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Manual

Title: ARS Real Property Manual,
Chapter II Disposal of Real Property & Related Personal Property

Number: 245.1

Date: August 22, 1989

Originating Office: Facilities Division, Real Property Management Branch

This Replaces: N/A

Distribution: Area Offices, Locations & Administrative and Financial
Management

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Area Administrative Officer = Administrative Officer(s)
General Services Division = Facilities Division
Real Property Warrant Officers = Real Property Leasing Officers or Realty Specialists

CHAPTER II

DISPOSAL OF REAL PROPERTY AND RELATED PERSONAL PROPERTY

<u>CONTENTS</u>	<u>Page</u>
Purpose and Scope	II-3
References	II-3
Abbreviations	II-3
Definitions	II-3
Delegations of Authority	II-5
Delegation of Authority to ARS Real Estate Warrant Officer	II-6
Policy	II-7
Procedures - Disposal of Buildings.....	II-7
Procedures - Disposal of Land	II-17
Leased Land	II-21
Disposal of Easements	II-22
Negotiated Disposals	II-23
Conveyances for Public Airport Purposes	II-23
Conveyances for Federal-Aid Highways	II-23
Distribution of Disposal Documentation	II-24

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1. PURPOSE AND SCOPE.

This Chapter prescribes policy, authority, operating procedures, and responsibility for the disposal of real and related personal property under the custody and control of the Agricultural Research Service in the United States, Puerto Rico, and the Virgin Islands.

2. REFERENCES.

- (a) Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)
- (b) Federal Property Management Regulations (41 CFR Chapter 101)
- (c) Federal-Aid Highways (23 U.S.C. 317)
- (d) Section 204(i) of the Federal Land Management and Policy Act of 1976 (P.L. 94-579)
- (e) Section 516 of the Airport and Airway Improvement Act of 1982 (P.L. 97-248), as amended
- (f) Directive 241.2, Real Estate Warrant Program

3. ABBREVIATIONS.

AAO - Area Administrative Officer
AD - Area Director
APMO - Area Property Management Officer
APMR - Agriculture Property Management Regulations
ARS - Agricultural Research Service
CFR - Code of Federal Regulations
EPA - Environmental Protection Agency
FMV - Fair Market Value
FPMR - Federal Property Management Regulations
GSA - General Services Administration
GSD - General Services Division
OO - Office of Operations
P.L. - Public Law
PCB - Polychlorinated Biphenyls
REWO - Real Estate Warrant Officer
SHPO - State Historic Preservation Officer/Office
U.S.C. - United States Code
USDA - United States Department of Agriculture

4. DEFINITIONS.

- a. Reassignment. A "reassignment" is that action involved in changing the custody and control of real and related personal property from one USDA agency to another.

- b. Transfer. A "transfer" is that real estate action involved in changing the custody and control of real and related personal property from USDA to another Federal agency.
- c. Holding agency. The Federal agency which has accountability for real and related personal property.
- d. Disposal agency. The Federal agency designated by GSA to dispose of surplus real property.
- e. Decontamination. The complete removal or destruction by flashing of explosive powders; the neutralizing and cleaning out of acid and corrosive materials; the removal, destruction, or neutralizing of toxic, hazardous, or infectious substances; and the complete removal and destruction by burning or detonation of live ammunition from contaminated areas and buildings.
- f. Federal-aid highway. A highway forming a part of one of the Federal-aid systems: 1) the Interstate System; 2) the Federal-aid Primary System; 3) the Federal-aid Secondary System; and 4) the Federal-aid Urban System.
- g. Related personal property. Personal property which is an integral part of or specially adapted to real property, removal of which would significantly diminish value of real property. (Common use items such as general-purpose furniture, office supplies, etc., are not considered related personal property.)

