

111TH CONGRESS
2D SESSION

S. 3050

To direct the Secretary of Agriculture to convey to Miami-Dade County certain federally owned land in Florida, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 1, 2010

Mr. NELSON of Florida (for himself and Mr. LEMIEUX) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To direct the Secretary of Agriculture to convey to Miami-Dade County certain federally owned land in Florida, 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. DEFINITIONS.**

4 In this Act:

5 (1) COUNTY.—The term “County” means
6 Miami-Dade County in the State of Florida.

7 (2) PROPERTY.—The term “Property” means
8 approximately 2.0 acres, more or less, of the feder-
9 ally owned land comprising the Subtropical Horti-

1 culture Research Station in the County, as described
2 in section 2(b).

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

5 **SEC. 2. LAND CONVEYANCE.**

6 (a) IN GENERAL.—On receipt of the consideration
7 and cost reimbursement described in this Act, the Sec-
8 retary shall convey and quitclaim to the County, all right,
9 title, and interest of the United States in and to the Prop-
10 erty, subject to easements and rights-of-way of record and
11 such other terms and conditions as the Secretary may pre-
12 scribe.

13 (b) PROPERTY DELINEATION.—Of the federally
14 owned land comprising the Subtropical Horticulture Re-
15 search Station, the Secretary and the authorized rep-
16 resentative of the County shall mutually delineate 2.0
17 acres, more or less, fronting on SW 67th Avenue for con-
18 veyance as the Property.

19 (c) CONSIDERATION.—

20 (1) IN GENERAL.—As consideration for the con-
21 veyance of the Property, the County shall pay to the
22 Secretary an amount in cash equal to the market
23 value of the Property.

24 (2) DETERMINATION OF VALUE.—

1 (A) IN GENERAL.—To determine the mar-
2 ket value of the Property, the Secretary shall
3 have the Property appraised in conformity with
4 Uniform Appraisal Standards for Federal Land
5 Acquisitions developed by the Interagency Land
6 Acquisition Conference.

7 (B) APPRAISAL.—The approved appraisal
8 shall at all times be the property of the United
9 States.

10 (d) SURVEY.—As consideration for the conveyance of
11 the Property, the County shall—

12 (1) at its cost, survey the exterior boundaries of
13 the Subtropical Horticulture Research Station and
14 the Property to Federal survey standards to the sat-
15 isfaction of the Secretary; and

16 (2) provide to the Secretary certified originals
17 with signature and raised seal.

18 (e) RELEASE.—The County, by a recordable instru-
19 ment satisfactory to the Secretary, shall release the De-
20 partment of Agriculture from that instrument dated Sep-
21 tember 8, 2006, and entitled “Unity of Title”.

22 (f) TIME OF CONVEYANCE.—Not later than 120 days
23 after the date on which the County deposits the consider-
24 ation with the Department of Agriculture, the Secretary
25 shall convey the Property to the County.

1 (g) CORRECTIONS.—With the agreement of the
2 County, the Secretary may make minor corrections or
3 modifications to the legal description of the Property.

4 **SEC. 3. COSTS.**

5 (a) TRANSACTION COSTS.—At closing for the convey-
6 ance of the Property under this Act, the County shall pay
7 or reimburse the Secretary, as appropriate, for the reason-
8 able transaction and administrative personnel costs associ-
9 ated with the conveyance authorized by this Act, including
10 the transaction costs of appraisal, title, hazardous sub-
11 stances examination, and closing costs.

12 (b) ADMINISTRATIVE COSTS.—In addition to trans-
13 action costs under subsection (a), the County shall pay
14 administrative costs in the liquidated amount of \$50,000.

15 (c) ATTORNEYS' FEES.—The County and the Sec-
16 retary shall each bear their own attorneys' costs.

17 **SEC. 4. RECEIPTS.**

18 (a) IN GENERAL.—The Secretary shall deposit the
19 consideration and receipts for costs into the Treasury of
20 the United States to be credited to the appropriation for
21 the Agricultural Research Service.

22 (b) AVAILABILITY AND USE.—The sum described in
23 subsection (a) shall be available to the Secretary until ex-
24 pended, without further appropriation, for the operation,

1 upkeep, and maintenance of the Subtropical Horticulture
2 Research Station in the County.

3 **SEC. 5. MISCELLANEOUS PROVISIONS.**

4 (a) SECURITY FENCING.—

5 (1) IN GENERAL.—On or before the date of
6 closing for the conveyance of the Property under this
7 Act, the County shall, at its cost, contract for the
8 construction of a security fence located on the
9 boundary between the Property and the adjacent
10 land administered by the Secretary.

11 (2) APPROVAL.—The fence shall be of materials
12 and standards approved in advance by the Secretary.

13 (3) TEMPORARY STRUCTURES.—The Secretary
14 may approve temporary security structures for use
15 during construction phases.

16 (b) OTHER TERMS.—The Secretary and the County
17 may effect the purpose of this Act on such additional
18 terms as are mutually acceptable and are not inconsistent
19 with this Act.

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