

§ 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.

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

sections, 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 sections.

(Aug. 3, 1950, ch. 522, 64 Stat. 399.)

SUBCHAPTER LXV—NATIONAL PARKWAYS

§ 460. Natchez Trace Parkway

All lands and easements heretofore and hereafter conveyed to the United States by the States of Mississippi, Alabama, and Tennessee for the right-of-way for the projected parkway between Natchez, Mississippi, and Nashville, Tennessee, together with sites acquired or to be acquired for recreational areas in connection therewith, and a right-of-way for said parkway of a width sufficient to include the highway and all bridges, ditches, cuts, and fills appurtenant thereto, but not exceeding a maximum of two hundred feet through Government-owned lands (except that where small parcels of Government-owned lands would otherwise be isolated, or where topographic conditions or scenic requirements are such that bridges, ditches, cuts, fills, parking overlooks, and landscape development could not reasonably be confined to a width of two hundred feet, the said maximum may be increased to such width as may be necessary, with the written approval of the department or agency having jurisdiction over such lands) as designated on maps heretofore or hereafter approved by the Secretary of the Interior, shall be known as the Natchez Trace Parkway and shall be administered and maintained by the Secretary of the Interior through the National Park Service, subject to the provisions of the Act of Congress approved August 25, 1916 (39 Stat. 535), entitled “An Act to establish a National Park Service, and for other purposes”,¹ the provisions of which Act, as amended and supplemented, are extended over and made applicable to said parkway: *Provided*, That the Secretary of Agriculture is authorized, with the concurrence of the Secretary of the Interior, to connect with said parkway such roads and trails as may be necessary for the protection, administration, or utilization of adjacent and nearby national forests and the resources thereof: *And provided further*, That the Forest Service and the National Park Service shall, insofar as practicable, coordinate and correlate such recreational developments as each may plan, construct, or permit to be constructed, on lands within their respective jurisdictions, which, by mutual agreement, should be given special treatment for recreational purposes.

(May 18, 1938, ch. 251, § 1, 52 Stat. 407.)

REFERENCES IN TEXT

The Act of Congress approved August 25, 1916 (39 Stat. 535), entitled “An Act to establish a National Park Service, and for other purposes”, referred to in text, is act Aug. 25, 1916, ch. 408, 39 Stat. 535, known as the Na-

¹ See References in Text note below.

tional Park Service Organic Act, which enacted sections 1, 2, 3, and 4 of this title and provisions set out as a note under section 100101 of Title 54, National Park Service and Related Programs. Sections 1 to 4 of the Act were repealed and restated as section 1865(a) of Title 18, Crimes and Criminal Procedure, and section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of Title 54 by Pub. L. 113-287, §§ 3, 4(a)(1), 7, Dec. 19, 2014, 128 Stat. 3094, 3260, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 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.

Functions of Administrator of General Services transferred to Secretary of Commerce by Reorg. Plan No. 7 of 1949, § 2, eff. Aug. 20, 1949, 14 F.R. 5228, 63 Stat. 1070, set out in the Appendix to Title 5.

Functions, powers, and duties of Secretary of Commerce and other officers and offices of Department of Commerce relating generally to highways under Reorg. Plan No. 7 of 1949 transferred to and vested in Secretary of Transportation by Pub. L. 89-670, § 6(a)(1)(M), Oct. 15, 1966, 80 Stat. 938. Reorg. Plan No. 7 of 1949 was amended by section 2(b) of Pub. L. 97-449, Jan. 12, 1983, 96 Stat. 2439, to reflect such transfer.

Functions of Federal Works Agency and of all agencies thereof, together with functions of Federal Works Administrator transferred to Administrator of General Services by section 103(a) of act June 30, 1949, ch. 288, title I, 63 Stat. 380. Both Federal Works Agency and office of Federal Works Administrator abolished by section 103(b) of that act. See Historical and Revision Notes under section 303(b) of Title 40, Public Buildings, Property, and Works. Section 303(b) of Title 40 was amended generally by Pub. L. 109-313, § 2(a)(1), Oct. 6, 2006, 120 Stat. 1734, and, as so amended, no longer relates to the Federal Works Agency and Commissioner of Public Buildings. See 2006 Amendment note under section 303 of Title 40.