(Note: Excess related personal property that can be removed without damage should be reported in accordance with personal property management regulations and procedures.)
- h. Disposal. Removal of surplus real property from the accountability of ARS. The following methods are generally used: destruction by Location forces; demolition by control; sale by purchase/removal contract; abandonment; and donation.
- i. Excess property. Any property under the control of any Federal agency which is not required for its needs and the discharge of its responsibilities, as determined by the head thereof.
- j. Foreign excess property. Any excess property located outside the States of the Union, the District of Columbia, Puerto Rico, American Samoa, Guam, the Trust Territory of the Pacific Islands, and the Virgin Islands.
- k. Surplus property. Any excess property not required for the needs and the discharge of the responsibilities of all Federal agencies, as determined by GSA.

- l. Care and handling. Includes completing, repairing, converting, rehabilitating, operating, preserving, protecting, insuring, packing, storing, handling, conserving, and transporting excess and surplus property, and, in the case of property which is dangerous to public health or safety, destroying or rendering innocuous such property.
- m. Fair market value (FMV). Highest price in terms of money which the property will bring if exposed for sale in the open market by a seller who is willing but not obligated to sell, allowing a reasonable time to find a buyer who is willing but not obligated to buy, both parties having full knowledge of all the uses to which it is adapted and for which it is capable of being used. From this figure is deducted the estimated cost of continued care and handling.

5. DELEGATIONS OF AUTHORITY.

- a. The basic authority to dispose of real and related personal property is derived from provisions of Reference (a), as amended.
- b. Under Part 101-47.602 of Reference (b), the Secretary of Agriculture has been delegated authority by the Administrator, GSA, to determine that excess real property and related personal property under the control of USDA having a total estimated FMV, including all the component units of the property, of less than \$1,000 as determined by USDA is not required; and to dispose of said property by means deemed advantageous to the United States.
- c. The authority delegated under Section 5b herein has been delegated to the Assistant Secretary for Administration under 7 CFR 2.25 (c)(1)(iv).
- d. The authority delegated under Section 5c herein has been delegated to ARS under APMR 104-47.302-2.
- e. Under APMR 104-47.203-1, ARS has been delegated authority to reassign to and accept reassignment from other USDA agencies, of buildings and facilities without land. (Reassignment of land or buildings and facilities with land is reserved to 00.)
- f. Under APMR 104-47.203-7, ARS has been delegated authority to transfer to and accept transfers from non-USDA Federal agencies, of buildings and facilities. (Transfer of land or buildings and facilities with land is reserved to 00.)
- g. Authority for transfer of land by the Secretary of Agriculture to the Secretary of Transportation for a Federal-aid highway is provided for in Reference (c). This authority has not been redelegated to ARS.

Under the authority of 23 U.S.C. 317, the Secretary of Transportation may transfer to a State, fee simple title or lesser interest or Government lands for use as a right-of-way for a Federal-aid highway or as a source of materials for the construction or maintenance of such a highway or road that is adjacent to Federally controlled lands.

- h. Authority for relinquishment of land to the Secretary of Interior, which was previously withdrawn from the public domain for use by ARS, is provided for under Reference (d).
- i. Authority for transfer of land by the Secretary of Agriculture to the Secretary of Transportation for public airport purposes is provided for in Reference (e). This authority has not been redelegated to ARS.
- j. Authority delegated to ARS under Section 5d herein has been delegated to ARS REWO's under Reference (f).

6. DELEGATION OF AUTHORITY TO ARS REAL ESTATE WARRANT OFFICERS.

In accordance with Reference (f) and subject to the limitations of References (a) and (b) and this Chapter, ARS REWO are hereby authorized to accomplish the following real estate disposal actions:

- a. Determine that buildings, structures, and related personal property are excess to ARS when screening reveals no other need for the property. For buildings, structures, and related personal property which has total estimated FMV, including all components of the property, of \$1,000 or more and a total acquisition cost in excess of \$50,000, clearance and approval must be obtained from the Regional GSA office.

