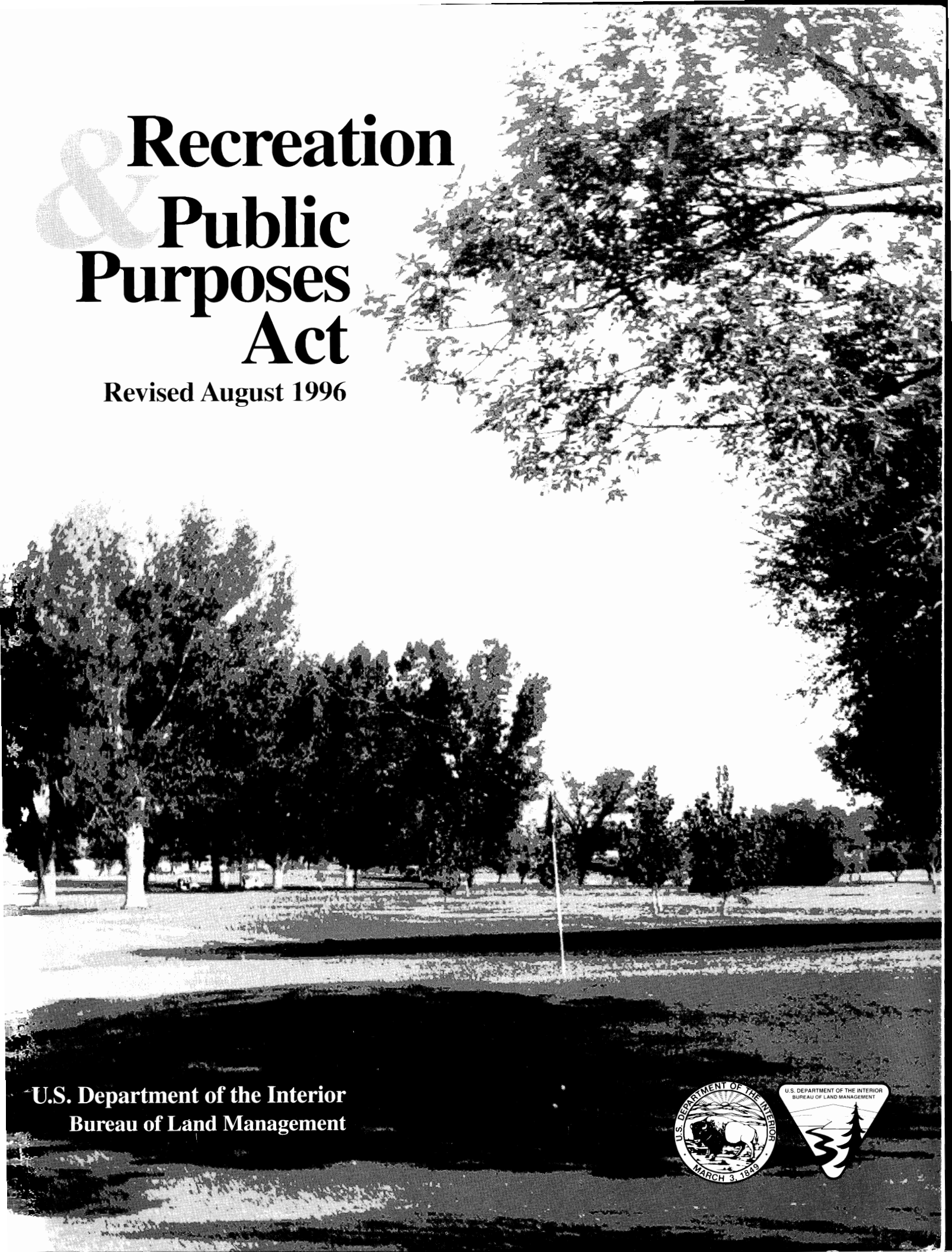
Recreation & Public Purposes Act

Revised August 1996



U.S. Department of the Interior
Bureau of Land Management

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Introduction

Over the past 40 years, Americans have expressed a dynamic and accelerated interest in outdoor recreation. Our expanding urban populations, increased mobility and leisure time, and higher standard of living have created a demand for more and better recreation facilities. By the same token, urban expansion and a growing population have increased the need for more public services, such as schools, community buildings, hospitals, and sanitary landfills, just to name a few.

Recognizing the strong public need for a nationwide system of parks and other recreational and public purposes areas, the Congress, in 1954, enacted the Recreation and Public Purposes Act (68 Statute 173; 43 United States Code 869 et. seq.) as a complete revision of the Recreation Act of 1926 (44 Stat. 741). This law is administered by the Bureau of Land Management (BLM).

The act authorizes the sale or lease of public lands for recreational or public purposes to State and local governments and to qualified nonprofit organizations. Examples of typical uses under the act are historic monument sites, campgrounds, schools, fire houses, law enforcement facilities, municipal facilities, landfills, hospitals, parks, and fairgrounds.

This pamphlet is designed to guide prospective applicants in obtaining lands and benefits under the act. Department of the Interior regulations for the Recreation and Public Purposes Act are found in Title 43 of the Code of Federal Regulations (43 CFR), Parts 2740 (Sales) and 2912 (Leases).

What Lands Are Covered By the Act?

The act applies to all Public Lands, except lands within national forests, national parks and monuments, national wildlife refuges, Indian lands, and acquired lands.

Under special authority, BLM administers about 2 million acres of revested Oregon and California Railroad and Coos Bay Wagon Road grant lands in western Oregon. These lands may only be leased by public agencies under the act.

—California Division of Forestry Fire Station, Shasta County, California

How Much Land May Be Purchased?

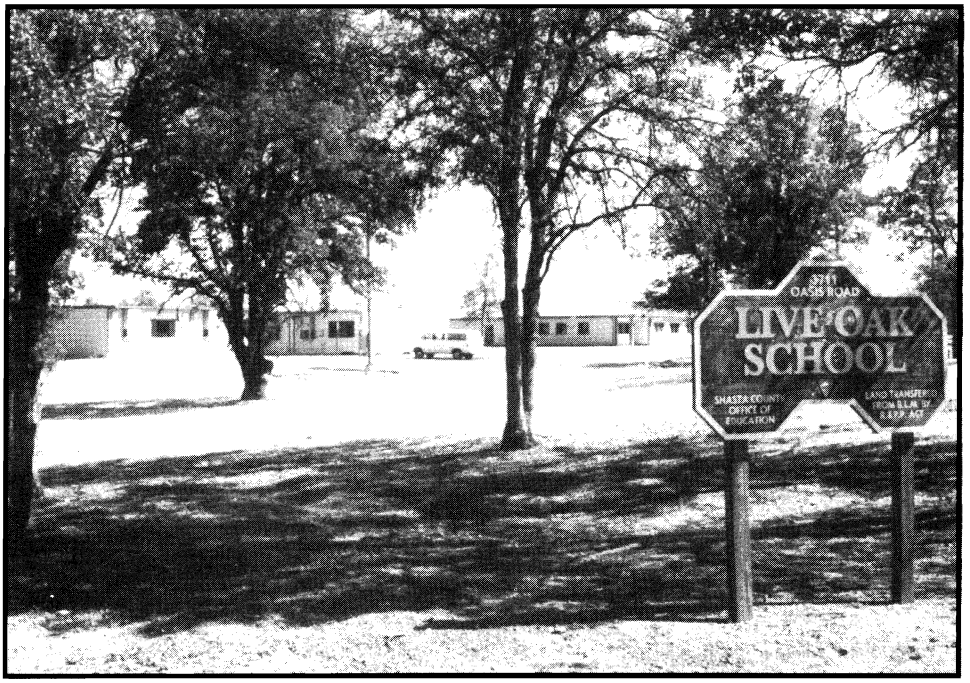
The amount of land an applicant can purchase is set by law. Whether the land is to be purchased or leased, the BLM will classify for purposes of the act **only the amount of land required for efficient operation of the projects described in an applicant's development plan**. Applicants should limit the land requested to a reasonable amount. Applicants will be required to first accept a lease, or lease with option to purchase, to assure approved development takes place before a sale is made and a patent (Government deed) is issued. Projects that may include the disposal, placement, or release of hazardous materials (i.e., sanitary landfills) may go directly to patent.

