section shall be subject to such terms and conditions as the Secretary may prescribe and may be terminated by the Secretary upon his determination and after reasonable notice to the owner thereof that such property is being used for any purpose which is incompatible with the administration, protection, or public use of the park. Such right shall terminate by operation of law upon notification of the owner by the Secretary and tendering to the owner an amount equal to the fair market value of that portion of the right which remains unexpired.

(c) “Improved property” defined

As used in this section, the term “improved property” means a year-round noncommercial

single-family dwelling together with such land, in the same ownership as the dwelling, as the Secretary determines is reasonably necessary for the enjoyment of the dwelling for single-family residential use.

(Pub. L. 101-214, § 4, Dec. 11, 1989, 103 Stat. 1850.)

§ 425n. Interpretation

In administering the park, the Secretary shall take such action as is necessary and appropriate to interpret, for the benefit of visitors to the park and the general public, the battles of Fredericksburg, Chancellorsville, Spotsylvania Courthouse, and the Wilderness in the larger context of the Civil War and American history, including the causes and consequences of the Civil War and including the effects of the war on all the American people, especially on the American South.

(Pub. L. 101-214, § 5, Dec. 11, 1989, 103 Stat. 1851.)

§ 425o. Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to carry out the purposes of sections 425k to 425o of this title.

(Pub. L. 101-214, § 6, Dec. 11, 1989, 103 Stat. 1851.)

§ 426. Stones River National Battlefield; establishment; appointment of commission

A commission is created, to be composed of the following members, who shall be appointed by the Secretary of the Interior:

(1) A commissioned officer of the Corps of Engineers, United States Army;

(2) A veteran of the Civil War who served honorably in the military forces of the United States; and

(3) A veteran of the Civil War who served honorably in the military forces of the Confederate States of America.

(Mar. 3, 1927, ch. 374, § 1, 44 Stat. 1399; Ex. Ord. No. 6166, § 2, June 10, 1933; Ex. Ord. No. 6228, § 1, July 28, 1933; Pub. L. 86-443, §§ 2, 3, Apr. 22, 1960, 74 Stat. 82.)

CHANGE OF NAME

Stones River National Military Park redesignated Stones River National Battlefield by Pub. L. 86-443. See section 426l of this title.

TRANSFER OF FUNCTIONS

Administrative functions of Stones River National Military Park transferred to Department of the Interior by Ex. Ord. Nos. 6166 and 6228, set out as notes under section 901 of Title 5, Government Organization and Employees. Administrative functions of Stones River National Battlefield assigned to Department of the Interior by section 3 of Pub. L. 86-443, set out as section 426m of this title.

National Park Service substituted for Office of National Parks, Buildings, and Reservations referred to in Ex. Ord. No. 6166, § 2, by act Mar. 2, 1934, ch. 38, § 1, 48 Stat. 389.

§ 426a. Qualifications of members of commission

In appointing the members of the commission created by section 426 of this title the Secretary of the Interior shall, as far as practicable, select persons familiar with the terrain of the battlefield of Stones River, Tennessee, and the historical events associated therewith.