(NOTE: All land disposals with or without improvements, including relinquishment of withdrawn public domain land, are reserved to GSD, acting on behalf of the Administrator, ARS. Land disposals, except for those provided for under specific legislation, are processed through OO and GSA.)

- b. Determine that buildings, structures, and related personal property having a total estimated FMV, including all components of the property, of less than \$1,000 and a total acquisition cost of \$50,000 or less, is surplus to the Government.
- c. Take all actions authorized under Reference (f) and Part 101-47.602 of Reference (b), including the execution of appropriate instruments, to report as excess, transfer, convey, destroy, donate, abandon, or otherwise dispose of buildings, structures, and related personal property, subject to the approvals and conditions specified in this Chapter.

- d. The authority delegated to the ARS REWO's under Reference (f) may not be redelegated.

7. POLICY.

It is the policy of the Federal Government that real estate holdings of Governmental agencies be limited to the minimum required to accomplish authorized programs and that these properties be utilized in an economical, efficient, and practical manner. Real property under the custody and control of the ARS shall be limited to the land area and the number and types of buildings/structures and other improvements essential to the support of its research programs.

8. PROCEDURES - DISPOSAL OF BUILDINGS - ARS-OWNED LAND.

When it has been determined that buildings, structures, improvements, and related personal property ("real property") are excess to the research requirements of a Location and/or Worksite, a Location official should contact the APMO. The following actions are required.

A. FMV < \$1,000/Acquisition Cost ≤ \$50,000.

1. Inventory. Specific items of the inventory of ARS real property, excess to research requirements, must be identified.
2. Valuation. For the real property identified for excess, determine the FMV through in-house estimate. In addition, review property records to determine the acquisition or construction cost of the real property identified for excess. If the FMV of the real property is greater than or equal to \$1,000 and/or the acquisition cost is greater than \$50,000, proceed to Section 8b.
3. Preparation of SF-118, 118a, and 118c. Specific items of the inventory of ARS real property, excess to research requirements, are to be annotated on GSA SF-118, Report of Excess Real Property (Exhibit 1); 118a, Buildings, Structures, Utilities, and Miscellaneous Facilities, Schedule A; (Exhibit 2); and, as necessary, 118c, Related Personal Property, Schedule C (Exhibit 3).

SF-118

- a. Block 1 (Holding Agency No.). The nine-digit inventory number assigned by GSA to the ARS Location or Worksite. (See GSA Form 1166.) The first four numbers will always be 1205. The last five numbers will vary depending on the individual site.

- b. Block 2 (Date of Report). Date (month, day, and year) of preparation of report.
- c. Block 3 (To). Leave blank.
- d. Block 4 (From). Leave blank.
- e. Block 5 (Name and Address of Representative to be Contacted). Indicate the name of the APMO and the address of the Area office.
- f. Block 6 (Name and Address of Custodian). Indicate the name and address of the Location Coordinator, Laboratory Director, or other ARS official who has custody of the real property.
- g. Block 7 (Property Identification). Indicate the name of the Location and/or Worksite where the excess real property is located.
- h. Block 8 (Property Address). Indicate the address of the Location and/or Worksite associated with Block 7.
- i. Block 9 (Space Data). For 9a through c, indicate the number of buildings, being reported as excess, by use category, the associated square footage, and the number of floors. (Leave blank, floor load capacity, and clear headroom.)

For 9d, indicate total number of buildings, being reported as excess, and total amount of square feet.

For 9e, indicate the total number of buildings, being reported as excess, and the associated square footage. Generally speaking, totals indicated in 9e will be the same as 9d.

For 9f, if buildings have been identified under 9c, "Other," indicate the type and the number, e.g., "greenhouse (1)."

- j. Block 10 (Land). Leave blank.
- k. Block 11 (Cost to Government). For 11a, indicate the total capitalized value of all real property being reported as excess.

For 11b, leave blank.

For 11c, indicate the total cost of related personal property being reported as excess. This includes the acquisition cost plus costs associated with original installation and transportation.