State Agencies and Other Political Subdivisions

Any State, State agency or political subdivision of a state may purchase for recreation purposes up to 6,400 acres annually, and as many small roadside parks and rest sites, up to 10 acres each, as may be needed. In addition, any State, State agency or political subdivision of a state may acquire 640 acres annually for each public purpose program other than recreation. These lands must be within the political boundaries of the agency or within the area of jurisdiction of the organization or, in the case of cities, they must lie within convenient access to the municipality and within the same State.

Nonprofit Organizations

Nonprofit organizations may purchase up to 640 acres a year for recreation purposes, and an additional 640 acres for other public purposes.



—High School, Redding, California

How Much Land May Be Leased?

The act sets no limitation on the amount of land which may be leased.

The Cost

A. State and Local Governments

1. **Recreation or Historic Monument Purposes.** Permanent conveyances of land for recreation or historical monument purposes are made without charge. Governments may lease lands for recreational use at no charge, but lands leased for historic monument purposes are subject to special pricing as described below.

2. **Other Public Uses.** Public agencies may purchase or lease land by two alternative pricing methods.

Special Pricing

Under special pricing schedules, purchases may be made for $10 an acre, with a minimum price per transfer of $50, or land may be leased for $2 per acre per year with a minimum annual rental of $25. Special pricing applies to land which will be government-controlled, used for government purposes, and serve the general public. Examples include parks, educational facilities, public health-related facilities, fire and law enforcement structures, courthouses, and State, county and community administrative service facilities, social services, storage and maintenance, extension services, and public works.

Regular Pricing

The rental or purchase price of land for uses that do not qualify for special pricing will be one-half of fair market value. The price will be 90 percent of fair market value if the use is restricted to members of a particular or limited group. Uses subject to regular pricing generally are those that are publicly supported and operated, but not essential or customary to government administration and services. They include cemeteries, museums, community centers, tourist information facilities, and fairgrounds.

B. Nonprofit Organizations

Nonprofit organizations may lease or purchase land for uses consistent with their articles of incorporation or creating authority. The lease or purchase price is one-half of the fair market value, or 90 percent if the use is not open to the public.

The charts below summarize the pricing schedule:

Conveyances

Proposed Use	Governmental Entities	Nonprofit Entities
Recreation and Historic Monument Purposes	No Cost	50% of FMV, except only 10% discount may be applied if use is restricted
Special Pricing Program Uses	$10 per acre, with a $50 minimum per transaction	50% of FMV, except only 10% discount may be applied if use is restricted
Regular Pricing Program Uses	50% of FMV, except only 10% discount may be applied if use is restricted	50% of FMV, except only 10% discount may be applied if use is restricted

Leases

Proposed Use	Governmental Entities	Nonprofit Entities
Recreation Purposes	No Cost	50% of FMV, except only 10% discount may be applied if use is restricted
Special Pricing Program Uses (includes historic monument purposes)	$2.00 per acre per year rental, with a $25 per year minimum per transaction	50% of FMV, except only 10% discount may be applied if use is restricted
Regular Pricing Program Uses	50% of FMV, except only 10% discount may be applied if use is restricted	50% of FMV, except only 10% discount may be applied if use is restricted

—Recreation Area, Murtaugh Lake, Idaho

Commitments

To obtain a lease, applicants must obligate themselves to the following commitments:

A. **Nondiscrimination**. Nondiscrimination as to access to the land and facilities based on race, color, religion, sex, age, or national origin in accordance with Title VI of the Civil Rights Act of 1964 (78 Stat. 241).

B. **Development and Management Plan**. To develop and manage the lands in accordance with an approved program of utilization that must include a plan of development and plan of management.

C. **Use Charges**. To make no more than reasonable charge for the use of facilities on the land (whether by concession or otherwise) and to charge no more for entrance to a use area than is charged at other comparable installations managed by State and local agencies, all charges to be subject to review and modification by the Secretary of the Interior under due process procedures.

Terms and Conditions

A. **Patents**. Patents issued under the Recreation and Public Purposes Act convey a restricted title since they contain certain provisions or clauses which, if not complied with, may result in reversion of the title to the United States. These provisions are:

1. Certain nondiscrimination clauses providing that the patentee may not restrict or permit restriction of the use of any of the lands conveyed or facilities thereon because of race, creed, color, sex, age, or national origin.

2. A provision that, if the patentee or its successor in interest attempts to transfer title or control over the land to another, or the land is devoted to a use other than that for which it was conveyed without the consent of the Bureau of Land Management, title will revert to the United States.

3. The patent will stipulate that the lands will be used in perpetuity for the purposes for which they are acquired. The lease or patent may stipulate that certain provisions of the development program, including the management plan, may be subject to review by the Secretary of the Interior or his delegate.

4. All minerals will be reserved to the United States.

B. **Lease Periods**. Lease periods may be for any length, but shall not exceed 20 years for nonprofit entities and 25 years for governmental entities.

C. **Lease Terms and Conditions**. Leases are issued subject to appropriate environmental and legal stipulations and contain provisions for compliance with:

1. Nondiscrimination based on race, creed, color, sex, age or national origin.

2. The approved plan of management and development upon which the lease was considered and issued. In addition, leases may be canceled for nonuse or a use other than that for which the lease was issued without prior consent of the BLM.

3. Under certain circumstances, the Federal Government may reserve the standing timber, use of water, or place other limitations on the use of natural resources.

4. Other reasonable stipulations as may be required as part of the consideration for the moderate charge being made for the land.

