

## Union Calendar No. 303

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 1038

[Report No. 112-436]

To authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960.

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### IN THE HOUSE OF REPRESENTATIVES

MARCH 11, 2011

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

APRIL 16, 2012

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 italics]

[For text of introduced bill, see copy of bill as introduced on March 11, 2011]

# **A BILL**

To authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960.

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. CONVEYANCE OF LAND TO CORRECT ERRO-**  
4 **NEOUS SURVEY, COCONINO NATIONAL FOR-**  
5 **EST, ARIZONA.**

6 (a) *CONVEYANCE AUTHORIZED.*—*The Secretary of Ag-*  
7 *riculture may convey by quitclaim deed all right, title, and*  
8 *interest of the United States in and to the two parcels of*  
9 *land described in subsection (b) to a person or legal entity*  
10 *that represents (by power of attorney) the majority of land-*  
11 *owners with private property adjacent to the two parcels.*  
12 *These parcels are within the boundaries of the Coconino Na-*  
13 *tional Forest and contain private improvements that were*  
14 *developed based upon the reliance of the landowners in an*  
15 *erroneous survey conducted in May 1960.*

16 (b) *DESCRIPTION OF LAND.*—*The two parcels of land*  
17 *authorized for conveyance under subsection (a) consist of*  
18 *approximately 2.67 acres described in the Bureau of Land*  
19 *Management’s Survey Plat titled Subdivision and Metes*  
20 *and Bounds Surveys in secs. 28 and 29, T. 20 N., R. 7*  
21 *E., Gila and Salt River Meridian approved February 2,*  
22 *2010, as follows:*

23 (1) *Lot 2, sec. 28, T. 20 N., R. 7 E., Gila and*  
24 *Salt River Meridian, Coconino County, Arizona.*

1           (2) *Lot 1, sec. 29, T. 20 N., R. 7 E., Gila and*  
2           *Salt River Meridian, Coconino County, Arizona.*

3           (c) *CONSIDERATION.*—

4           (1) *AMOUNT OF CONSIDERATION.*—*As consider-*  
5           *ation for the conveyance of the two parcels under sub-*  
6           *section (a), the person or legal entity that represents*  
7           *(by power of attorney) the majority of landowners*  
8           *with private property adjacent to the parcels shall*  
9           *pay to the Secretary consideration in the amount of*  
10          *\$20,000.*

11          (2) *DEPOSIT.*—*The Secretary shall deposit the*  
12          *consideration received under this subsection in a spe-*  
13          *cial account in the fund established under Public Law*  
14          *90-171 (commonly known as the Sisk Act; 16 U.S.C.*  
15          *484a).*

16          (3) *USE.*—*The deposited funds shall be available*  
17          *to the Secretary, without further appropriation and*  
18          *until expended, for acquisition of land in the Na-*  
19          *tional Forest System.*

20          (d) *REVOCATION OF ORDERS.*—*Any public orders*  
21          *withdrawing any of the Federal land from appropriation*  
22          *or disposal under the public land laws are revoked to the*  
23          *extent necessary to permit conveyance of the Federal land*  
24          *under subsection (a).*

1       (e) *WITHDRAWAL OF FEDERAL LAND.*—Subject to  
2 *valid existing rights, the Federal land authorized for con-*  
3 *veyance under subsection (a) is withdrawn from all forms*  
4 *of entry and appropriation under the public land laws, lo-*  
5 *cation, entry, and patent under the mining laws, and oper-*  
6 *ation of the mineral leasing and geothermal leasing laws*  
7 *until the date which the conveyance is completed.*

8       (f) *OTHER TERMS AND CONDITIONS.*—The conveyance  
9 *authorized by subsection (a) shall be subject only to those*  
10 *surveys and clearances as needed to protect the interests of*  
11 *the United States.*

12       (g) *DURATION OF AUTHORITY.*—The authority pro-  
13 *vided under this section shall terminate three years after*  
14 *the date of the enactment of this Act.*

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