For 11d, indicate the total of 11a and 11c.

For 11e, indicate the total estimated direct annual cost to ARS of protecting and maintaining the real property being reported as excess, while it is excess. (Refer to Exhibit 4 for item-by-item breakdown of the protection and maintenance figure.) For each item listed on Exhibit 4 for which there is no associated cost, indicate "none." After totaling the cost figures and rounding to the closest \$100 figure, the form should be signed by the Area's REWO and included with disposal documents.

If there is no REWO for a given Area, the form should be signed by the AAO.

- l. Block 12 (Leasehold Data). Leave blank.
- m. Block 13 (Disposition of Proceeds). Leave blank.
- n. Block 14 (Type of Construction). Indicate general type of building material, e.g., wood, metal, glass, concrete block, etc.
- o. Block 15 (Holding Agency Use). Indicate the use to which the real property, being reported for excess, was used by ARS, e.g., office, laboratory, storage, etc.
- p. Block 16 (Range of Possible Uses). Indicate other types of uses that the real property may have. If no other uses, indicate "none."
- q. Block 17 (Names and Addresses of Interested Federal Agencies and Other Interested Parties). For donations, indicate the name and address of any party expressing interest in the excess real property. For abandonment and demolition, indicate "none."
- r. Block 18 (Remarks). Indicate recommended method of disposal, e.g., demolition, donation, abandonment.
- s. Block 19 (Report Authorized By). Indicate name and title of the Area REWO. If none exists, indicate name of AAO.

The report should be signed by the Area REWO; if none exists, the AAO.

(NOTE: For buildings and/or structures destroyed by fire, or weather-related incidents, etc., prepare SF-118 ONLY and indicate in Block 18 the date of destruction.)

SF-118a

- a. Block 1 (Holding Agency No.) The nine-digit inventory number assigned by GSA to the ARS Location or Worksite. The first four numbers will always be 1205. The last five digits will vary depending on the individual site.
- b. Block 2 (Page) Number each page sequentially.
- c. Block 3 (Annual Rental). Leave blank.
- d. Line No. (a). Preprinted.
- e. Holding agency building number (b). Indicate the identification number assigned to the particular building or structure being reported as excess.
- f. Description (c). For each building or structure being reported as excess, indicate use (e.g., office, laboratory); type of material (e.g., wood, metal); for utilities, pertinent data (e.g., capacity, underground/overhead, etc.); original date of acquisition, construction, or installation.
- g. Cost (d). Indicate the acquisition cost of each building or structure being reported as excess.
- h. Outside dimensions (e). Indicate outside dimensions of building or structure. Leave blank for utility systems.
- i. Floor area (f). For building or structure, indicate amount of square feet per floor. If one floor size is different from the other(s), calculate average and indicate that the figure annotated is an "average."
- j. Number of floors (g). Indicate number of floors in each building or structure. For utility systems, roads, etc., indicate "N/A."

- k. Clear headroom (h). Leave blank.
- l. Floor load range (i). Leave blank.
- m. Restrictions on use or transfer of government interest (j). Leave blank.
- n. Total. Total columns (d) and (f). Insert total for (d) in Block 11A on SF-118. Enter total for (f) in Block 9d on SF-118.

SF-118c

- a. Block 1 (Holding Agency No.) The 9-digit inventory number assigned by GSA to the ARS Location or Worksite. The first four numbers will always be 1205. The last five digits will vary depending on the individual site.
- b. Block 2 (Page). Number each page sequentially.
- c. Block 3 (SCC Group). Leave blank.
- d. Item No. (a). Number each entry in a sequential manner.
- e. Description (b). Provide a general description of each item of related personal property. If known, indicate standard catalogue reference number. Also indicate the National Finance Center I.D. number assigned to the property.
- f. Standard Commodity classification (c). Leave blank.
- g. Condition (d). Indicate condition of each item of related personal property by the following combination code (e.g., N-2).

