

112TH CONGRESS
1ST SESSION

H. R. 1008

To authorize the conveyance of a small parcel of National Forest System land in the Cherokee National Forest and to authorize the Secretary of Agriculture to use the proceeds from that conveyance to acquire a parcel of land for inclusion in that national forest, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 2011

Mr. DUNCAN of Tennessee introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To authorize the conveyance of a small parcel of National Forest System land in the Cherokee National Forest and to authorize the Secretary of Agriculture to use the proceeds from that conveyance to acquire a parcel of land for inclusion in that national forest, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Benton MacKaye
3 Cherokee National Forest Land Consolidation Act”.

4 **SEC. 2. LAND CONVEYANCES, CHEROKEE NATIONAL FOR-**
5 **EST, TENNESSEE.**

6 (a) CONVEYANCE AUTHORIZED.—The Secretary of
7 Agriculture (in this section referred to as the “Secretary”)
8 shall convey and quitclaim to the Towee Falls Baptist
9 Church all right, title, and interest of the United States
10 in and to a parcel of National Forest System land in Cher-
11 ookee National Forest consisting of approximately 66.5
12 acres surrounding the Towee Falls Baptist Church, as
13 generally depicted on the map titled “Legislative Map
14 H.R. 4658” and dated June 1, 2010 (in this section re-
15 ferred to as the “parcel”).

16 (b) CONSIDERATION.—

17 (1) CONSIDERATION REQUIRED.—As consider-
18 ation for the conveyance of the parcel, the Towee
19 Falls Baptist Church shall pay to the Secretary an
20 amount of cash equal to the market value of the par-
21 cel based on an appraisal approved by the Secretary.

22 (2) DEPOSIT OF CONSIDERATION.—The consid-
23 eration received under paragraph (1) shall be depos-
24 ited into the account in the Treasury established by
25 Public Law 90–171 (commonly known as the Sisk
26 Act; 16 U.S.C. 484a).

1 (3) USE OF CONSIDERATION.—

2 (A) IN GENERAL.—Monies deposited pur-
3 suant to paragraph (1) shall be available to the
4 Secretary, until expended and without further
5 appropriation, for the acquisition of lands and
6 interests in land in the Cherokee National For-
7 est in Tennessee.

8 (B) ACQUISITION OF DOC ROGERS
9 TRACT.—Congress finds that it is in the public
10 interest that the Secretary acquire from the
11 Monroe County Tennessee Board of Education
12 all right, title, and interest of the Board of
13 Education in and to a tract of land in Monroe
14 County, Tennessee, consisting of approximately
15 102 acres and known as the “Doc Rogers
16 tract”. The Secretary may apply the monies de-
17 posited pursuant to paragraph (1) to acquire
18 the Doc Rogers tract if the Secretary and the
19 Monroe County Tennessee Board of Education
20 reach agreement on the terms of a Federal ac-
21 quisition.

22 (c) VALUATION.—The parcel will be appraised in ac-
23 cordance with appraisal specifications prescribed by the
24 Secretary, and such specifications shall include that the
25 parcel be valued as a free standing lot unconnected with

1 any larger tract, and unencumbered with any Forest Serv-
2 ice special use authorization held by the Church.

3 (d) CONDITION OF CONVEYANCE.—The conveyance
4 of the parcel shall be subject to the condition that the
5 Towee Falls Baptist Church accept the parcel in its condi-
6 tion at the time of conveyance (commonly known as a con-
7 veyance “as is”).

8 (e) SURVEY AND COSTS.—The exact acreage and
9 legal description of the parcel shall be determined by a
10 survey satisfactory to the Secretary of Agriculture. The
11 cost of the survey and all other costs incurred by the Sec-
12 retary to convey the parcel shall be borne by the Towee
13 Falls Baptist Church.

14 (f) ADDITIONAL TERMS.—The Secretary may require
15 such additional terms and conditions in connection with
16 the conveyance of the parcel as the Secretary considers
17 appropriate to protect the interests of the United States.

18 **SEC. 3. STATUTORY PAY-AS-YOU-GO LANGUAGE.**

19 The budgetary effects of this Act, for the purpose of
20 complying with the Statutory Pay-As-You-Go Act of 2010,
21 shall be determined by reference to the latest statement
22 titled “Budgetary Effects of PAYGO Legislation” for this
23 Act, submitted for printing in the Congressional Record
24 by the Chairman of the House Budget Committee, pro-

- 1 vided that such statement has been submitted prior to the
- 2 vote on passage.

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