

Calendar No. 193

105TH CONGRESS
1ST SESSION

S. 589

[Report No. 105-98]

To provide for a boundary adjustment and land conveyance involving the Raggeds Wilderness, White River National Forest, Colorado, to correct the effects of earlier erroneous land surveys.

IN THE SENATE OF THE UNITED STATES

APRIL 16, 1997

Mr. CAMPBELL (for himself and Mr. ALLARD) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

OCTOBER 6, 1997

Reported by Mr. MURKOWSKI, with an amendment

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

A BILL

To provide for a boundary adjustment and land conveyance involving the Raggeds Wilderness, White River National Forest, Colorado, to correct the effects of earlier erroneous land surveys.

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

1 **SECTION 1. BOUNDARY ADJUSTMENT AND LAND CONVEY-**
2 **ANCE, RAGGEDS WILDERNESS, WHITE RIVER**
3 **NATIONAL FOREST, COLORADO.**

4 (a) FINDINGS.—Congress finds that—

5 (1) certain landowners in Gunnison County,
6 Colorado, who own real property adjacent to the por-
7 tion of the Raggeds Wilderness in the White River
8 National Forest, Colorado, have occupied or im-
9 proved their property in good faith and in reliance
10 on erroneous surveys of their properties that the
11 landowners reasonably believed were accurate;

12 (2) in 1993, a Forest Service resurvey of the
13 Raggeds Wilderness established accurate boundaries
14 between the wilderness area and adjacent private
15 lands; and

16 (3) the resurvey indicates that a small portion
17 of the Raggeds Wilderness is occupied by adjacent
18 landowners on the basis of the earlier erroneous land
19 surveys.

20 (b) PURPOSE.—The purpose of this section to remove
21 from the boundaries of the Raggeds Wilderness certain
22 real property so as to permit the Secretary of Agriculture
23 to use the authority of Public Law 97-465 (commonly
24 known as the “Small Tracts Act”) (16 U.S.C. 521e et
25 seq.) to convey the property to the landowners who occu-
26 pied the property on the basis of erroneous land surveys.

1 (c) ~~BOUNDARY ADJUSTMENT.~~—The boundary of the
2 Raggeds Wilderness, Gunnison National Forest and White
3 River National Forest, Colorado, as designated by section
4 102(a)(16) of Public Law 96–560 (94 Stat. 3267; 16
5 U.S.C. 1132 note), is modified to exclude from the area
6 encompassed by the wilderness a parcel of real property
7 approximately 0.86-acres in size situated in the SW $\frac{1}{4}$ of
8 the NE $\frac{1}{4}$ of Section 28, Township 11 South, Range 88
9 West of the 6th Principal Meridian, as depicted on the
10 map entitled “~~Encroachment-Raggeds Wilderness~~”, dated
11 November 17, 1993.

12 (d) ~~MAP.~~—The map described in subsection (c) shall
13 be on file and available for inspection in the appropriate
14 offices of the Forest Service, Department of Agriculture.

15 (c) ~~CONVEYANCE OF LAND REMOVED FROM WIL-~~
16 ~~DERNESS AREA.~~—The Secretary of Agriculture shall use
17 the authority provided by Public Law 97–465 (commonly
18 known as the “Small Tracts Act”) (16 U.S.C. 521e et
19 seq.) to convey all right, title, and interest of the United
20 States in and to the real property excluded from the
21 boundaries of the Raggeds Wilderness under subsection
22 (c) to the owners of real property in Gunnison County,
23 Colorado, whose real property adjoins the excluded real
24 property and who have occupied the excluded real property
25 in good faith reliance on an erroneous survey.

1 **SECTION 1. BOUNDARY ADJUSTMENT AND LAND CONVEY-**
2 **ANCE, RAGGEDS WILDERNESS, WHITE RIVER**
3 **NATIONAL FOREST, COLORADO.**

4 (a) *FINDINGS.*—Congress finds that—

5 (1) *certain landowners in Gunnison County,*
6 *Colorado, who own real property adjacent to the por-*
7 *tion of the Raggeds Wilderness in the White River*
8 *National Forest, Colorado, have occupied or improved*
9 *their property in good faith and in reliance on erro-*
10 *neous surveys of their properties that the landowners*
11 *reasonably believed were accurate;*

12 (2) *in 1993, a Forest Service resurvey of the*
13 *Raggeds Wilderness established accurate boundaries*
14 *between the wilderness area and adjacent private*
15 *lands; and*

16 (3) *the resurvey indicates that a small portion of*
17 *the Raggeds Wilderness is occupied by adjacent land-*
18 *owners on the basis of the earlier erroneous land sur-*
19 *veys.*

20 (b) *PURPOSE.*—It is the purpose of this section to re-
21 *move from the boundaries of the Raggeds Wilderness certain*
22 *real property so as to permit the Secretary of Agriculture*
23 *to use the authority of Public Law 97-465 (commonly*
24 *known as the “Small Tracts Act”) (16 U.S.C. 521c et seq.)*
25 *to convey the property to the landowners who occupied the*
26 *property on the basis of erroneous land surveys.*

1 (c) *BOUNDARY ADJUSTMENT.*—*The boundary of the*
2 *Raggeds Wilderness, Gunnison and White River National*
3 *Forests, Colorado, as designated by section 102(a)(16) of*
4 *Public Law 96–560 (94 Stat. 3267; 16 U.S.C. 1132 note),*
5 *is hereby modified to exclude from the area encompassed*
6 *by the wilderness a parcel of real property approximately*
7 *0.86-acres in size situated in the SW¹/₄ of the NE¹/₄ of Sec-*
8 *tion 28, Township 11 South, Range 88 West of the 6th Prin-*
9 *cipal Meridian, as depicted on the map entitled “Encroach-*
10 *ment-Raggeds Wilderness”, dated November 17, 1993.*

11 (d) *MAP.*—*The map described in subsection (c) shall*
12 *be on file and available for inspection in the appropriate*
13 *offices of the Forest Service, Department of Agriculture.*

14 (e) *CONVEYANCE OF LAND REMOVED FROM WILDER-*
15 *NESS AREA.*—*The Secretary of Agriculture shall use the au-*
16 *thority provided by Public Law 97–465 (commonly known*
17 *as the “Small Tracts Act”) (16 U.S.C. 521c et seq.) to con-*
18 *vey all right, title, and interest of the United States in and*
19 *to the real property excluded from the boundaries of the*
20 *Raggeds Wilderness under subsection (c) to the owners of*
21 *real property in Gunnison County, Colorado, whose real*
22 *property adjoins the excluded real property and who have*
23 *occupied the excluded real property in good faith reliance*
24 *on an erroneous survey.*

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