

Appendix C

Public Law 184 - 83d Congress
Chapter 310 - 1st Session
H. R. 5804

AN ACT

To authorize the Secretary of the Interior to grant easements for rights-of-way through, over, and under the parkway land along the line of the Chesapeake and Ohio Canal, and to authorize an exchange of lands with other Federal departments and agencies, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to grant perpetual easements, subject to such reasonable conditions as are necessary for the protection of the Federal interests, for rights-of-way through, over, or under the parkway lands along the line of the Chesapeake and Ohio Canal, now or hereafter acquired, for the purposes of electric, telephone, and telegraph lines or conduits, gas, oil, and water pipelines, tunnels, and water conduits, or for other utility purposes incident to industrial, commercial or agricultural use, or to the supply of water for domestic, public, or any other beneficial use, where it is intended to use such rights-of-way for any one or more of the purposes hereinabove named.

Chesapeake and
Ohio Canal.
Easements for
rights-of-way.
67 Stat. 359.
67 Stat. 360.

SEC. 2. No part of said easements shall be used for any other than the purposes for which they are granted, and in the event of any breach of this restriction, or in the event of any failure to observe the conditions in said easements, either of which shall continue for a period of ninety days after notice thereof, or in the event the said easement is abandoned for the purposes granted, the entire interest herein authorized to be granted shall, upon a declaration to that effect by the Secretary of the Interior, revert to the United States.

SEC. 3. The Secretary of the Interior shall cause an appraisal to be made of the fair market value of the said easements, including the resulting damage, if any, to the residue of the parkway lands, which appraisal, after approval by the Secretary of the Interior, shall be paid in cash by the grantees requesting the easement as the consideration for said easements when granted by the United States.

SEC. 4. The Secretary of the Interior is further authorized, in his discretion, to grant perpetual easements, subject to such conditions as are necessary for the protection of the Federal interest, for rights-of-way through, over, or under the parkway lands along the Chesapeake and Ohio Canal, now or hereafter acquired, for railroad tracks or for other utility purposes: *Provided*, That such easements may be granted in exchange for the relinquishment of existing easements across land now or hereafter in Federal ownership within the parkway: *Provided further*, That the Secretary may cause an appraisal to be made of the value of such easements and may require payment to be made by the grantee as provided in section 3 of this Act: *Provided further*, That no part of said easements shall be used for any other than the purposes for which they are granted, and in the event of any breach of this restriction, or in the event of any failure to observe the conditions in said easements, either of which shall continue for a period of ninety days after notice thereof, or in the event the said easement is abandoned for the purposes granted, the entire interest herein authorized to be granted, upon a declaration to that effect by the Secretary, shall revert to the United States.

SEC. 5. The Secretary of the Interior is hereby authorized, in his discretion, when in the best interest of the United States, to convey, at the fair market value, to counties and municipalities for roads, streets, highways, or other municipal facilities, by proper deed or instrument, any lands or interests in lands of the United States within the parkway along the line of the Chesapeake and Ohio Canal, under

Conveyances.

the jurisdiction of the Department of the Interior and located within the boundaries of such county or municipality, which are not needed for parkway purposes, but not to the extent of severing in any manner the continuity of the parkway lands from Great Falls to and including the city of Cumberland, Maryland.

Transfer of
Jurisdiction.

67 Stat., 360.
67 Stat., 361.

SEC. 6. The Secretary of the Interior, and the heads of other departments and agencies of the Federal Government administering lands along or adjacent to the line of the Chesapeake and Ohio Canal, are hereby authorized, for the purpose of facilitating the development, administration, and maintenance of said parkway, to transfer jurisdiction between their respective departments and agencies over such portions of the lands under their respective jurisdictions along or adjacent to the line of said canal as are surplus to their respective needs, without reimbursement, and under such conditions as may be mutually agreed upon by the Secretary of the Interior and the head of the other department or agency concerned; and such transfer of jurisdiction by any department or agency of the Federal Government in possession of such lands is hereby authorized.

Approved August 1, 1953.