

EX. ORD. No. 7496. TRANSFER OF RECREATIONAL DEMONSTRATION PROJECTS

Ex. Ord. No. 7496, Nov. 14, 1936, 1 F.R. 1946, provided: By virtue of and pursuant to the authority vested in me by Title II of the National Industrial Recovery Act (48 Stat. 200) (title 15, sections 701 to 712), the Emergency Relief Appropriation Act of 1935 (49 Stat. 115), and the Emergency Relief Appropriation Act of 1936 (Public, No. 739, 74th Congress), (title 15, ch. 16 note) I hereby order as follows:

1. There is transferred from the Resettlement Administration to the Secretary of the Interior (a) all the real and personal property or any interest therein, together with all contracts, options, rights and interests, books, papers, memoranda, records, etc., acquired by the Resettlement Administration in connection with the recreational demonstration projects set forth in the attached schedule with funds appropriated or made available to carry out the provisions of the National Industrial Recovery Act by the Fourth Deficiency Act, fiscal year 1933 (48 Stat. 274, 275), and by the Emergency Appropriation Act, fiscal year 1935 (48 Stat. 1055), and with funds appropriated by the Emergency Relief Appropriation Act of 1935 (49 Stat. 115), and by the Emergency Relief Appropriation Act of 1936 (Public No. 739, 74th Congress), (title 15, ch. 16 note) and (b) all personnel, whether in the District of Columbia or elsewhere, now employed in connection with the acquisition of land for those recreational demonstration projects, together with all administration personnel records pertaining to the employees transferred, and to those employees engaged in development activities as of July 31, 1936, who were released by the Resettlement Administration on that date to permit the Department of the Interior to enter them on its rolls as of August 1.

2. There is transferred and allocated to the Secretary of the Interior all balances of appropriations heretofore made available to or allotted for expenditure by the Resettlement Administration both for acquiring land for the recreational demonstration projects set forth in the attached schedule and for developing those projects, under the said National Industrial Recovery Act, Fourth Deficiency Act, fiscal year 1933, Emergency Appropriation Act, fiscal year 1935, Emergency Relief Appropriation Act of 1935, and Emergency Relief Appropriation Act of 1936, to be used for the purposes for which such funds were made available or allotted to the Resettlement Administration. The Secretary of the Interior shall assume all outstanding obligations, commitments, and encumbrances heretofore incurred by the Resettlement Administration in connection with the said projects.

3. The Secretary of the Interior is authorized, through the National Park Service, to complete and administer the projects transferred to him by this Executive Order and to exercise with respect to any real or personal property or any interest therein, contracts, options, rights and interests, books, papers, memoranda, and records acquired in connection with such projects, all the powers and functions given to the Resettlement Administration in connection therewith by Executive Orders Nos. 7027 and 7028 of April 30, 1935, and April 30, 1935, respectively.

4. The Secretary of the Interior is authorized to prescribe such rules and regulations as may be necessary to carry out the administrative functions transferred and delegated to him by this Executive Order.