EFFECTIVE DATE OF TRANSFER OF FUNCTIONS

Transfer of functions by act June 30, 1949, as effective July 1, 1949, see section 605, formerly § 505, of act June 30, 1949, ch. 288, 63 Stat. 403; renumbered by act Sept. 5, 1950, ch. 849, § 6(a), (b), 64 Stat. 583.

NATCHEZ TRACE PARKWAY LAND CONVEYANCE

Pub. L. 113-35, Sept. 18, 2013, 127 Stat. 519, known as the Natchez Trace Parkway Land Conveyance Act of 2013, required the Secretary of the Interior to convey to the State of Mississippi, by quitclaim deed and without consideration, all right, title, and interest of the United States in and to the 2 parcels of land totaling approximately 67 acres generally depicted as "Proposed Conveyance" on the map entitled "Natchez Trace Parkway, Proposed Boundary Change" on file and available for public inspection in the appropriate offices of the National Park Service. The deed of conveyance shall reserve an easement to the United States restricting the use of the parcel commonly known as the "bean field property" to only those uses which are compatible with the Natchez Trace Parkway. On completion of the conveyance the boundary of the Natchez Trace Parkway shall be adjusted to exclude the conveyed land and effective on Sept. 18, 2013, said boundary is adjusted to include the approximately 10 acres of land that is generally depicted as "Proposed Addition" on the above referenced map and such 10 acres shall be administered by the Secretary as part of the Natchez Trace Parkway.

ADJUSTMENT OF BOUNDARY OF PARKWAY

Pub. L. 106-527, Nov. 22, 2000, 114 Stat. 2515, provided that:

"SECTION 1. DEFINITIONS.

"In this Act:

"(1) PARKWAY.—The term 'Parkway' means the Natchez Trace Parkway, Mississippi.

"(2) SECRETARY.—The term 'Secretary' means the Secretary of the Interior.

"SEC. 2. BOUNDARY ADJUSTMENT AND LAND ACQUISITION.

"(a) IN GENERAL.—The Secretary shall adjust the boundary of the Parkway to include approximately—

"(1) 150 acres of land, as generally depicted on the map entitled 'Alternative Alignments/Area', numbered 604-20062A and dated May 1998; and

"(2) 80 acres of land, as generally depicted on the map entitled 'Emerald Mound Development Concept Plan', numbered 604-20042E and dated August 1987.

"(b) MAPS.—The maps referred to in subsection (a) shall be on file and available for public inspection in the office of the Director of the National Park Service.

"(c) ACQUISITION.—The Secretary may acquire the land described in subsection (a) by donation, purchase with donated or appropriated funds, or exchange (including exchange with the State of Mississippi, local governments, and private persons).

"(d) ADMINISTRATION.—Land acquired under this section shall be administered by the Secretary as part of the Parkway.

"SEC. 3. AUTHORIZATION OF LEASING.

"The Secretary, acting through the Superintendent of the Parkway, may lease land within the boundary of the Parkway to the city of Natchez, Mississippi, for any purpose compatible with the Parkway.

"SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated such sums as are necessary to carry out this Act."

RELOCATION OF PORTIONS OF PARKWAY

Pub. L. 85-746, Aug. 25, 1958, 72 Stat. 839, provided: "That the Secretary of the Interior is authorized to enter into an agreement with the Pearl River Valley Water Supply District which shall provide for the district, upon terms and conditions which the Secretary determines are in the public interest, to relocate those portions of sections 3-O and 3-N of the Natchez Trace Parkway in Madison County, Mississippi, required in connection with the Pearl River Reservoir.

"SEC. 2. To cooperate in the relocation, the Secretary of the Interior is authorized to transfer to the Pearl River Valley Water Supply District the aforesaid portions of the existing Natchez Trace Parkway lands and roadway in exchange for the contemporaneous transfer to the United States of relocated parkway lands and roadway situated and constructed in accordance with the terms and conditions of the agreement authorized by the first section of this Act: *Provided*, That such exchange shall be made on the basis of approximately equal values.

"SEC. 3. The Secretary of the Interior is authorized to accept and to use until expended without additional authority any funds provided by the district for the purpose of this Act pursuant to agreement with the Secretary of the Interior, and any such funds shall be placed in a separate account in the Treasury which shall be available for such purpose."

