

(Pub. L. 110-161, div. C, title I, §121, Dec. 26, 2007, 121 Stat. 1946.)

SUBCHAPTER LXVII—COTTAGE SITE DEVELOPMENTS AND USES IN RESERVOIR AREAS

**§ 460e. Authorization for sale of public lands; rights of lessee**

Whenever the Secretary of the Army determines that any Government-owned lands other than lands withdrawn or reserved from the public domain within reservoir areas under his control (1) are not required for project purposes or for public recreational use, and (2) are being used for or are available for cottage site development and use, he is authorized to offer such lands, or any part thereof, for sale for such purposes in accordance with the provisions of this subchapter: *Provided, however*, That any lands held under lease for cottage site purposes on August 6, 1956 shall not be offered for sale to anyone other than the lessee until after sixty days from the date of the written notice to the lessee as provided in section 460f of this title, or the termination or expiration date of such lease, whichever is later, and the lessee shall have the right during such period to purchase any lands leased to him which the Secretary determines are available for sale.

(Aug. 6, 1956, ch. 987, §1, 70 Stat. 1065.)

**§ 460f. Notice and method of sale; price; conveyance**

**(a) Public notice**

Public notice of the availability of the lands for sale for cottage site development and use shall be given in such manner as the Secretary of the Army may by regulation prescribe, including publication within the vicinity of the lands available for sale: *Provided, however*, That notice to lessees of cottage sites shall be given in writing within 90 days after publication of such regulations in the Federal Register and the notice shall state the appraised fair market value of the land available for sale to such lessee.

**(b) Method of sale**

The sale of lands for cottage site development and use shall be accomplished by any method which the Secretary of the Army determines to be in the public interest, including public auction, seal bids, and by negotiation with lessees and with others after competitive bidding.

**(c) Price**

The price to be paid for any lands sold for cottage site development and use pursuant to the provisions of this subchapter shall be not less than the appraised fair market value thereof as determined by the Secretary of the Army.

**(d) Conveyance**

The Secretary of the Army is authorized to convey by quitclaim deed all the right, title, and interest of the United States in and to the lands sold for cottage site development and use pursuant to the provisions of this subchapter, the conveyance to be on condition that the property conveyed shall be used for cottage site purposes

only, and in the event of use for any other purposes, title to the land and improvements shall revert to and vest in the United States; and subject to such other conditions, reservations, and restrictions as the Secretary may determine to be necessary for the management and operation of the reservoir, or for the protection of lessees or owners of cottage sites within the area.

(Aug. 6, 1956, ch. 987, §2, 70 Stat. 1065.)

**§ 460g. Transfer to State, etc., for roadway purposes**

The Secretary of the Army may, by quitclaim deed, deed of easement, or otherwise, transfer to the State in which lands sold for cottage site development and use pursuant to this subchapter are located, or to any political subdivision thereof, or to any organization consisting of not less than 50 per centum of the owners of cottage sites in the area, without monetary consideration, any lands being used or to be used for roads primarily to serve the cottage site areas: *Provided, however*, That the deed or other instrument transferring such land shall specifically provide for appropriate use and maintenance of the property by the State, political subdivision, or organization, and any deed conveying title to such lands for roadway purposes shall contain the condition and limitation that in the event the land conveyed shall fail or cease to be used for roadway purposes the same shall immediately revert to and vest in the United States.

(Aug. 6, 1956, ch. 987, §3, 70 Stat. 1065.)

**§ 460h. Costs of surveys or relocation of boundaries**

The costs of any surveys or the relocation of boundary markers necessary as an incident of a conveyance or other property transfer under this subchapter shall be borne by the grantee.

(Aug. 6, 1956, ch. 987, §4, 70 Stat. 1066.)

**§ 460i. Delegation of powers; regulations**

The Secretary of the Army may delegate any authority conferred upon him by this subchapter to any officer or employee of the Department of the Army. Any such officer or employee shall exercise the authority so delegated under rules and regulations approved by the Secretary.

(Aug. 6, 1956, ch. 987, §5, 70 Stat. 1066.)

**§ 460j. Disposition of proceeds**

The proceeds from any sale made under this subchapter shall be covered into the Treasury of the United States as miscellaneous receipts.

(Aug. 6, 1956, ch. 987, §6, 70 Stat. 1066.)