388, as amended, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 371 of this title and Tables.

CODIFICATION

This section was not enacted as part of act Aug. 9, 1912, ch. 278, 37 Stat. 265, which comprises this subchapter.

SUBCHAPTER XV—TOWN SITES, PARKS, PLAYGROUNDS, AND SCHOOL SITES

§ 561. Survey and subdivision of land for town sites; reservation for public purposes

The Secretary of the Interior may in connection with irrigation projects under the reclamation Act of June seventeenth, nineteen hundred and two, not exceeding one hundred and sixty acres in each case, survey and subdivide the same into town lots, with appropriate reservations for public purposes: *Provided*, That, whenever, in the opinion of the Secretary of the Interior, it shall be advisable for the public interest, he may dispose of town sites in excess of one hundred and sixty acres.

(Apr. 16, 1906, ch. 1631, § 1, 34 Stat. 116; June 27, 1906, ch. 3559, § 4, 34 Stat. 520; Pub. L. 94–579, title VII, § 704(a), Oct. 21, 1976, 90 Stat. 2792.)

REFERENCES IN TEXT

The reclamation Act of June seventeenth, nineteen hundred and two, referred to in text, is act June 17, 1902, ch. 1093, 32 Stat. 388, popularly known as the Reclamation Act, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 371 of this title and Tables.

CODIFICATION

Introductory provisions are from the first section of act Apr. 16, 1906. The proviso is from part of the proviso of section 4 of act June 27, 1906. Another part of the proviso of section 4 of act June 27, 1906, is classified to section 568 of this title. The remainder of section 4 of act June 27, 1906, was classified to former section 594 of this title.

AMENDMENTS

1976—Pub. L. 94–579 struck out provisions authorizing withdrawal from public entry any lands needed for town-site purposes.

EFFECTIVE DATE OF 1976 AMENDMENT

Section 704(a) of Pub. L. 94–579 provided that the amendment made by that section is effective on and after Oct. 21, 1976.

SAVINGS PROVISION

Amendment by Pub. L. 94–579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94–579, set out as a note under section 1701 of this title.

§ 562. Appraisal and sale of town lots

The lots so surveyed shall be appraised under the direction of the Secretary of the Interior and sold under his direction at not less than their appraised value at public auction to the highest bidders, from time to time, for cash, and the lots offered for sale and not disposed of may afterwards be sold at not less than the appraised value under such regulations as the Secretary of the Interior may prescribe. Reclamation funds may be used to defray the necessary expenses of appraisement and sale, and the proceeds of such sales shall be covered into the reclamation fund.

(Apr. 16, 1906, ch. 1631, § 2, 34 Stat. 116.)

§ 563. Disposal of town sites set apart prior to June 27, 1906

Any town site set apart or established prior to June 27, 1906, by proclamation of the President, under the provisions of sections 711 and 712[1] of this title, within or in the vicinity of any reclamation project, may be appraised and disposed of in accordance with the provisions of section 562 of this title and all necessary expenses incurred in the appraisal and sale of lands embraced within any such town site shall be paid from the reclamation fund, and the proceeds of the sales of such lands shall be covered into the reclamation fund.

(June 27, 1906, ch. 3559, § 3, 34 Stat. 519.)

REFERENCES IN TEXT

Sections 711 and 712 of this title, referred to in text, were repealed by Pub. L. 94–579, title VII, § 703(a), Oct. 21, 1976, 90 Stat. 2789.

§ 564. Reappraisal of town lots for sale

The Secretary of the Interior is authorized, whenever he may deem it necessary, to reappraise all unsold lots within town sites on projects under the reclamation Act heretofore or hereafter appraised under the provisions of sections 562 and 563 of this title; and thereafter to proceed with the sale of such town lots in accordance with said sections.

(June 11, 1910, ch. 284, § 1, 36 Stat. 465.)

REFERENCES IN TEXT

The reclamation Act, referred to in text, probably means act June 17, 1902, ch. 1093, 32 Stat. 388, as amended, popularly known as the Reclamation Act, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 371 of this title and Tables.

§ 565. Terms of sale of town lots; installments of price

In the sale of town lots under the provisions of sections 562 and 563 of this title the Secretary of the Interior may, in his discretion, require payments for such town lots in full at time of sale or in annual installments, not exceeding five, with interest at the rate of 6 per centum per annum on deferred payments.

(June 11, 1910, ch. 284, § 2, 36 Stat. 466.)

REFERENCES IN TEXT

Section 594 of this title, referred to in text, was omitted from the Code.

§ 566. Maintenance of public reservations and conveyance to municipality

The public reservations in such town sites shall be improved and maintained by the town authorities at the expense of the town; and upon the organization thereof as municipal corporations the said reservations shall be conveyed to

[1] See References in Text note below.

such corporations by the Secretary of the Interior, subject to the condition that they shall be used forever for public purposes.