How Interested Parties Should Proceed

Anyone intending to submit an application must have a consultation with the local BLM office that manages the proposed lands prior to submitting the application. The consultation will cover such items as land status, application filing requirements, application processing steps, BLM policies and objectives, management responsibilities of the lessee or patentee and terms and conditions which may be required in a lease or patent, pricing policy, land use planning, and time frames for application processing.

The time of year an application is made may affect the processing time. Applications received late in the field season or during the winter months may be held up where field examinations cannot be made until the following spring. Delay also may result from the presence of unpatented mining claims since it is necessary to determine the validity of

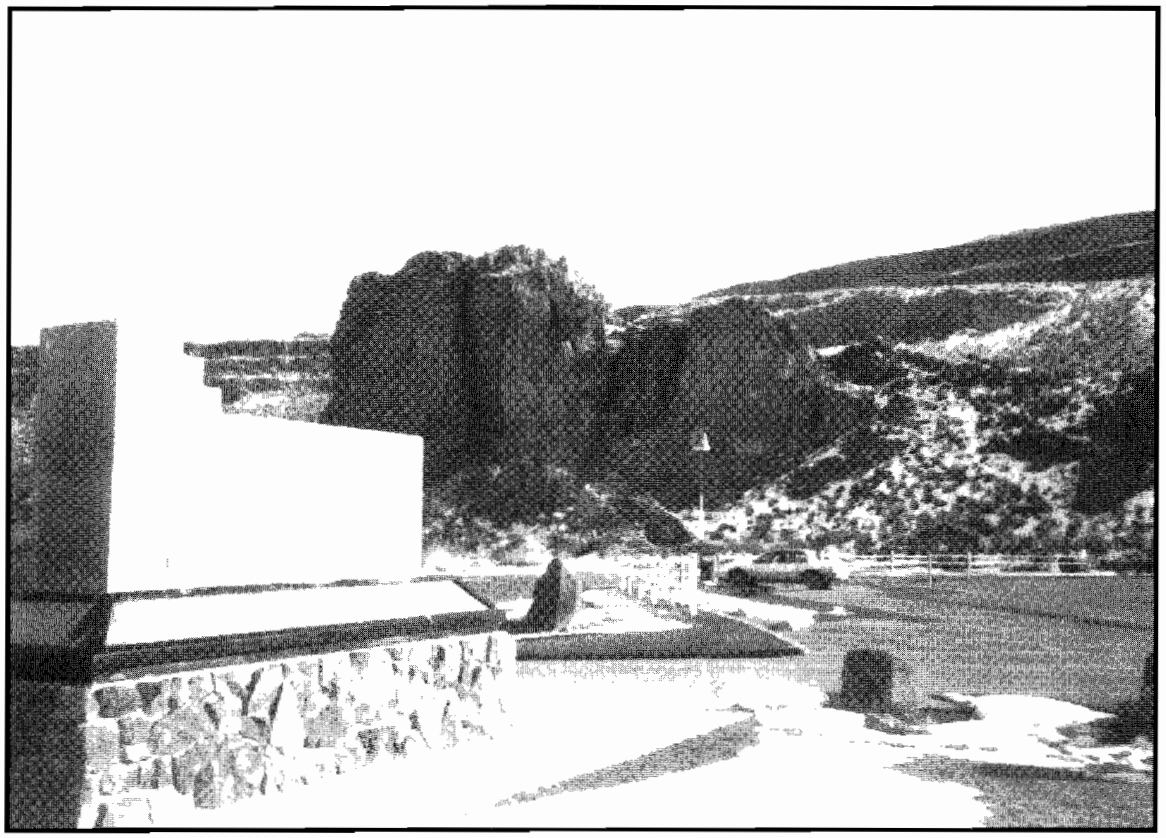
these claims or mineral potential of the area before acting on the applications. Similarly, when lands are sought which have been withdrawn (legally set aside) for power or other particular purposes, considerable time may be required to secure the necessary approvals.

With the advice and help of the local BLM office, prospective applicants should complete the following steps:

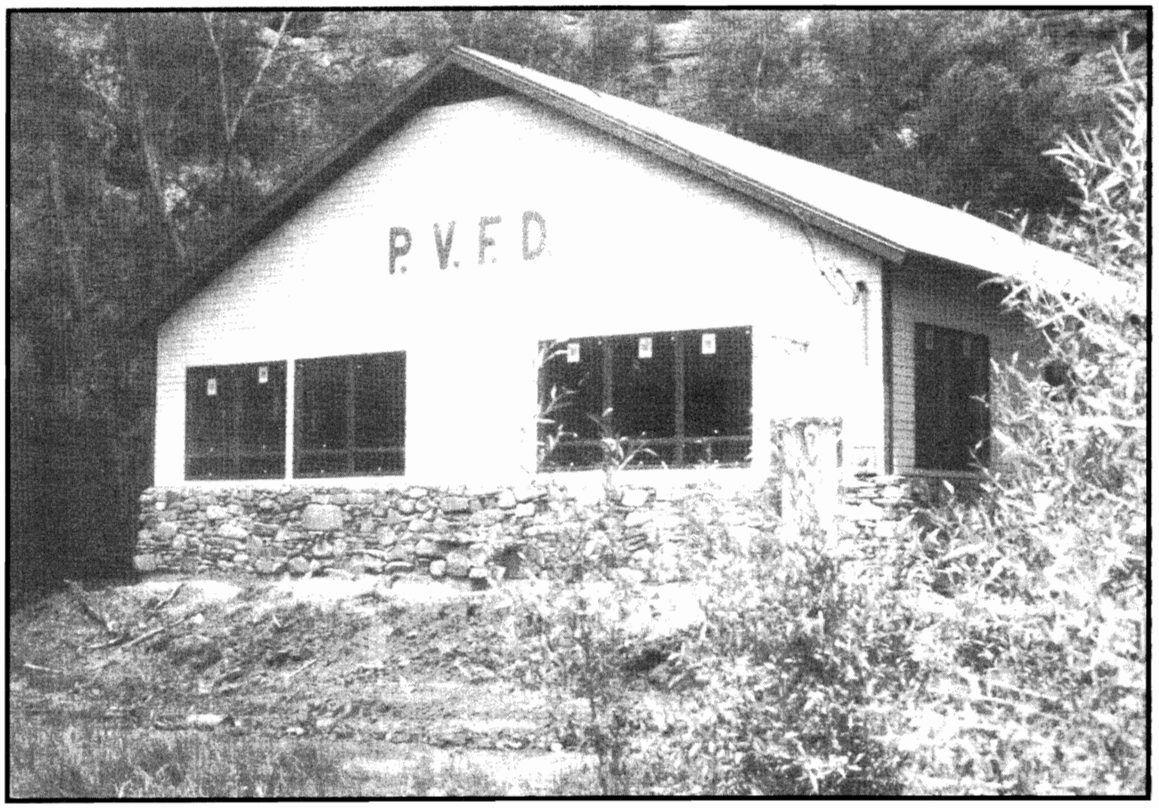
1. Determine that they are qualified to be an applicant under the act and secure evidence that they are legally empowered to lease or hold title to land.

