

Union Calendar No. 105

105TH CONGRESS
1ST SESSION

H. R. 960

[Report No. 105-171]

To validate certain conveyances in the City of Tulare, Tulare County, California, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 1997

Mr. THOMAS introduced the following bill; which was referred to the Committee on Resources

JULY 8, 1997

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To validate certain conveyances in the City of Tulare, Tulare County, California, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 The Congress finds that:

1 (1) It is in the Federal Government's interest
2 to facilitate local development of jobs in areas of
3 high unemployment.

4 (2) Railroad interests in rights-of-way prevent
5 local communities from obtaining clear title to prop-
6 erty for redevelopment unless the city also obtains
7 the Federal reversionary interest in those rights-of-
8 way.

9 (3) The City of Tulare Redevelopment Agency
10 requires clear title to 12 parcels of land within the
11 city's business corridor for development.

12 (4) The 12 parcels are part of a right-of-way.

13 (5) The Agency will be hindered in plans for de-
14 veloping the area or securing needed financing un-
15 less the Agency controls all 12 parcels.

16 **SEC. 2. TULARE CONVEYANCE.**

17 (a) IN GENERAL.—Notwithstanding any other provi-
18 sion of law, and subject to subsection (c), the following
19 conveyance is hereby validated to the extent that the con-
20 veyances would have been legal or valid if all right, title,
21 and interest of the United States had been held by the
22 Southern Pacific Transportation Company at the time of
23 such conveyance:

24 (1) Conveyance of parcels from the lands de-
25 scribed in subsection (b) made by the Southern Pa-

1 eific Transportation Company or its subsidiaries,
2 predecessors, successors, agents, or assigns, on or
3 before April 15, 1996.

4 (2) Conveyance of parcels from the lands de-
5 scribed in paragraphs (1) and (2) of subsection (b)
6 made after April 15, 1996, by the Southern Pacific
7 Transportation Company, or its successors, agents,
8 or assigns, to the Redevelopment Agency of the city
9 of Tulare.

10 (b) LANDS DESCRIBED.—The lands referred to in
11 subsection (a) are the lands that—

12 (1) formed part of a railroad right-of-way
13 granted to the Southern Pacific Railroad Company,
14 or its successors, agents, or assigns, by the Federal
15 Government (including the right-of-way approved by
16 an Act of Congress on July 27, 1866); and

17 (2) are located within the boundaries of Amend-
18 ed Urban Renewal Plan for California A-8-1 (the
19 Downtown Plan) adopted by the city of Tulare, Cali-
20 fornia, generally depicted on the map entitled
21 “Amended Urban Renewal Plan for California A-8-
22 1”, dated March 7, 1989.

23 The map referred to in paragraph (2) shall be on file and
24 available for public inspection in the offices of the director
25 of the Bureau of Land Management.

1 ~~(e) PRESERVATION OF EXISTING RIGHTS OF AC-~~
2 ~~CESS.—Nothing in this section shall impair any existing~~
3 ~~rights of access in favor of the public or any owner of~~
4 ~~adjacent lands over, under or across the lands which are~~
5 ~~referred to in subsection (a).~~

6 **SECTION 1. FINDINGS.**

7 *The Congress finds that:*

8 (1) *It is in the Federal Government's interest to*
9 *facilitate local development of jobs in areas of high*
10 *unemployment.*

11 (2) *Railroad interests in rights-of-way prevent*
12 *local communities from obtaining clear title to prop-*
13 *erty for development unless the city also obtains the*
14 *Federal reversionary interest in those rights-of-way.*

15 (3) *For development purposes, in order to secure*
16 *needed financing, the City of Tulare Redevelopment*
17 *Agency requires clear title to certain parcels of land*
18 *within the city's business corridor that are part of a*
19 *railroad right-of-way.*

20 **SEC. 2. TULARE CONVEYANCE.**

21 (a) *IN GENERAL.—Subject to subsections (c) and (d),*
22 *all conveyances to the Redevelopment Agency of the City*
23 *of Tulare, California, of lands described in subsection (b),*
24 *heretofore or hereafter, made directly by the Southern Pa-*
25 *cific Transportation Company, or its successors, are hereby*

1 *validated to the extent that the conveyances would be legal*
2 *or valid if all right, title, and interest of the United States,*
3 *except minerals, were held by the Southern Pacific Trans-*
4 *portation Company.*

5 **(b) LANDS DESCRIBED.**—*The lands referred to in sub-*
6 *section (a) are the parcels shown on the map entitled*
7 *“Tulare Redevelopment Agency-Railroad Parcels Proposed*
8 *to be Acquired”, dated 5/29/97, that formed part of a rail-*
9 *road right-of-way granted to the Southern Pacific Railroad*
10 *Company, or its successors, agents, or assigns, by the Fed-*
11 *eral Government (including the right-of-way approved by*
12 *an Act of Congress on July 27, 1866). The map referred*
13 *to in this subsection shall be on file and available for public*
14 *inspection in the offices of the Director of the Bureau of*
15 *Land Management.*

16 **(c) PRESERVATION OF EXISTING RIGHTS OF AC-**
17 **CESS.**—*Nothing in this section shall impair any existing*
18 *rights of access in favor of the public or any owner of adja-*
19 *cent lands over, under or across the lands which are referred*
20 *to in subsection (a).*

21 **(d) MINERALS.**—*The United States disclaims any and*
22 *all right of surface entry to the mineral estate of lands de-*
23 *scribed in subsection (b).*

Union Calendar No. 105

105TH CONGRESS
1ST Session

H. R. 960

[Report No. 105-171]

A BILL

To validate certain conveyances in the City of Tulare, Tulare County, California, and for other purposes.

JULY 8, 1997

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed