

Public Law 109–126
109th Congress

An Act

Dec. 7, 2005
[H.R. 680]

To direct the Secretary of Interior to convey certain land held in trust for the Paiute Indian Tribe of Utah to the City of Richfield, Utah, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

25 USC 766 note.

SECTION 1. LAND CONVEYANCE TO CITY.

Deadline.

(a) **AUTHORIZATION FOR CONVEYANCE.**—Not later than 90 days after the Secretary receives a request from the Tribe and the City to convey all right, title, and interest of the United States and the Tribe in and to the Property to the City, the Secretary shall take the Property out of trust status and convey the Property to the City.

(b) **TERMS AND CONDITIONS.**—The conveyance under subsection (a) shall be subject to the following conditions:

(1) **TRIBAL RESOLUTION.**—Prior to conveying the Property under subsection (a), the Secretary shall ensure that the terms of the sale have been approved by a tribal resolution of the Tribe.

(2) **CONSIDERATION.**—Consideration given by the City for the Property shall be not less than the appraised fair market value of the Property.

(3) **NO FEDERAL COST.**—The City shall pay all costs related to the conveyance authorized under this section.

(c) **PROCEEDS OF SALE.**—The proceeds from the conveyance of the Property under this section shall be given immediately to the Tribe.

(d) **FAILURE TO MAKE CONVEYANCE.**—If after the Secretary takes the Property out of trust status pursuant to subsection (a) the City or the Tribe elect not to carry out the conveyance under that subsection, the Secretary shall take the Property back into trust for the benefit of the Tribe.

25 USC 766 note.

SEC. 2. TRIBAL RESERVATION.

Land acquired by the United States in trust for the Tribe after February 17, 1984, shall be part of the Tribe's reservation.

25 USC 766 note.

SEC. 3. TRUST LAND FOR SHIVWITS OR KANOSH BANDS.

If requested to do so by a tribal resolution of the Tribe, the Secretary shall take land held in trust by the United States for the benefit of the Tribe out of such trust status and take that land into trust for the Shivwits or Kanosh Bands of the Paiute Indian Tribe of Utah, as so requested by the Tribe.

SEC. 4. CEDAR BAND OF PAIUTES TECHNICAL CORRECTION.25 USC 761–763,
766 and note.

The Paiute Indian Tribe of Utah Restoration Act (25 U.S.C. 761) is amended by striking “Cedar City” each place it appears and inserting “Cedar”. Any reference in a law, map, regulation, document, paper, or other record of the United States to the “Cedar City Band of Paiute Indians” shall be deemed to be a reference to the “Cedar Band of Paiute Indians”.

SEC. 5. DEFINITIONS.

25 USC 766 note.

For the purposes of this Act:

(1) CITY.—The term “City” means the City of Richfield, Utah.

(2) PROPERTY.—The term “Property” means the parcel of land held by the United States in trust for the Paiute Indian Tribe of Utah located in Section 2, Township 24 South, Range 3 West, Salt Lake Base and Meridian, Sevier County, Utah and more particularly described as follows: Beginning at a point on the East line of the Highway which is West 0.50 chains, more or less, and South 8° 21° West, 491.6 feet from the Northeast Corner of the Southwest Quarter of Section 2, Township 24 South, Range 3 West, Salt Lake Base and Meridian, and running thence South 81° 39° East, perpendicular to the highway, 528.0 feet; thence South 26° 31° West, 354.6 feet; thence North 63° 29° West, 439.3 feet to said highway; thence North 8° 21° East, along Easterly line of said highway 200.0 feet to the point of beginning, containing 3.0 acres more or less.

(3) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(4) TRIBE.—The term “Tribe” means the Paiute Indian Tribe of Utah.

Approved December 7, 2005.

LEGISLATIVE HISTORY—H.R. 680:

SENATE REPORTS: No. 109–175 (Comm. on Indian Affairs).

CONGRESSIONAL RECORD, Vol. 151 (2005):

Mar. 14, considered and passed House.

Nov. 18, considered and passed Senate.