2. Ensure that all the lands to be applied for are needed to accommodate a definite project that serves an actual need and that the project meets the established criteria for such a project. Land included in applications for patents or leases must be shown to be part of a **definite, well-planned project**. A development and management plan and construction schedule are required to ensure proper programming for the future use of the land.

3. Refer to BLM land status records for legal descriptions, acreage and status of lands desired, their availability and nature of any conflicts of record. Unpatented mining claim conflicts can be determined by researching county records, on-the-ground inspection, and the BLM automated mining claim recordation system.



—Community Park, Twin Falls, Idaho



Fire Station, Placerville, Colorado

Application Requirements

Applications are made on BLM Form 2740-1 (see Illustrations 1). In addition, the application should be accompanied by:

1. A $100.00 nonrefundable filing fee.

2. Certified copies of the Charter, Articles of Incorporation or Association, or other creating authority, if the applicant is a nongovernmental corporation or association.

3. A certified copy of a resolution or other evidence authorizing the filing of the application and further authorizing the signing officer to execute the application.

4. A draft development plan (including a site plan), and a management plan, to include:

   (a) A statement of the proposed use of lands, a detailed description of the proposed project and a statement describing administration of the tract (See Illustration 2.)

   (b) The anticipated expenditure for development (including source of funds to be used for development). (See Illustration 3.)

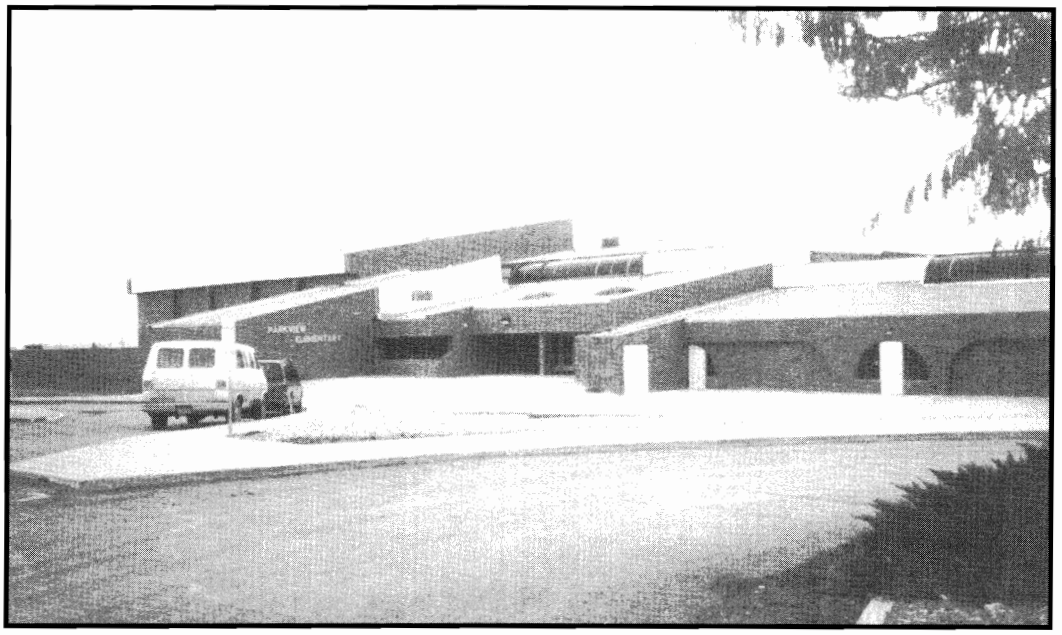
(c) A map showing the nature and location of facilities, land ownership of the entire project, and access routes. A professionally prepared site plan by a planner or architect is not usually required, but is encouraged and recommended as a means to ensure feasibility of the proposal, both functionally and economically. (See Illustrations 4 and 5.) In some cases, it may be desirable, for budgetary reasons, to submit the plan after the tract has been classified.

(d) Timetable for development. (See Illustration 6.)

(e) Explanation of proposed maintenance responsibilities and procedures should be provided. If all or portions of the area are to be preserved in a natural state, the protective measures should be explained. (See Illustration 7.)

The extent of the development plan will depend on the character of the land and its acreage, the purpose of the acquisition, the public demand to be served, and other variable factors. It need not be elaborate, but it must include as complete information as can be provided. **The plan should anticipate the development required during the first 5 years**, with general goals after that period. A principal cause of delay in processing applications has been submission of inadequate plans which require extensive revisions. If the tract is to be incorporated into a larger park or recreation area already established, the program for development of the overall area should be provided, with such modifications as the additional land entails.

Completed applications should be submitted to the BLM office that manages the applied for tract.



—Elementary School, Rangely, Colorado

BLM Procedures After Receipt of an Application

After receiving an application, the BLM will:

1. Determine if the proposal is in conformance with land use planning, review land status to determine if the lands are subject to application, and determine if the application meets all requirements of the law and regulations.

2. Review the development and management plans to determine their adequacy and effectiveness and evaluate the construction schedule and estimated financing to ensure they are realistic and practicable.

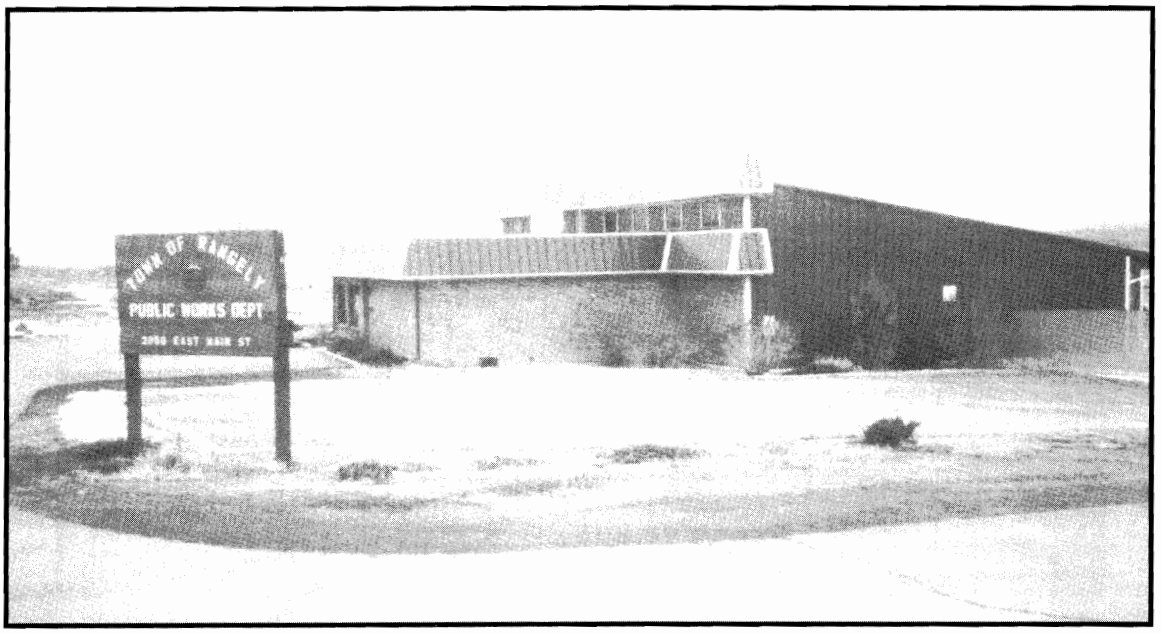
3. Secure the views of other agencies that may have an interest in the lands, including State and local planning and zoning departments.