Schedule of Recreational Demonstration Projects—Continued

OP No.	RA No.	Name
65-23-3467	LD-PA-7	French Creek
56-233	LP-PA-7	French Creek
65-23-3468	LD-PA-8	Laurel Hill
56-234	LP-PA-8	Laurel Hill
65-23-3469	LD-PA-11	Blue Knob
56-235	LP-PA-11	Blue Knob
65-23-3470	LD-PA-12	Hickory Run
56-236	LP-PA-12	Hickory Run
65-16-365	LD-RI-2	Beach Pond
56-238	LP-RI-2	Beach Pond
65-51-3019	LD-MI-4	Waterloo
56-152	LP-MI-4	Waterloo
65-51-3020	LD-MI-6	Yankee Springs
56-153	LP-MI-6	Yankee Springs
65-71-4637	LD-MN-7	St. Croix
56-160	LP-MN-7	St. Croix
65-54-1683	LD-IL-5	Pere Marquette
56-126	LP-IL-5	Pere Marquette
65-52-2067	LD-IN-5	Versailles
56-129	LP-IN-5	Versailles
65-52-2068	LD-IN-6	Winemac
56-130	LP-IN-6	Winemac
65-55-2838	LD-MO-6	Lake of the Ozarks
56-167	LP-MO-6	Lake of the Ozarks
65-55-2839	LD-MO-7	Cuivre River
56-168	LP-MO-7	Cuivre River
65-55-2840	LD-MO-8	Montserrat
56-169	LP-MO-8	Montserrat
65-43-1491	LD-KY-4	Otter Creek
56-136	LP-KY-4	Otter Creek
65-32-1133	LD-NC-8	Crabtree Creek
56-203	LP-NC-8	Crabtree Creek
65-32-1134	LD-NC-11	Appalachian National Parkway (Blue Ridge Parkway)
56-204	LP-NC-11	Appalachian National Parkway (Blue Ridge Parkway)
65-44-1315	LD-TN-11	Montgomery Bell
56-266	LP-TN-11	Montgomery Bell
65-44-1316	LD-TN-12	Shelby Forest Park
56-267	LP-TN-12	Shelby Forest Park
65-44-1317	LD-TN-13	Falls Creek Falls
56-268	LP-TN-13	Falls Creek Falls
65-31-1155	LD-VA-5	Swift Creek
56-277	LP-VA-5	Swift Creek
65-31-1156	LD-VA-6	Chopawamsic
56-278	LP-VA-6	Chopawamsic
65-31-1158	LD-VA-7	Shenandoah National Park
56-279	LP-VA-7	Shenandoah National Park
65-31-1516	LD-VA-8	Appalachian National Park
56-280	LP-VA-8	Appalachian National Park
65-31-1157	LD-VA-9	Bull Run
56-281	LP-VA-9	Bull Run
65-31-1159	LD-VA-13	Waysides
56-282	LP-VA-13	Waysides
65-61-1184	LD-AL-11	Oak Mountain
56-96	LP-AL-11	Oak Mountain
65-34-3167	LD-GA-9	Hard Labor Creek
56-120	LP-GA-9	Hard Labor Creek
65-34-3168	LD-GA-11	Alex Stephens Memorial
56-121	LP-GA-11	Alex Stephens Memorial
65-34-3169	LD-GA-12	Pine Mountain
56-122	LP-GA-12	Pine Mountain
65-33-1838	LD-SC-7	Cheraw
56-243	LP-SC-7	Cheraw
65-33-1839	LD-SC-8	Kings Mountain
56-244	LP-SC-8	Kings Mountain
65-33-1840	LD-SC-12	Waysides
56-245	LP-SC-12	Waysides
65-73-221	LD-ND-12	Roosevelt Park
56-216	LP-ND-12	Roosevelt Park
65-74-1475	LD-SD-14	Badlands
56-259	LP-SD-14	Badlands
65-74-1476	LD-SD-15	Custer Park
56-260	LP-SD-15	Custer Park
65-65-695	LD-OK-9	Lake Murray
56-225	LP-OK-9	Lake Murray
65-03-1801	LD-CF-5	Mendocino Woodlands
56-104	LP-CF-5	Mendocino Woodlands
65-83-245	LD-WY-2	Lake Guernsey
56-297	LP-WY-2	Lake Guernsey
65-94-677	LD-OR-4	Silver Creek
56-299	LP-OR-4	Silver Creek
65-85-932	LD-NM-14	White Sands
56-197	LP-NM-14	White Sands

Schedule of Recreational Demonstration Projects

OP No.	RA No.	Name
65-11-24	LD-ME-2	Camden Hills
56-143	LP-ME-2	Camden Hills
65-11-25	LD-ME-3	Acadia
56-144	LP-ME-3	Acadia
65-25-340	LD-MD-4	Catoctin
56-147	LP-MD-4	Catoctin
65-13-145	LD-NH-1	Bear Brook
56-183	LP-NH-1	Bear Brook
65-23-3466	LD-PA-6	Racoon Creek
56-232	LP-PA-6	Racoon Creek

§ 459s. Lands for certain projects added to certain projects

After June 6, 1942, the lands acquired for the Acadia, French Creek, Shenandoah, and White Sands recreational demonstration projects shall be added to and become a part of Acadia National Park, Hopewell Village National Historic Site, Shenandoah National Park, and White Sands National Monument, in the order named

above, subject to all laws, rules, and regulations applicable to the respective areas to which such recreational demonstration projects are added.

(June 6, 1942, ch. 380, § 2, 56 Stat. 327.)

CODIFICATION

Proviso directing the Secretary of the Interior to file with the National Archives within six months after June 6, 1942, a map of each recreational demonstration project enumerated in the section has been omitted as executed.

HOPEWELL VILLAGE BOUNDARY REVISION

Act July 24, 1946, ch. 604, 60 Stat. 655, provided: "That the Secretary of the Interior is hereby authorized to withdraw from the Hopewell Village National Historic Site, Pennsylvania, all or any part of the lands added to the Hopewell Village National Historic Site by the act approved June 6, 1942, entitled 'An Act to authorize the disposition of recreational demonstration projects, and for other purposes [sections 459r to 459t of this title]', which in his opinion are not required for historic-site purposes. Any lands so withdrawn shall revert to the status of a recreational demonstration area."

