

111TH CONGRESS
2D SESSION

S. 3613

To direct the Secretary of Agriculture to convey certain federally owned land located in Story County, Iowa.

IN THE SENATE OF THE UNITED STATES

JULY 19, 2010

Mr. GRASSLEY (for himself and Mr. HARKIN) 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 certain federally owned land located in Story County, Iowa.

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. PURPOSES AND DEFINITIONS.**

4 (a) PURPOSES.—The purposes of this Act are—

5 (1) to direct the conveyance of approximately
6 44 acres, more or less, of federally owned land ad-
7 ministered by the Agricultural Research Service to
8 the City of Ames, Iowa; and

9 (2) to authorize the use of the funds derived
10 from the conveyance to purchase replacement land

1 and for other purposes relating to the National Ani-
 2 mal Disease Center.

3 (b) DEFINITIONS.—In this Act:

4 (1) CITY.—The term “City” means the City of
 5 Ames, Iowa, and its assigns.

6 (2) PROPERTY.—The term “Property” means
 7 approximately 44 acres, more or less, of the federally
 8 owned land comprising part of the National Animal
 9 Disease Center, which—

10 (A) was acquired by the United States in
 11 1951 within sec. 1, T. 83 N., R. 24 W., Fifth
 12 Principal Meridian; and

13 (B) is generally located on 13th Street in
 14 the City.

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

17 **SEC. 2. PROPERTY CONVEYANCE.**

18 (a) IN GENERAL.—On receipt of the consideration
 19 and cost reimbursement provided in this Act, the Sec-
 20 retary shall convey and quitclaim to the City, all rights,
 21 title, and interests of the United States in the Property
 22 subject to easements and rights of record and such other
 23 reservations, terms, and conditions as the Secretary may
 24 prescribe.

25 (b) CONSIDERATION.—

1 (1) IN GENERAL.—As consideration for the con-
2 veyance authorized by this Act, the City shall pay to
3 the Secretary an amount in cash equal to the market
4 value of the Property.

5 (2) APPRAISAL.—

6 (A) IN GENERAL.—To determine the mar-
7 ket value of the Property, the Secretary shall
8 have the Property appraised for the highest and
9 best use of the Property in conformity with the
10 Uniform Appraisal Standards for Federal Land
11 Acquisitions developed by the Interagency Land
12 Acquisition Conference.

13 (B) REQUIREMENTS.—The appraisal shall
14 be subject to review and approval by the Sec-
15 retary, and the approved appraisal shall at all
16 times be the Property of the United States.

17 (c) CORRECTIONS.—With the agreement of the City,
18 the Secretary may make minor corrections or modifica-
19 tions to the legal description of the Property or configure
20 the Property to facilitate conveyance.

21 (d) COSTS.—

22 (1) IN GENERAL.—Except as provided in para-
23 graph (2), the City shall at closing pay or reimburse
24 the Secretary, as appropriate, for the reasonable
25 transaction and administrative costs incurred by the

1 Secretary associated with the conveyance authorized
2 by this Act, including personnel costs directly attrib-
3 utable to the transaction, and the transactional costs
4 of appraisal, survey, title review, hazardous sub-
5 stances examination, and closing costs.

6 (2) ATTORNEYS' FEES.—The City and the Sec-
7 retary shall each bear their own attorneys' fees.

8 (e) HAZARDOUS MATERIALS.—

9 (1) IN GENERAL.—For the conveyance author-
10 ized by this Act, the Secretary shall meet disclosure
11 requirements for hazardous substances, but shall
12 otherwise not be required to remediate or abate
13 those substances or any other hazardous pollutants,
14 contaminants, or waste that might be present on the
15 Property at the time of closing.

16 (2) LEAD-BASED PAINT OR ASBESTOS-CON-
17 TAINING BUILDING MATERIALS.—

18 (A) IN GENERAL.—Notwithstanding any
19 provision of law relating to the mitigation or
20 abatement of lead-based paint or asbestos-con-
21 taining building materials and except as pro-
22 vided in subparagraph (B), the Secretary shall
23 not be required to mitigate or abate any lead-
24 based paint or asbestos-containing building ma-

1 terials present on the Property at the time of
2 closing.

3 (B) REQUIREMENTS.—If the Property has
4 lead-based paint or asbestos-containing building
5 materials, the Secretary shall—

6 (i) provide notice to the City of the
7 presence of the lead-based paint or asbes-
8 tos-containing building materials; and

9 (ii) obtain written assurance from the
10 City that the City will comply with applica-
11 ble Federal, State, and local laws relating
12 to the management of the lead-based paint
13 and asbestos-containing building materials.

14 (f) OTHER TERMS.—The Secretary and the City may
15 agree on such additional terms as may be mutually accept-
16 able and that are not inconsistent with the provisions of
17 this Act.

18 **SEC. 3. RECEIPTS.**

19 (a) IN GENERAL.—The Secretary shall deposit all
20 funds received from the conveyance authorized under this
21 Act, including the market value consideration and the re-
22 imbursement for costs, into the Treasury of the United
23 States to be credited to the appropriation for the Agricul-
24 tural Research Service.

1 (b) USE OF FUNDS.—Notwithstanding any limitation
2 in applicable appropriation Acts for the Department of
3 Agriculture or the Agricultural Research Service, all funds
4 deposited into the Treasury pursuant to subsection (a)
5 shall—

6 (1) be available to the Secretary until expended,
7 without further appropriation, for the acquisition of
8 land and interests in land and other related pur-
9 poses of the National Animal Disease Center; and

10 (2) be considered to authorize the acquisition of
11 land for the purposes of section 11 of the Act of Au-
12 gust 3, 1956 (7 U.S.C. 428a).

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