4. Check for the presence of unpatented mining claims. R&PP leases and patents cannot be issued where mining claims are present. If it is necessary to determine the validity of a mining claim in order to allow the lease, the cost of the determination will be the responsibility of the applicant.

5. Conduct a field examination and other investigations to gather information and data on the environmental considerations and proper classification of the lands.

6. Publish a notice to solicit views and comments from the public concerning the proposal.

Based on its review and evaluation, Bureau officials may approve or disapprove any application in whole or in part, or require its revision.



—Public Works Building, Rangely, Colorado

—Golf Course, Worland, Wyoming

Responsibilities After Lease or Patent is Issued

The BLM periodically reviews areas leased or sold under the act to assure continued compliance with the terms.

The authorized use and character of the land must conform with the approved plan of development and management plan. Reasonable charges may be made to the public for use of facilities provided that fees are no more than those charged at comparable publicly owned installations. The schedule of charges is subject to review and approval by the Secretary of the Interior.

Title to land acquired under this act may be transferred to other parties only with the consent of the BLM (no consent is required if the patent does not contain a reverter provision). If the transfer includes additional uses or changes of use, the uses must be approved by the BLM. The recipient must also meet the qualifications of an applicant under the act. For example, a State agency may transfer title to a county park commission which will manage the tract. Most patents contain a reverter clause which returns title to the United States if the tract is used for purposes not provided for in the patent and not allowable under the act.

Each lease contains a termination clause which provides that, if the land has not been used for the purposes specified in the lease, or is being used for another purpose, the lease will be canceled. The lease may also be canceled if the terms of the development and management plans are not fulfilled, unless modifications of the plans are approved.

A lease may be assigned to another agency or organization with the consent of the BLM, if the assignee meets the qualifications of an applicant under the act. The lessee may surrender the lease or any part of it by filing a relinquishment with the BLM.

Additional information regarding the Recreation and Public Purposes Act may be obtained by contacting any BLM Office.

Glossary of Terms Used

Classification of Lands: An action taken, after examination and analysis through the land use planning process, that identifies a tract of public land as being suitable for a specific type of lease or disposal and opened to applications under applicable authorities.

Land Use Plan: A local BLM planning document designed to guide and control future management actions and the development of subsequent, more detailed and limited scope plans for resources and uses.

Nonprofit Association or Corporation: Any institutions, organizations, or associations which have been established according to local law and are held by the Internal Revenue Service to be tax-exempt.

Patent: A government deed; a document that conveys legal title of public lands to whom the patent is issued.

Plan of Development: An outline of how a definitely proposed and authorized project is to be implemented. The plan includes design drawings, surveys if needed, sketches, cost estimates, and construction schedules.

Plan of Management: A plan showing how lands are to be managed after development has progressed to the point where the project is in operation.

Public Lands: Any lands or interest in lands owned by the United States and administered by the Secretary of the Interior through the Bureau of Land Management, except lands located on the Outer Continental Shelf and lands held for the benefit of Indians, Aleuts and Eskimos.

Public Purpose: The purpose of providing facilities or services for the benefit of the public in connection with, but not limited to, public health, safety or welfare. Use of lands or facilities for habitation, cultivation, trade or manufacturing is permissible only when necessary for and integral to, i.e., an essential part of, the public purpose.

Special Pricing Program: A schedule of special prices established by the S ecretary of the Interior, based upon the fair market value of the property, with a reduction based on the proposed use.

Form 2740-1
(July 1992)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

APPLICATION FOR LAND FOR RECREATION OR PUBLIC PURPOSES

(Act of June 14, 1926, as amended; 43 U.S.C. 869; 869-4)

FORM APPROVED
OMB NO. 1004-0012
Expires: October 31, 1993

Date	Serial Number *(BLM use only)*
June 1, 1994	

Home phone *(include area code)*: 702-234-9876

1a. Applicant's name	b. Address *(include zip code)*	Business phone *(include area code)*
Routt County Board of County Commissioners	Box 372 Belmont, Nevada 89113	702-234-5628

2. Give legal description of lands applied for *(include metes and bounds description, if necessary)*

SUBDIVISION	SECTION	TOWNSHIP	RANGE	MERIDIAN
NW4NW4	27	4 N.	62 E.	MD
SW4NE4	28	4 N.	62 E.	MD

County of	State of	Containing *(acres)*
Routt	Nevada	80

3a. This application is for ☒ Lease and ☒ Purchase *(If lease, indicate years)*

b. Proposed use is ☒ Public Recreation ☐ Other Public Purposes

4. Attach three (3) copies of the completed statement required by 43 CFR 2741.4(b). *(Specifically identify an established or definitely proposed project for use of the land, a detailed plan and schedule for development, and a management plan which includes a description of how any revenues will be used.)*

See Attachments

5. If applicant is State or Political subdivision thereof, cite your statutory or other authority to hold land for these purposes.

County Board of Supervisors, Nevada Revised Statutes

6. Attach a copy of your authority for filing this application and to perform all acts incident thereto.

7. If land described in this application has not been classified for recreation and/or public purposes pursuant to the Recreation and Public Purposes Act, consider this application as a petition for such classification.

(Continued on reverse)

8. Are all activities, facilities, services, financial aid, or other benefits as a result of your proposed development provided without regard to race, color, religion, national origin, sex, or age? ☒ Yes ☐ No *(If "no," describe the situation or activity and your plans for achieving compliance.)*

Applicant's Signature Janet Y. Booth | Date June 1, 1994

Title 18 U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representation as to any matter within its jurisdiction.

GENERAL INSTRUCTIONS

1. Type or print plainly in ink.
2. Submit application and three (3) copies of related plans to the proper BLM State Office for the State in which the land is located.
3. Study controlling regulations in 43 CFR 2740 *(Sales)* and 43 CFR 2912 *(Leases)*.
4. If applicant is non-governmental association or corporation attach a copy of your charter, articles of incorporation or other creating authority. If this information has been previously filed with any BLM office, refer to previous filing by date, place, and case serial number.
5. If applicant is non-governmental association or corporation, attach a copy of your authority to operate in the State where the lands applied for are located. If previously filed with any BLM office, refer to previous filing by date, place, and case serial number.

SPECIFIC INSTRUCTIONS

(Items not listed are self-explanatory)

Item

2. If land is surveyed, give complete legal description. If land is unsurveyed, description should be by metes and bounds connected, if feasible, by course and distance with a corner of public land survey. If possible, approximate legal subdivisions of unsurveyed lands should be stated. Acreage applied for *must not exceed* that specified by regulations.