LANDS IN FRENCH CAMP

The Secretary of the Interior was authorized to relinquish or modify certain restrictions upon the use of privately owned lands in the village of French Camp along the Natchez Trace Parkway by act Jan. 7, 1941, ch. 939, 54 Stat. 1227.

§ 460-1. Inclusion of Ackia Battleground National Monument and Meriwether Lewis National Monument

To facilitate the administration of two areas of the national park system, known as Ackia Battleground National Monument, Mississippi, and Meriwether Lewis National Monument, Tennessee, those areas are included in the Natchez Trace Parkway, which they adjoin; and they shall be administered as a part of the parkway. In order to provide continued recognition of the significance of these portions of the parkway, the Secretary of the Interior shall provide them with appropriate designations in accordance with the historical events which occurred on them.

(Pub. L. 87-131, Aug. 10, 1961, 75 Stat. 335.)

§ 460a. Licenses or permits for right-of-way over parkway lands

In the administration of the Natchez Trace Parkway, the Secretary of the Interior may issue revocable licenses or permits for rights-of-way over, across, and upon parkway lands, or for the use of parkway lands by the owners or lessees of adjacent lands, for such purposes and under such nondiscriminatory terms, regulations, and conditions as he may determine to be not inconsistent with the use of such lands for parkway purposes.

(May 18, 1938, ch. 251, § 2, 52 Stat. 408.)

§ 460a-1. Acceptance of lands conveyed for Blue Ridge or Natchez Trace Parkways

The Secretary of the Interior is authorized, in his discretion, to approve and accept, on behalf of the United States, title to any lands and interests in land heretofore or hereafter conveyed to the United States for the purposes of the Blue Ridge or the Natchez Trace Parkways, or for recreational areas in connection therewith.

(June 30, 1936 ch. 883, § 3, as added June 8, 1940, ch. 277, 54 Stat. 250.)

§ 460a-2. Blue Ridge Parkway; establishment; administration and maintenance

All lands and easements heretofore or hereafter conveyed to the United States by the States of Virginia and North Carolina for the right-of-way for the projected parkway between the Shenandoah and Great Smoky Mountains National Parks, together with sites acquired or to be acquired for recreational areas in connection therewith, and a right-of-way for said parkway of a width sufficient to include the highway and all bridges, ditches, cuts, and fills appurtenant thereto, but not exceeding a maximum of two hundred feet through Government-owned lands (except that where small parcels of Government-owned lands would otherwise be isolated, or where topographic conditions or scenic requirements are such that bridges, ditches, cuts, fills, parking overlooks, landscape development, recreational and other facilities requisite to public use of said parkway could not reasonably be confined to a width of two hundred feet, the said maximum may be increased to such width as may be necessary, with the written ap-

proval of the department or agency having jurisdiction over such lands) as designated on maps heretofore or hereafter approved by the Secretary of the Interior, shall be known as the Blue Ridge Parkway and shall be administered and maintained by the Secretary of the Interior through the National Park Service, subject to the provisions of the Act of Congress approved August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes",¹ the provisions of which Act, as amended and supplemented, are extended over and made applicable to said parkway: *Provided*, That the Secretary of Agriculture is authorized, with the concurrence of the Secretary of the Interior, to connect with the parkway such roads and trails as may be necessary for the protection, administration, or utilization of adjacent and nearby national forests and the resources thereof: *And provided further*, That the Forest Service and the National Park Service shall, insofar as practicable, coordinate and correlate such recreational development as each may plan, construct, or permit to be constructed, on lands within their respective jurisdictions which, by mutual agreement, should be given special treatment for recreational purposes.

(June 30, 1936, ch. 883, § 1, 49 Stat. 2041; June 8, 1940, ch. 277, 54 Stat. 249.)

REFERENCES IN TEXT

The Act of Congress approved August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", referred to in text, is act Aug. 25, 1916, ch. 408, 39 Stat. 535, known as the National Park Service Organic Act, which enacted sections 1, 2, 3, and 4 of this title and provisions set out as a note under section 100101 of Title 54, National Park Service and Related Programs. Sections 1 to 4 of the Act were repealed and restated as section 1865(a) of Title 18, Crimes and Criminal Procedure, and section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of Title 54 by Pub. L. 113-287, §§ 3, 4(a)(1), 7, Dec. 19, 2014, 128 Stat. 3094, 3260, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

AMENDMENTS

1940—Act June 8, 1940, inserted exceptions set out in parentheses.

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.

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