

§ 8733. Lease of land acquired for park, parkway, or playground purposes

The Secretary of the Interior may lease, for not more than five years, land or an existing building or structure on land acquired for park, parkway, or playground purposes, and may renew the lease for an additional five years. A lease or renewal under this section is—

- (1) subject to the approval of the National Capital Planning Commission;
(2) subject to the need for the immediate use of the land, building, or structure in other ways by the public; and
(3) on terms the Administrator decides.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1225.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 8733, 40:72b., Dec. 22, 1928, ch. 48, §2, 45 Stat. 1070.

The words "Administrator of General Services" are substituted for "Director of Public Buildings and Public Parks of the National Capital" [subsequently changed to "Director of the National Park Service" because of section 2 of Executive Order No. 6166 (eff. June 10, 1933) and the Act of March 2, 1934 (ch. 38, 48 Stat. 389), and "Public Buildings Administrator" because of sections 301 and 303 of Reorganization Plan No. 1 of 1939 (eff. July 1, 1939, 53 Stat. 1426, 1427)] because of section 103(a) of the Federal Property and Administrative Services Act of 1949 (ch. 288, 63 Stat. 380), which is restated as section 303(c) [303(b)] of the revised title. The words "National Capital Planning Commission" are substituted for "National Capital Park and Planning Commission" because of section 9 of the Act of June 6, 1924 (ch. 270), as added by section 1 of the Act of July 19, 1952 (ch. 949, 66 Stat. 790). See section 8711(f) of the revised title.

§ 8734. Sale of land by Mayor

(a) AUTHORITY TO SELL.—With the approval of the National Capital Planning Commission, the Mayor of the District of Columbia, for the best interests of the District of Columbia, may sell to the highest bidder at public or private sale real estate in the District of Columbia owned in fee simple by the District of Columbia for municipal use that the Council of the District of Columbia and the Commission find to be no longer required for public purposes.

(b) PAYING EXPENSES AND DEPOSITING PROCEEDS.—The Mayor—

- (1) may pay the reasonable and necessary expenses of the sale of each parcel of land sold; and
(2) shall deposit the net proceeds of each sale in the Treasury to the credit of the District of Columbia.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1226.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 8734(a), 40:72c., Aug. 5, 1939, ch. 449, §§1, 2, 53 Stat. 1211. Row 2: 8734(b), 40:72d.

In subsection (a), the words "in his discretion", "and convey, in whole or in part", and "now or hereafter" are omitted as unnecessary.

§ 8735. Sale of land by Secretary of the Interior

(a) AUTHORITY TO SELL.—With the approval of the National Capital Planning Commission, the Secretary of the Interior, for the best interests of the Federal Government, may sell, by deed or instrument, real estate held by the Government in the District of Columbia and under the jurisdiction of the National Park Service which may be no longer needed for public purposes. The land may be sold for cash or on a deferred-payment plan the Secretary approves, at a price not less than the Government paid for it and not less than its present appraised value as determined by the Secretary.

(b) SALE TO HIGHEST BIDDER.—In selling any parcel of land under this section, the Secretary shall have public or private solicitation for bids or offers be made as the Secretary considers appropriate. The Secretary shall sell the parcel to the party agreeing to pay the highest price if the price is otherwise satisfactory. If the price offered or bid by the owner of land abutting the land to be sold equals the highest price offered or bid by any other party, the parcel may be sold to the owner of the abutting land.

(c) PAYING EXPENSES AND DEPOSITING PROCEEDS.—The Secretary—

- (1) may pay the reasonable and necessary expenses of the sale of each parcel of land sold; and
(2) shall deposit the net proceeds of each sale in the Treasury to the credit of the Government and the District of Columbia in the proportion that each—

- (A) paid the appropriations used to acquire the parcels; or
(B) was obligated to pay the appropriations, at the time of acquisition, by reimbursement.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1226.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 8735(a), 40:74a., Aug. 5, 1939, ch. 449, §§4-6, 53 Stat. 1211. Row 2: 8735(b), 40:74b. Row 3: 8735(c), 40:74c.

In subsection (a), the words "in his discretion", "and convey, in whole or in part", and "proper" are omitted as unnecessary.

In subsection (b), reference to sections 72c to 72e is omitted as unnecessary because the Secretary of the Interior does not have authority to sell land under those sections.

§ 8736. Execution of deeds

The Mayor of the District of Columbia may execute deeds of conveyance for real estate sold under this subchapter. The deeds shall contain a full description of the land sold as required by law.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1227.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 8736, 40:72e., Aug. 5, 1939, ch. 449, §3, 53 Stat. 1211.

The word "proper" is omitted as unnecessary. The words "as required by" are substituted for "either by