

109TH CONGRESS
2D SESSION

H. R. 5799

To provide for the Secretary of Agriculture to release the reversionary interest of the United States on certain land in the State of Florida if encroachments and trespassing have occurred on that land, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 13, 2006

Mr. MILLER of Florida (for himself and Ms. GINNY BROWN-WAITE of Florida) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To provide for the Secretary of Agriculture to release the reversionary interest of the United States on certain land in the State of Florida if encroachments and trespassing have occurred on that land, 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. BLACKWATER RIVER AND WITHLACOOCHEE**

4 **STATE FORESTS, FLORIDA.**

5 (a) RELEASE.—If the State of Florida, not later than
6 10 years after the date of the enactment of this Act, noti-
7 fies the Secretary of Agriculture that encroachments by

1 improvements or occupation have occurred before July 13,
2 2006, on one or more of the parcels of real property de-
3 scribed in subsection (b), the Secretary shall release to
4 Florida all right, title, and interest of the United States
5 in and to any identified parcel, such right, title, and inter-
6 est consisting of the reversionary interest of the United
7 States on the affected areas within any identified parcel
8 without further Federal administrative review or analysis.

9 (b) ORIGINAL DEEDED LAND DESCRIPTIONS.—

10 (1) The parcel of real property described in a
11 deed dated November 4, 1955, conveying certain
12 lands in Santa Rosa County to the State of Florida.

13 (2) The parcel of real property described in a
14 deed dated April 11, 1957, conveying certain lands
15 in Santa Rosa County to the State of Florida.

16 (3) The parcel of real property described in a
17 deed dated November 4, 1955, conveying certain
18 lands in Okaloosa County to the State of Florida.

19 (4) The parcel of real property described in a
20 deed dated November 26, 1982, conveying certain
21 lands in Citrus, Hernando, Pasco, and Sumter
22 Counties to the State of Florida.

23 (c) DEEDS.—The 4 deeds referred to in subsection
24 (b) are recorded as follows:

1 (1) Deed Book 122, pages 397–437, Santa
2 Rosa County, Florida.

3 (2) Deed Book 133, pages 333–337, Santa
4 Rosa County, Florida.

5 (3) Deed Book 121, pages 511–528, Okaloosa
6 County, Florida.

7 (4) Official Record Book 610, pages 1228–
8 1237, Citrus County, Florida.

9 (5) Official Record Book 517, pages 491–500,
10 Hernando County, Florida.

11 (6) Official Record Book 269, pages 126–135,
12 Sumter County, Florida.

13 (7) Official Record Book 1240, pages 1065–
14 1074, Pasco County, Florida.

15 (d) CONSIDERATION.—The United States shall re-
16 ceive no funds as consideration for the release of the rever-
17 sionary interests under subsection (a). As consideration
18 for such release, the State of Florida shall agree to the
19 following:

20 (1) USE OF PROCEEDS.—All net proceeds from
21 the sale, exchange, or other disposition of the real
22 property subject to the reversionary interests shall
23 be used by the State of Florida for the acquisition
24 of other lands within or adjacent to the exterior

1 boundaries of Blackwater River State Forest and
2 Withlacoochee State Forest.

3 (2) USE OF ACQUIRED LANDS.—Any lands ac-
4 quired by the sale, exchange, or other disposition of
5 the real property subject to the reversionary inter-
6 ests shall become a part of the State forest in which
7 the acquired lands are located and shall be subject
8 to the condition that the acquired lands be used for
9 public purposes.

10 (3) RETENTION OF LAND BASE.—The total
11 land base of such State forests shall not be reduced
12 below the original acreage of the real property in-
13 cluded in the conveyances described in subsection
14 (a), except in the case of any lands conveyed at the
15 request of the United States, and the total land base
16 shall be managed in perpetuity as State forest land.

17 (4) FUND; RECORDS.—All net proceeds from
18 the sale, exchange, or other disposition of the real
19 property subject to the reversionary interests shall
20 be maintained by the State of Florida in a separate
21 fund prior to use under paragraph (1). The record
22 of all transactions involving such fund shall be open
23 to inspection by the Secretary of Agriculture.

24 (5) INDEMNIFICATION.—The State of Florida
25 shall agree to indemnify and hold the United States

1 harmless with regard to any boundary disputes re-
2 lated to any parcel released under this section.

3 (6) SURVEY; MAPS.—Before any release of a re-
4 versionary interest under subsection (a), the State of
5 Florida shall provide to the Secretary, at the ex-
6 pense of the State of Florida, a survey and a map
7 acceptable to the Secretary of the areas encroached
8 upon by improvements or occupied to be identified
9 and for which a release under subsection (a) is re-
10 quested.

11 (e) INSTRUMENT OF RELEASE.—Not later than 90
12 days after receipt from the State of Florida of an identi-
13 fied parcel under subsection (a), the Secretary of Agri-
14 culture shall execute and file in the appropriate office or
15 offices a deed of release, amended deed, or other appro-
16 priate instrument effectuating the release of the rever-
17 sionary interests on that parcel.

18 (f) AVAILABILITY OF RECORDS.—The survey and
19 maps required under subsection (d)(6), deeds, and other
20 relevant legal records related to any release of a rever-
21 sionary interest under subsection (a) shall be kept on file
22 and available for public inspection at the appropriate office
23 of the Department of Agriculture.

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