

Route 234 bypass should be properly located between the Virginia Electric Power Company powerline easement and route 705, the Secretary shall make available the land necessary for such bypass, subject to such revisions, terms, and conditions as the Secretary deems are necessary and appropriate to assure that such bypass is located, constructed, operated, and maintained in a manner consistent with the administration of the park.

(d) Secretary not to close State roads

The Secretary may not close any State roads within the park unless action permitting the closing of such roads has been taken by appropriate officials of the Commonwealth of Virginia.

(Apr. 17, 1954, ch. 153, §2, as added Pub. L. 96-442, §2, Oct. 13, 1980, 94 Stat. 1885; amended Pub. L. 100-647, title X, §10003, Nov. 10, 1988, 102 Stat. 3811.)

AMENDMENTS

1988—Subsec. (a). Pub. L. 100-647 designated existing provisions as par. (1) and added par. (2).

§ 429b-2. Retention of right of use and occupation of improved property by owner

(a) Time limits; compensation

Subsequent to October 13, 1980, the owner of improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for himself and his heirs and assigns a right of use and occupancy of the improved property for noncommercial 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 death of the spouse of the owner, whichever is later. The owner shall elect the term to be reserved. Unless this property is wholly or partially donated to the United States, the Secretary shall pay the owner an amount equal to the fair market value of the property on the date of its acquisition less the value on such date of the right retained by the owner. If such property is donated (in whole or in part) to the United States, the Secretary may pay to the owner such lesser amount as the owner may agree to. A right retained pursuant to this section shall be subject to termination by the Secretary upon his determination that it is being exercised in a manner inconsistent with the purposes of sections 429b to 429b-5 of this title, and it shall terminate by operation of law upon the Secretary's notifying the holder of the right of such determination and tendering to him an amount equal to the fair market value of that portion of the right which remains unexpired.

(b) Displaced person; waiver of benefits

No property owner who elects to retain a right of use and occupancy under this section shall be considered a displaced person as defined in section 4601(6) of title 42. Such owners shall be considered to have waived any benefits which would otherwise accrue to them under sections 4623 to 4626 of title 42.

(Apr. 17, 1954, ch. 153, §3, as added Pub. L. 96-442, §2, Oct. 13, 1980, 94 Stat. 1886.)

§ 429b-3. Definitions

For purposes of sections 429b to 429b-5 of this title—

(1) The term “improved property” means a detached, one-family dwelling, construction of which was begun before January 1, 1979, which is used for noncommercial residential purposes, together with not to exceed three acres of land on which the dwelling is situated and together with such additional lands or interests therein as the Secretary deems to be reasonably necessary for access thereto, such lands being in the same ownership as the dwelling, together with any structures accessory to the dwelling which are situated on such land.

(2) The term “park” means the Manassas National Battlefield Park established under sections 429b to 429b-5 of this title.

(3) The term “Secretary” means the Secretary of the Interior.

(4) The term “owner” means the owner of record as of September 1, 1980.

(Apr. 17, 1954, ch. 153, §4, as added Pub. L. 96-442, §2, Oct. 13, 1980, 94 Stat. 1886.)

§ 429b-4. Funds from Land and Water Conservation Fund

(a) Maximum amount usable for acquisition of property

In addition to sums heretofore expended for the acquisition of property and interests therein for the park, from funds available for expenditure from the Land and Water Conservation Fund, as established under the Land and Water Conservation Fund Act of 1965,¹ not more than a total of \$8,700,000 may be expended for the acquisition of property and interests therein under sections 429b to 429b-5 of this title.

(b) Completion of acquisition in two years

It is the express intent of Congress that, except for property referred to in section 429b-1(b) of this title, the Secretary shall acquire property and interests therein under sections 429b to 429b-5 of this title within two complete fiscal years after October 13, 1980.

(Apr. 17, 1954, ch. 153, §5, as added Pub. L. 96-442, §2, Oct. 13, 1980, 94 Stat. 1886.)

REFERENCES IN TEXT

The Land and Water Conservation Fund Act of 1965, referred to in subsec. (a), is Pub. L. 88-578, Sept. 3, 1964, 78 Stat. 897, which was classified principally to part B (§4601-4 et seq.) of subchapter LXIX of this chapter. Sections 2, 3, 4(i)(1)(C), (j) to (n), 5 to 10, and 201 of the Act were repealed and restated as sections 100506(c) and 100904 and chapter 2003 of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §§3, 7, Dec. 19, 2014, 128 Stat. 3094, 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.

§ 429b-5. Funding limitations; contracting authority, etc.

(a) Effective date of authorizations

Authorizations of moneys to be appropriated under sections 429b to 429b-5 of this title from

¹ See References in Text note below.