

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 4658  
OFFERED BY M . \_\_\_\_\_**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Benton MacKaye  
3 Cherokee National Forest Land Consolidation Act of  
4 2010”.

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

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

17 (b) CONSIDERATION.—

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

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

11          (3) USE OF CONSIDERATION.—

12           (A) IN GENERAL.—Monies deposited pur-  
13           suant to paragraph (1) shall be available to the  
14           Secretary, until expended and without further  
15           appropriation, for the acquisition of lands and  
16           interests in land in the Cherokee National For-  
17           est in Tennessee.

18           (B) ACQUISITION OF DOC ROGERS  
19           TRACT.—Congress finds that it is in the public  
20           interest that the Secretary acquire from the  
21           Monroe County Tennessee Board of Education  
22           all right, title, and interest of the Board of  
23           Education in and to a tract of land in Monroe  
24           County, Tennessee, consisting of approximately  
25           102 acres and known as the “Doc Rogers

1           tract”. The Secretary may apply the monies de-  
2           posited pursuant to paragraph (1) to acquire  
3           the Doc Rogers tract if the Secretary and the  
4           Monroe County Tennessee Board of Education  
5           reach agreement on the terms of a Federal ac-  
6           quisition.

7           (c) VALUATION.—The parcel will be appraised in ac-  
8           cordance with appraisal specifications prescribed by the  
9           Secretary, and such specifications shall include that the  
10          parcel be valued as a free standing lot unconnected with  
11          any larger tract, and unencumbered with any Forest Serv-  
12          ice special use authorization held by the Church.

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

18          (e) SURVEY AND COSTS.—The exact acreage and  
19          legal description of the parcel shall be determined by a  
20          survey satisfactory to the Secretary of Agriculture. The  
21          cost of the survey and all other costs incurred by the Sec-  
22          retary to convey the parcel shall be borne by the Towee  
23          Falls Baptist Church.

24          (f) ADDITIONAL TERMS.—The Secretary may require  
25          such additional terms and conditions in connection with

- 1 the conveyance of the parcel as the Secretary considers
- 2 appropriate to protect the interests of the United States.