3a. Generally, title to lands will not be granted upon initial approval of an application. In order to assure proper development or use plans, the general practice will be to issue a lease or lease with option to purchase after development is essentially completed. In any case, term of lease may not exceed 20 years for non-profit organizations or 25 years for governmental agencies, instrumentalities or political subdivisions.

4. Leases and patents under this act are conditioned upon continuing public enjoyment of the purposes for which the land is classified. The plan of development, use, and maintenance *must* show, at a minimum:

   a. A need for proposed development by citing population trends, shortage of facilities in area, etc.

   b. That the land will benefit an existing or definitely proposed public project authorized by proper authority.

   c. Type and general location of all proposed improvements, including public access *(roads, trails, etc.)*. This showing may take the form of inventory lists, maps, plats, drawings, or blueprints in any combination available and necessary to describe the finished project. Site designs should be provided for intensive use sites and general information about improvements existing or planned on lands within the overall project.

   d. An estimate of the construction costs, how the proposed project will be financed, including a list of financial sources, and an estimated timetable for actual construction of all improvements and facilities.

   e. A plan of management to include operating rules, proposed source and disposition of revenues arising from the proposed operation, personnel requirements, etc.

   f. A specific maintenance plan to include, for example, sewage and garbage disposal, road maintenance, upkeep and repair of grounds and physical facilities, etc.

   g. Applications for solid waste disposal sites *must* comply with guidelines established by the Environmental Protection Agency (40 CFR 240 and 241) and *must* include a detailed physical description of the site (including a map showing 5-foot contours at a scale of 1 inch = 200 feet), description of ground water situation, soil characteristics and management plan.

6. This may consist of a copy of a delegation of authority, resolution or other evidence of authority from the governing board of the applicant's organization, copy of the by-laws of the organization, or the like.

The Paperwork Reduction Act of 1980 (44 U.S.C. 3501, et. seq.) requires us to inform you that:

Information is being collected to process your request for Federal lands under the provisions of June 14, 1926 (43 U.S.C. 869 as amended), Recreation and Public Purposes Act.

Information will be used to illustrate whether the applicant meets requirements of regulations found in 43 CFR Subpart 2740.

Response to this request is mandatory, see regulations found in 43 CFR Subpart 2741.4.

☆ U.S. GOVERNMENT PRINTING OFFICE 1992—676-426

PROPOSED INDIAN CREEK PARK
Development and Improvement Plan

1. Description

The proposed Indian Creek Park comprises 80 acres situated around the junction of the East and the West Forks of Indian Creek, and encompasses 1 miles of shoreline along the streams. The site is located 25 miles southwest of Adams (population 18,000). Nevada State Highway 38, an all-weather gravel road; leads to within 1/2 mile of Indian Creek . There are no existing or known proposed public outdoor recreation facilities within 35 miles and this location is the only available site southwest of Adams. The East and the West Forks join near the mouth of a steep scenic canyon. The proposed site is on relatively level benchland supporting an open stand of large ponderosa pines and aspen. Indian Creek provides excellent trout fishing and elk, deer, and other wildlife are numerous in the vicinity.

2. Statement of Need

This region is now subject to intense recreational pressures from the local population, especially from Adams, and to a lesser extent from tourists using Highway 38. A serious public health and litter problem has been created by use of these undeveloped lands for picnicking and overnight camping and pollution of Indian Creek by human wastes. Recent road counts along Nevada 38 indicate an average weekday traffic flow from April to October of 225 units, while weekends and holidays average 850 units. This traffic is primarily the result of people looking for places to picnic, camp, fish, hike in the mountains, or just to enjoy nature. hunters camp in this location during the winter months. There is one public picnic area with 60 units ten miles northeast of Adams, subjected to severe overuse. During the past several years,this site has shown an average weekend attendance which increased 300 percent (600 visits in 1988 to 1800 visits in 1992). The population of Adams has increased from 9,000 in 1980 to the present 18,000, which is one of the largest percentage increases in the State. With this population growth, new industries have been established in the vicinity, and continued increase in population is to be expected. Scheduled resurfacing of Nevada 38 during the next few years is expected to increase the average daily summer traffic flow from 225 units to more than 1,000 units.

3. Location

The lands embraced by the proposed park are under various forms of management by this agency (see General Vicinity Map):

T. 4 N., R. 62 E., MD Meridian, Nevada

Section 21	S½SE¼SW¼	owned fee title
Section 22	S½SW¼SW¼	owned fee title
Section 27	SW¼NE¼NE¼	leased
Section 28	S½NE¼NE¼	owned fee title
	NW¼NE¼	leased with option to purchase
	N½NE¼NE¼	o wn 20' easement along Indian Creek and right-of-way for vehicular traffic

The lands embraced by the instant application will be used as follows:

Section 27	NW¼NW¼	Overnight campground and development of foot trails
Section 28	SW¼NE¼	Fishing access, overlook and foot trails. No major recreational developments other than a foot bridge crossing the West Fork of Indian Creek are contemplated. This tract is desired to act as a buffer zone between intensive development as exhibited in the camp and picnic grounds and adjoining privately owned lands. Therefore, it is intended that this tract remain in its natural state.

It is urgent that the development of public outdoor recreation facilities be initiated in the Indian Creek area. Development of the proposed Indian Creek Park will not only help alleviate the intense demand for such facilities, but will also act as a springboard for the future acquisition and development of similar sites in this area which are now in private ownership.

4. Concurrence in this project has been obtained from the Routt County Planning Commission. A copy of their comments is enclosed.

Description of proposed improvements and estimated cost of development for lands encompassed by the proposed Indian Creek Park:

Unit 1 Indian Creek Campground (See Site Design)

NW¼NW¼, Section 27, T. 4 N., R. 62 E., MD Meridian, Nevada

Surveying, planning,and construction of 1/2-mile interior road, 10 feet wide, graded gravel and crushed stone with 4-inch macadam surface; 10 parking units, 3-inch macadam surface; 1/2-mile foot trail, 3 feet wide, graveled.

Clearing, leveling, and developing of campsites, with 20 family units (camping).

Subtotal $21,250

Unit 2 (See General Vicinity Map)

SW¼NE¼, Section 28, T. 4 N., R. 62 E., MD Meridian, Nevada

1/2-mile foot trail, 3 feet wide, graveled; 1 foot bridge crossing West Fork Indian Creek, 5 feet wide by 20 feet long, log-steel structure.

Subtotal 2,000

In addition to the above improvements to be placed on the lands applied for, the following amounts will be expended on county owned or leased land in developing Indian Creek Park.

Subtotal 33,000

The 5-year annual rental for the BLM lands applied for, purchase of 30 acres of privately owned land, annual rental of leased private land, and final purchase price of the BLM land will require an expenditure of $6,300 over the five-year period.

Subtotal 7,800

TOTAL **$64,050**

In addition to the above costs, the county will provide maintenance and custodial services.

