

113TH CONGRESS
1ST SESSION

H. R. 417

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

IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 2013

Ms. ROS-LEHTINEN (for herself, Mr. DIAZ-BALART, Ms. WASSERMAN SCHULTZ, Ms. WILSON of Florida, and Mr. GARCIA) introduced the following bill; which was referred to the Committee on Agriculture

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. CONVEYANCE OF LAND COMPRISING SUB-**
4 **TROPICAL HORTICULTURE RESEARCH STA-**
5 **TION.**

6 (a) DEFINITIONS.—In this section:

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

1 (2) PROPERTY.—The term “Property” means
2 approximately 2 acres, more or less, of the federally
3 owned land comprising the Subtropical Horticulture
4 Research Station in the County, which—

5 (A) has been mutually delineated by the
6 Secretary and the authorized representative of
7 the County; and

8 (B) fronts on SW 67th Avenue in Palmetto
9 Bay, Florida.

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

12 (b) PROPERTY CONVEYANCE.—

13 (1) IN GENERAL.—Not later than 120 days
14 after the date on which the County deposits the con-
15 sideration under paragraph (2) and cost reimburse-
16 ment provided in this section with the Department
17 of Agriculture, the Secretary shall convey and quit-
18 claim to the County, all rights, title, and interests of
19 the United States in the Property, subject to ease-
20 ments and rights of record and such other reserva-
21 tions, terms, and conditions as the Secretary may
22 prescribe.

23 (2) CONSIDERATION.—

24 (A) IN GENERAL.—As consideration for
25 the conveyance of the Property, the County

1 shall pay to the Secretary an amount in cash
2 equal to the market value of the property.

3 (B) APPRAISAL.—To determine the market
4 value of the Property, the Secretary shall have
5 the Property appraised for the highest and best
6 use of the Property in conformity with the Uni-
7 form Appraisal Standards for Federal Land Ac-
8 quisitions developed by the Interagency Land
9 Acquisition Conference. The approved appraisal
10 shall at all times be the property of the United
11 States.

12 (3) CORRECTIONS.—With the agreement of the
13 County, the Secretary may make minor corrections
14 or modifications to the legal description of the Prop-
15 erty.

16 (4) COSTS.—

17 (A) TRANSACTION COSTS.—Except as pro-
18 vided in subparagraph (C), the County shall, at
19 closing for the conveyance of the Property
20 under this section, pay or reimburse the Sec-
21 retary, as appropriate, for the reasonable trans-
22 action and administrative personnel costs asso-
23 ciated with the conveyance authorized by this
24 section, including the transaction costs of ap-

1 praisal, title, hazardous substances examina-
2 tion, and closing costs.

3 (B) ADMINISTRATIVE COSTS.—In addition
4 to transaction costs under subparagraph (A),
5 the County shall pay administrative costs in the
6 liquidated amount of \$50,000.

7 (C) ATTORNEYS' FEES.—The County and
8 the Secretary shall each bear their own attor-
9 neys' fees.

10 (5) SURVEY.—The County shall, at its cost,
11 survey the exterior boundaries of the Subtropical
12 Horticulture Research Station and the Property in
13 accordance with Federal survey standards and to the
14 satisfaction of the Secretary, and shall provide to
15 the Secretary certified originals with signature and
16 raised seal.

17 (6) RELEASE.—The County, by a recordable in-
18 strument that the Secretary determines is satisfac-
19 tory, shall release the Department of Agriculture
20 from the instrument dated September 8, 2006, titled
21 “Unity of Title”.

22 (7) SECURITY FENCING.—On or before closing
23 for the conveyance of the Property under this sec-
24 tion, the County shall, at its cost, contract for the
25 construction of a security fence located on the

1 boundary between the Property and the adjacent
2 land administered by the Secretary. The fence shall
3 be of materials and standards approved in advance
4 by the Secretary. The Secretary may approve tem-
5 porary security structures for use during construc-
6 tion phases of the fence.

7 (8) OTHER TERMS.—The Secretary and the
8 County may otherwise effect the purpose of this sec-
9 tion on such additional terms as are mutually ac-
10 ceptable and which are not inconsistent with the
11 provisions of this section.

12 (c) RECEIPTS.—

13 (1) IN GENERAL.—The Secretary shall deposit
14 all funds received from the conveyance authorized
15 under this section, including the market value con-
16 sideration and the reimbursement for costs, into the
17 Treasury of the United States to be credited to the
18 appropriation for the Agricultural Research Service.

19 (2) USE OF FUNDS.—Notwithstanding any limi-
20 tation in applicable appropriation Acts for the De-
21 partment of Agriculture or the Agricultural Re-
22 search Service, all funds deposited into the Treasury
23 pursuant to subsection (b) shall be available to the
24 Secretary until expended, without further appropria-

- 1 tion, for the operation, upkeep, and maintenance of
- 2 the Subtropical Horticulture Research Station.

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