

112TH CONGRESS
2D SESSION

S. 3390

To direct the Secretary of Agriculture to convey to Miami-Dade County certain Federal land in the State of Florida for the purpose of building a fire station.

IN THE SENATE OF THE UNITED STATES

JULY 17, 2012

Mr. RUBIO (for himself and Mr. NELSON of Florida) 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 Federal land in the State of Florida for the purpose of building a fire station.

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 Federal
9 land comprising the Subtropical Horticulture Re-

1 search Station in Miami-Dade County, Florida, as
2 described 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.—Upon 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, for the purpose of building a fire station.

13 (b) PROPERTY DELINEATION.—Of the Federal land
14 comprising the Subtropical Horticulture Research Station,
15 the Secretary and the authorized representative of the
16 County shall mutually delineate 2.0 acres, more or less,
17 fronting on SW 67th Avenue for conveyance as the Prop-
18 erty.

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 the Uniform Appraisal Standards for Federal
5 Land Acquisitions.

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

9 (d) SURVEY.—The County shall, at its cost—

10 (1) survey the exterior boundaries of the Sub-
11 tropical Horticulture Research Station and the
12 Property to Federal survey standards to the satis-
13 faction of the Secretary; and

14 (2) provide to the Secretary certified originals
15 with signature and raised seal.

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

20 (f) TIME OF CONVEYANCE.—The Secretary shall con-
21 vey the Property to the County not later than 120 days
22 after the date on which the County deposits the consider-
23 ation with the Secretary.

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. MISCELLANEOUS PROVISIONS.**

18 (a) SECURITY FENCING.—

19 (1) IN GENERAL.—On or before closing for the
 20 conveyance of the Property under this Act, the
 21 County shall, at its cost, contract for the construc-
 22 tion of a security fence located on the boundary be-
 23 tween the Property and the adjacent land adminis-
 24 tered by the Secretary.

1 (2) REQUIREMENTS.—The fence shall be of ma-
2 terials and standards approved in advance by the
3 Secretary.

4 (3) TEMPORARY STRUCTURES.—The Secretary
5 may approve temporary security structures for use
6 during construction phases.

7 (b) OTHER TERMS.—The Secretary and the County
8 may otherwise effect the purpose of this Act on such addi-
9 tional terms as are mutually acceptable and not incon-
10 sistent with this Act.

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