(Apr. 16, 1906, ch. 1631, § 3, 34 Stat. 116.)

§ 567. Water rights for towns and cities; charges

The Secretary of the Interior shall, in accordance with the provisions of the reclamation Act, provide for water rights in amount he may deem necessary for the towns established as provided, in sections 561, 562 and 566 of this title, and may enter into contract with the proper authorities of such towns, and other towns or cities on or in the immediate vicinity of irrigation projects, which shall have a water right from the same source as that of said project for the delivery of such water supply to some convenient point, and for the payment into the reclamation fund of charges for the same to be paid by such towns or cities, which charges shall not be less nor upon terms more favorable than those fixed by the Secretary of the Interior for the irrigation project from which the water is taken.

(Apr. 16, 1906, ch. 1631, § 4, 34 Stat. 116.)

REFERENCES IN TEXT

The reclamation Act, referred to in text, is identified in section 561 of this title as act June 17, 1902, ch. 1093, 32 Stat. 388, popularly known as the Reclamation Act, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 371 of this title and Tables.

§ 568. Use of reclamation fund for expenses of and disposal of proceeds of sale of town sites

Reclamation funds shall be available for the payment of all expenses incurred in executing the provisions of sections 561 to 563 and 566 of this title relating to town sites, and the proceeds of all sales of town sites shall be covered into the reclamation fund.

(June 27, 1906, ch. 3559, § 4, 34 Stat. 520.)

CODIFICATION

Section is based on part of the proviso of section 4 of act June 27, 1906. The remainder of section 4 is classified to section 561 and former section 594 of this title.

§ 569. Reservation of land for park, playground, or community center

(a) Repealed. Pub. L. 94–579, title VII, § 704(a), Oct. 21, 1976, 90 Stat. 2792

(b) Water service

Subject to the provisions hereinafter contained in this section every such tract of land so set apart shall be supplied with water from the Government irrigation system, the cost thereof to be charged to the remaining lands of the project as a part of the construction charge of such project, and shall be maintained and used in perpetuity by the people upon said reclaimed lands for a pleasure park, public playground, and community center.

(c) Contract for maintenance and use

For the purpose of carrying out and effecting the objects of this section the Secretary of the Interior is authorized to enter into a contract with the organization formed by the owners of the lands irrigated within said project or project unit pursuant to section 498 of this title, stipulating and providing that the organization will maintain and use such of the lands so reserved for the purposes prescribed in this section as such organization may desire, and that upon failure to so maintain and use such lands, or in the event that same shall be permitted to be used or occupied for other purposes than those stipulated in this section, the control of the lands shall revert to the United States.

(d) Disposition of land not contracted for

Any of such lands not contracted for in accordance with the provisions of subsection (c) of this section within ten years from the time water is available for the same, or sooner, if the Secretary of the Interior may deem it desirable, shall be disposed of in accordance with the public land laws applicable thereto, and the proceeds from the disposition of lands reverting to the United States under the provisions of this section, and from sales of water rights, shall be covered into the reclamation fund and placed to the credit of the project wherein the lands are situate.

(Oct. 5, 1914, ch. 316, §§ 1–4, 38 Stat. 727, 728; Pub. L. 94–579, title VII, § 704(a), Oct. 21, 1976, 90 Stat. 2792.)

REFERENCES IN TEXT

The public land laws, referred to in subsec. (d), are classified generally to this title.

AMENDMENTS

1976—Subsec. (a). Pub. L. 94–579 struck out subsec. (a) authorizing Secretary of the Interior to withdraw and reserve lands for country parks, public playgrounds, etc.

EFFECTIVE DATE OF 1976 AMENDMENT

Section 704(a) of Pub. L. 94–579 provided that the amendment made by that section is effective on and after Oct. 21, 1976.

SAVINGS PROVISION

Amendment by Pub. L. 94–579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94–579, set out as a note under section 1701 of this title.

§ 569a. Extension of section 569 to tract of land in Idaho

Section 569 of this title is extended to the following described land.

All in lot 2, section 22, township 7 north, range 1 west, Boise meridian, beginning at the northwest corner of said lot 2, thence east along the northern boundary of said lot 2 nine hundred and ninety feet; thence south along a line parallel to the eastern boundary of said lot 2 to the intersection with the northerly meander line of the Payette River; thence westerly along the northerly meander line of the Payette River to the intersection with the western boundary of said lot 2; thence north along the western boundary of said lot 2 to the northwest corner of said lot 2, which is the point of beginning, comprising approximately twenty-five acres.

(July 3, 1926, ch. 777, 44 Stat. 890.)