

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

# H. R. 4658

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IN THE SENATE OF THE UNITED STATES

JULY 29, 2010

Received

AUGUST 5, 2010

Read twice and referred to the Committee on Agriculture, Nutrition, and  
Forestry

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## AN ACT

To authorize the conveyance of a small parcel of National Forest System land in the Cherokee National Forest and to authorize the Secretary of Agriculture to use the proceeds from that conveyance to acquire a parcel of land for inclusion in that national forest, and for other purposes.

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. SHORT TITLE.**

4       This Act may be cited as the “Benton MacKaye  
5       Cherokee National Forest Land Consolidation Act of  
6       2010”.

7       **SEC. 2. LAND CONVEYANCES, CHEROKEE NATIONAL FOR-**  
8               **EST, TENNESSEE.**

9       (a) CONVEYANCE AUTHORIZED.—The Secretary of  
10      Agriculture (in this section referred to as the “Secretary”)  
11      shall convey and quitclaim to the Towee Falls Baptist  
12      Church all right, title, and interest of the United States  
13      in and to a parcel of National Forest System land in Cher-  
14      okee National Forest consisting of approximately 66.5  
15      acres surrounding the Towee Falls Baptist Church, as  
16      generally depicted on the map titled “Legislative Map  
17      H.R. 4658” and dated June 1, 2010 (in this section re-  
18      ferred to as the “parcel”).

19      (b) CONSIDERATION.—

20           (1) CONSIDERATION REQUIRED.—As consider-  
21      ation for the conveyance of the parcel, the Towee  
22      Falls Baptist Church shall pay to the Secretary an  
23      amount of cash equal to the market value of the par-  
24      cel based on an appraisal approved by the Secretary.

1           (2) DEPOSIT OF CONSIDERATION.—The consid-  
2           eration received under paragraph (1) shall be depos-  
3           ited into the account in the Treasury established by  
4           Public Law 90–171 (commonly known as the Sisk  
5           Act; 16 U.S.C. 484a).

6           (3) USE OF CONSIDERATION.—

7           (A) IN GENERAL.—Monies deposited pur-  
8           suant to paragraph (1) shall be available to the  
9           Secretary, until expended and without further  
10          appropriation, for the acquisition of lands and  
11          interests in land in the Cherokee National For-  
12          est in Tennessee.

13          (B) ACQUISITION OF DOC ROGERS  
14          TRACT.—Congress finds that it is in the public  
15          interest that the Secretary acquire from the  
16          Monroe County Tennessee Board of Education  
17          all right, title, and interest of the Board of  
18          Education in and to a tract of land in Monroe  
19          County, Tennessee, consisting of approximately  
20          102 acres and known as the “Doc Rogers  
21          tract”. The Secretary may apply the monies de-  
22          posited pursuant to paragraph (1) to acquire  
23          the Doc Rogers tract if the Secretary and the  
24          Monroe County Tennessee Board of Education

1 reach agreement on the terms of a Federal ac-  
2 quisition.

3 (c) VALUATION.—The parcel will be appraised in ac-  
4 cordance with appraisal specifications prescribed by the  
5 Secretary, and such specifications shall include that the  
6 parcel be valued as a free standing lot unconnected with  
7 any larger tract, and unencumbered with any Forest Serv-  
8 ice special use authorization held by the Church.

9 (d) CONDITION OF CONVEYANCE.—The conveyance  
10 of the parcel shall be subject to the condition that the  
11 Towee Falls Baptist Church accept the parcel in its condi-  
12 tion at the time of conveyance (commonly known as a con-  
13 veyance “as is”).

14 (e) SURVEY AND COSTS.—The exact acreage and  
15 legal description of the parcel shall be determined by a  
16 survey satisfactory to the Secretary of Agriculture. The  
17 cost of the survey and all other costs incurred by the Sec-  
18 retary to convey the parcel shall be borne by the Towee  
19 Falls Baptist Church.

20 (f) ADDITIONAL TERMS.—The Secretary may require  
21 such additional terms and conditions in connection with  
22 the conveyance of the parcel as the Secretary considers  
23 appropriate to protect the interests of the United States.

1 **SEC. 3. STATUTORY PAY-AS-YOU-GO LANGUAGE.**

2       The budgetary effects of this Act, for the purpose of  
3 complying with the Statutory Pay-As-You-Go Act of 2010,  
4 shall be determined by reference to the latest statement  
5 titled “Budgetary Effects of PAYGO Legislation” for this  
6 Act, submitted for printing in the Congressional Record  
7 by the Chairman of the House Budget Committee, pro-  
8 vided that such statement has been submitted prior to the  
9 vote on passage.

Passed the House of Representatives July 28, 2010.

Attest:                   LORRAINE C. MILLER,  
*Clerk.*