SILVER CREEK RECREATIONAL DEMONSTRATION PROJECT

Act June 9, 1947, ch. 100, 61 Stat. 129, provided: "That for the purpose of consolidating Federal holdings of lands acquired for the Silver Creek recreational demonstration project, in the State of Oregon, the Secretary of the Interior is hereby authorized to exchange any such lands for other lands of approximately equal value when in his opinion such action is in the interest of the United States, the title to any lands acquired hereunder 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 Silver Creek recreational demonstration project, and shall be subject to the laws applicable thereto.

"SEC. 2. Upon the conveyance of the Silver Creek recreational demonstration project to the State of Oregon, or political subdivision thereof, pursuant to the Act of June 6, 1942 (56 Stat. 326) [sections 459r to 459t of this title], the Secretary of the Interior may authorize the grantee to exchange or otherwise dispose of any lands so conveyed in order to acquire other lands of approximately equal value for the purpose of consolidating the holdings of the grantee, the title to lands so acquired to be satisfactory to the Attorney General. For the aforesaid purpose the Secretary is authorized to execute a release, as to the particular lands involved, of any condition providing for a reversion of title to the United States, that may be contained in the conveyance by the United States to said grantee. No such release shall be executed, however, unless the grantee shall agree, in form satisfactory to the Secretary, that the lands to be acquired by it shall be subject to the conditions contained in the original conveyance from the United States, except that, in lieu of a provision for reversion, the grantee shall agree to convey said lands to the United States upon a finding by the Secretary in accordance with the procedure provided in said Act of June 6, 1942, that the grantee has not complied with such conditions during a period of more than three years. Lands so conveyed to the United States shall be subject to administration or disposition in like manner as recreational demonstration project lands that revert to the United States under the terms of the aforesaid Act."

CATOCTIN RECREATIONAL DEMONSTRATION AREA

Act Aug. 24, 1954, ch. 903, 68 Stat. 791, provided: "That the Secretary of the Interior, for the purpose of consolidating Federal holdings of land acquired for the Catoctin recreational demonstration area, Frederick County, Maryland, is hereby empowered, in his discre-

tion, to obtain for the United States land and interests in lands held in private ownership within the established watersheds and boundaries of said recreational demonstration area by accepting from the owners of such privately owned land complete relinquishment thereof, and the Secretary may grant to such owners in exchange therefor, in each instance, federally owned lands of approximately equal value now a part of the Catoctin recreational demonstration area, that he considers are not essential for the administration, control, and operation of the aforesaid recreational demonstration area. Any land acquired by the United States pursuant to this authorization shall become a part of the Catoctin recreational demonstration area upon the vesting of title in the United States, and shall be subject to the laws applicable thereto."

§ 459t. Secretary of the Interior authorized to execute deeds and leases for project lands; inclusion of conditional covenants

The Secretary of the Interior is authorized to execute on behalf of the United States all necessary deeds and leases to effect the purposes of sections 459r to 459t of this title. Every such deed or lease shall contain the express condition that the grantee or lessee shall use the property exclusively for public park, recreational, and conservation purposes, and the further express condition that the United States assumes no obligation for the maintenance or operation of the property after the acceptance of such deed or during the term of such lease, and may contain such other conditions not inconsistent with such express conditions as may be agreed upon by the Secretary and the grantee or lessee: *Provided*, That the title and right to possession of any lands so conveyed or leased, together with the improvements thereon, shall revert to the United States upon a finding by the Secretary, after notice to such grantee or lessee and after an opportunity for a hearing, that the grantee or lessee has not complied with such conditions during a period of more than three years, which finding shall be final and conclusive, and such lands and improvements thereon, upon such reversion to the United States, shall be returned to the jurisdiction of the Department of the Interior and upon determination of the Secretary may be considered as surplus real property to be disposed of in accordance with section 1303 of title 40.

(June 6, 1942, ch. 380, § 3, 56 Stat. 327.)

CODIFICATION

"Section 1303 of title 40" substituted in text for "the Act of August 27, 1935 (49 Stat. 885)" 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.

§ 459u. Exchange of recreational demonstration project lands by grantee

In order to facilitate the administration of former recreational demonstration project lands and to consolidate the holdings of the grantees to whom such lands have been or may be granted pursuant to sections 459r to 459t of this title, the Secretary of the Interior may authorize any such grantee to exchange or otherwise dispose of any lands or interests in lands conveyed to it in order to acquire other lands or interests therein of approximately equal value.