



11/1/2019: Sample language on federal interest in acquired property

Provided by RESTORE Council:

The following is an example of "standard" language related to acquisition of property and protection of the Federal interest. Similar language would be required in any easement or agreement obtained with Council funding. Additional language might also be required related to the allowable and unallowable uses of the property.

"This real property (hereinafter the "Property") has been acquired by the [__insert name of Owner__] (in whole or in part) with funds provided by the Gulf Coast Ecosystem Restoration Council ("RESTORE Council" or "Council", which term also includes any successor agency to the RESTORE Council), pursuant to RESTORE Council Award No. [_____] under the Spill Impact Component of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies Act of the Gulf Coast States Act of 2012 (33 USC 1321(t)) ("RESTORE Act") and pursuant to [__If applicable, insert appropriate information subaward info made under the Award__]. [__Recipient/Subrecipient__] shall manage the Property solely for the purposes of the Award and [__if appropriate insert subaward__] ("Authorized Award Conservation Purposes") in accordance with applicable Federal, State, and local law. This restriction benefits and is enforceable by the RESTORE Council [__If a Subrecipient purchases and owns the property, insert: "and the [__Recipient__], jointly or severally"__].

Specifically, the Authorized Award Conservation Purposes are to [__insert appropriate information about Authorized Award Conservation Purposes__].

The RESTORE Council has a Federal interest in the Property to ensure that it is used and maintained for Authorized Award Conservation Purposes. No (i) use of the Property in contravention of Authorized Award Conservation Purposes; (ii) encumbrance on the Property; or (iii) sale, lease, transfer, assignment, donation, or other disposition of the Property or any right therein, shall be undertaken or effectuated without the prior express written approval of the Council. In addition, [__Recipient/Subrecipient__] shall comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d, the Americans with Disabilities Act (42 U.S.C. 12204), and with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794). These laws prohibit discrimination on the basis of race, religion, national origin, or disability."