(Also **show source of funds to be used in developing and maintaining the site**.)

Illustration 4

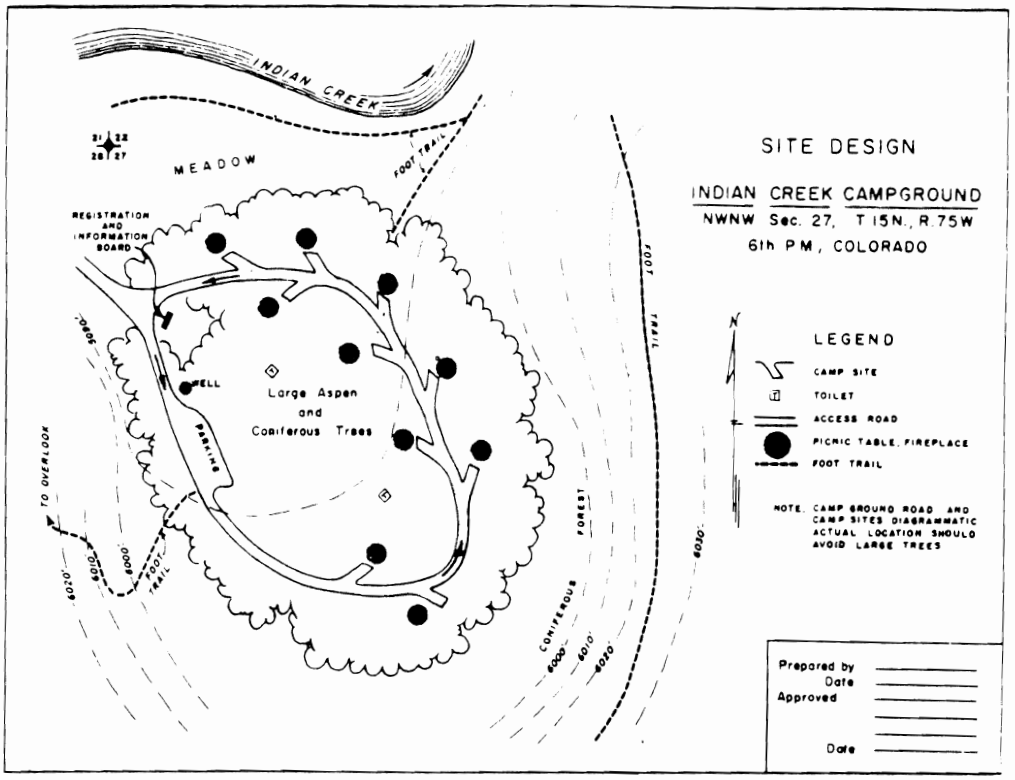
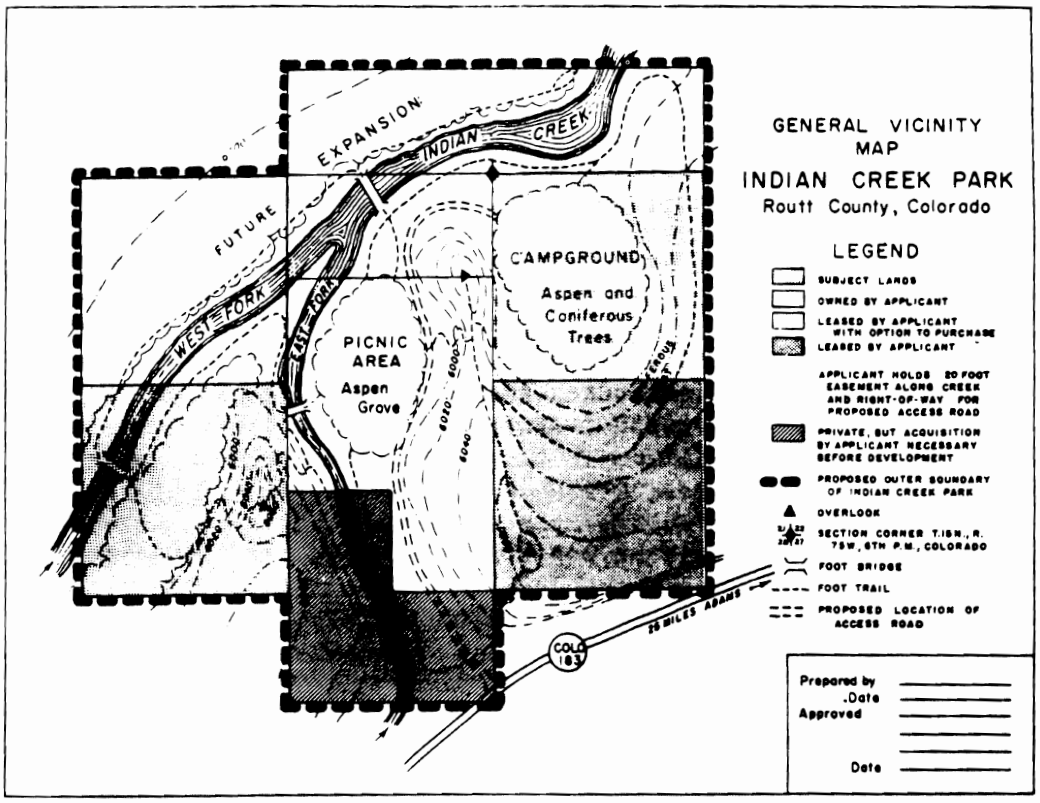


Illustration 5



Timetable for Development of the Indian Creek Park

The plan is to develop the park over a 5-year period which will commence with the lease of the lands applied for. Prior to the end of the 5-year lease period construction will be completed and purchase of the BLM lands will be requested. The proposed timetable for development will approximate the following:

First Year

1.	Acquisition and rental costs:	
	Annual rental for BLM lands applied for, 80 acres @ $2/acre	$ 160
	annual rental of other property within park	300
	Purchase of 30 acres now impeding full utilization and development of Indian Creek Park	5,500
2.	Development costs:	
	Surveys for road and trail construction; development plans for picnic grounds and campgrounds	5,000
		$10,960

Second Year

Annual rental for BLM lands applied for, 80 acres @ $2/acre	160
Annual rental of leased lands	300
Construction of access and interior roads and parking area	12,500
Initial construction of picnic grounds	10,000
Initial construction of foot trails	750
	$23,710

Third Year

Annual rental for BLM lands applied for, 80 acres @ $2/acre	160
Annual rental of leased lands	300
Completion of picnic grounds	10,000
Completion of foot trails	1,500
	$11,960

Fourth Year

Annual rental for BLM lands applied for, 80 acres @ $2/acre	160
Annual rental of leased lands	300
Initial construction of campground	5,000
Construction of two foot bridges	3,000
	$8,460

Fifth Year

Annual rental for BLM lands applied for, 80 acres @ $2/acre		160
Annual rental of leased lands		300
Completion of campground		7,000
Construction of one foot bridge		1,500
		$8,960

Sixth Year

Purchase of BLM leased lands, 80 acres @ $10.00/acre		800
	TOTAL	**$64,050**

Management Plan

In consideration of the nominal annual rental of $2. per acre per year and final purchase price of $10.00 per acre, the Routt County Park Commission (through the Board of County Commissioners), agrees to the following commitments, which commitments will be incorporated by reference in the conveyance of the subject lands:

1. To maintain the lands open to use by the public for recreational purposes without discrimination or favor.

2. To make no more than a reasonable charge for the use of facilities on the land (whether by concession or otherwise) and to charge no more for entrance to and use of the area than is charged at other comparable installations managed by State and local agencies. The Commission will submit to the Bureau of Land Management its schedule of charges. All charges shall be subject to review for conformance with this requirement and appropriate modification by the Secretary of the Interior or his delegate after reasonable notice and opportunity for hearing.

3. To develop and manage the lands in accordance with the approved program of utilization, submitted with this application.

4. To secure the approval of the Secretary of the Interior or his delegate of all plans of construction prior to commencing actual construction.

5. To maintain in satisfactory condition the facilities on these lands.

Form 2912-1
(April 1992)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Serial Number

NVN 87153

RECREATION OR PUBLIC PURPOSES LEASE

Act of June 14, 1926, as amended (43 U.S.C. 869 *et. seq.*)

This lease entered into on this 15 day of July , 19 94 , by the United States of America, the lessor, through the authorized officer of the Bureau of Land Management, and Routt County, State of Nevada

, hereinafter called the lessee, pursuant and subject to the terms and provisions of the Recreation and Public Purposes Act and to all reasonable regulations of the Secretary of the Interior now or hereafter in force when not inconsistent with any express and specific provisions herein, which are made a part hereof,

WITNESSETH:

Sec. 1. The lessor, in consideration of the rents to be paid and the conditions to be observed as hereinafter set forth, does hereby grant and lease to the lessee the right and privilege of using for the purposes hereinafter set forth in the following-described lands:

NW4NW4, Section 27 and

SW4NE4, Section 28, T. 4 N. R. 62 E., MDM

containing 80 acres, together with the right to construct and maintain thereon all buildings or other improvements necessary for such use for a period of 5 years, the rental to be $ 160 per annum. If, at the expiration date of the lease the authorized officer shall determine that the lease may be renewed, the lessee herein will be accorded the privilege of renewal upon such terms as may be fixed by the lessor. The lessee may use the premises for

Sec. 2. There are reserved to the United States all mineral deposits in said lands, together with the right to mine and remove the same under applicable laws and regulations to be established by the Secretary of the Interior.

Sec. 3. The lessor reserves the right of entry, or use, by

(a) any authorized person, upon the leased area and into the buildings constructed thereon for the purpose of inspection;

(b) Federal agents and game wardens upon the leased area on official business;

(c) the United States, its permittees and licensees, to mine and remove the mineral deposits referred to in Sec. 2, above.

Sec. 4. In consideration of the foregoing, the lessee hereby agrees:

(a) To improve and manage the leased area in accordance with the plan of development and management designated as Indian Creek Park development and improvement plan and approved by an authorized officer on July 5, 1994 or any modification thereof hereinafter approved by an authorized officer, and to maintain all improvements, during the term of this lease, in a reasonably good state of repair.

(b) To pay the lessor the annual rental above set forth in advance during the continuance of this lease.

(c) Not to allow the use of the lands for unlawful purposes or for any purpose not specified in this lease unless consented to under its terms; not to prohibit or restrict, directly or indirectly, or permit its agents, employees, contractors (including, without limitation, lessees, sublessees, and permittees), to prohibit or restrict the use of any part of the leased premises or any of the facilities thereon by any person because of such person's race, creed, color, sex, or national origin.

(d) Not to assign this lease or to change the use of the land, without first receiving the consent of the authorized officer of the Bureau of Land Management.

(e) That this lease may be terminated after due notice to the lessee upon a finding by the authorized officer that the lessee had failed to comply with the terms of the lease, or has failed to use the leased lands for the purposes specified in this lease for a period of consecutive years; or that all or part of the lands is being devoted to some other use not consented to by the authorized officer; or that the lessee has not complied with his development and management plans referred to in subsection 4(a).

(f) That upon the termination of this lease by expiration, surrender, or cancellation thereof, the lessee, shall surrender possession of the premises to the United States in good condition and shall comply with such provisions and conditions respecting the removal of the improvements of and equipment on the property as may be made by an authorized officer.

(g) To take such reasonable steps as may be needed to protect the surface of the leased area and the natural resources and improvements thereon.

(h) Not to cut timber on the leased area without prior permission of, or in violation of the provisions and conditions made by an authorized officer.

(i) That nothing contained in this lease shall restrict the acquisition, granting, or use of permits or rights-of-way under existing laws by an authorized Federal officer.

Sec. 5. *Equal Opportunity Clause.* Lessee will comply with all provisions of Executive Order No. 11246 of September 24, 1965, as amended, and the rules, regulations, and relevant orders of the Secretary of Labor. Neither lessee nor lessee's subcontractors shall maintain segregated facilities.

Sec. 6 *Equal Access Clause.* Lessee shall comply with all provisions of the American Disabilities Act of July 26, 1990, the Architectural Barriers Act of 1968, and Section 504 of the Rehabilitation Act of 1973, as amended. These Acts require that programs and public facilities constructed or renovated be accessible to and usable by persons with disabilities.

Sec. 7. The lessee may surrender this lease or any part thereof by filing a written relinquishment in the appropriate BLM office. The relinquishment shall be subject to the payment of all accrued rentals and to the continued obligation of the lessee to place the lands in condition for relinquishment in accordance with the applicable lease terms in subsections 4(f) and 4(g) and the appropriate regulations.

Sec. 8. The lessee further agrees to comply with and be bound by those additional terms and conditions identified as

NVN 87153 Terms and Conditions (attached)

and which are made a part hereof.

Sec. 9. No Member of, or Delegate to, the Congress, or Resident Commissioner, after his election or appointment, and either before or after he has qualified, and during his continuance in office, and no officer, agent, or employee of the Department of the Interior, except as otherwise provided in 43 CFR, Part 7, shall be admitted to any share or part of this lease, or derive any benefit that may arise therefrom, and the provisions of Title 18 U.S.C. Sections 431—433, relating to contracts, enter into and form a part of this lease, so far as the same may be applicable.

FOR EXECUTION BY LESSEE

IN WITNESS WHEREOF:

Cynthia L. Norby
(Signature of Lessee's Authorized Officer)

Stephanie N. Johnson
(Signature of Witness)

July 12, 1994
(Date)

THE UNITED STATES OF AMERICA

By Rusty Easton
(Authorized Officer)

Area Manager
(Title)

July 15, 1994
(Date)

This form does not constitute an information collection as defined by 44 U.S.C. 3502 and therefore does not require OMB approval.