N - New
E - Used, reconditioned
O - Used, usable without repairs
R - Used, repairs required
X - Items of no further value for use as originally intended, but of possible value other than scrap

1 - Excellent
2 - Good
3 - Fair
4 - Poor

- h. Unit (e). Indicate unit of measure (e.g., pounds, tons, gross, etc.). If not applicable, indicate "N/A."
 - i. Number of units (f). Indicate the number of each individual item being reported as excess.
 - j. Unit cost (g). Enter original acquisition cost per unit, including transportation and installation costs.
 - k. Total cost (h). Multiply "number of units" times "unit cost" and enter total.
 - l. Total. Total column (h). Enter total for (h) in Block 11c on SF-118.
4. Health and safety clearances. The building or structure being reported as excess should be evaluated to determine if the method of disposal poses a danger or threat to public health or safety. If the disposal action poses a threat, the property must first be rendered safe.
 5. National Register Property. Disposal of excess buildings or structures listed on the National Register of Historic Places shall first be cleared by the APMO through the SHPO.
 6. Approval. Prepare a Statement of Findings for the proposed method of disposal: Abandonment (Exhibit 5); Demolition (Exhibit 6); Donation (Exhibit 7).

The Statement should be signed, as "Recommending Official" by the Location official identified in Block 6 of the SF-118.

After signature by the Recommending Official, the Statement should be signed by the AD and AAO as "Concurring Officials."

After signature by the Recommending Official and Concurring Officials, the Statement should be signed by the Area's REWO as "Approving Official." (If the Area has no REWO, the Statement, together with the SF-118, SF-118a, and as appropriate, SF-118c, should be forwarded to GSD for approval.)

7. Inventory adjustment. Upon preparation of report of excess documentation, receipt of requisite approvals and clearances, and completion of the demolition or abandonment action, the real property inventory should be adjusted to remove the building or structure from plant account records. In addition, if excess personal property is involved, the PROP inventory should be adjusted.

For donations, prepare an AD-107 (Exhibit 8) in accordance with the following instructions.

- a. Type date in the upper right-hand corner.
- b. Block 1 (Type of Transaction). An "X" should be indicated in the box next to "donation."
- c. Block 2. Leave blank.
- d. Block 3. Leave blank.
- e. Block 4 (Reporting Agency). Indicate USDA-ARS.

In 4a, indicate the name of the ARS facility where the donated property is located. In 4b, the City/State where the ARS facility is located. In 4c, the report should be signed by the Area REWO (or, by the AAO if none exists). In 4d, the title of the ARS official who signed the AD-107.

- f. Block 5 (Receiving Agency). Indicate the name of the recipient of the property. Annotate 5a and 5b as appropriate. In 5c, the report should be signed by an official with authority to accept property. In 5d, the title of the signatory official should be indicated. In Block 5e, indicate the date that accountability for the property is transferred.
- g. Block 6 (Property Items). Under "Quantity" annotate the block with whatever number is used in inventory records.

Under "Item Description," thoroughly describe the property being donated, including building number, building name, etc. Include the following statement:

"Acceptance of title by the recipient name relieves the Agricultural Research Service and the U.S. Government from further responsibility for the items of donation, its removal, or restoration of the site."

Under "Inventory Value," indicate the capitalized value of the excess property.

- h. State whether or not this property contains fixtures or related personal property that have

possible historic, architectural, archeological, or cultural value. If any such items exist, specifically identify, describe, and state whether on or eligible for listing on the National Register. Include the Advisory Council and SHPO comments and proposed protective covenants.

- i. State whether or not this property has historical, architectural, archeological, or cultural significance and is listed, eligible for listing, or in proximity to any property which is listed on the National Register. Provide details together with the Advisory Council and SHPO comments and proposed protective covenants.
- j. List any other significant environmental considerations such as prime or unique farmland, ecologically critical area, endangered species critical habitat, parkland, active geological fault area or unique geological feature, and/or wild and scenic rivers or wildlife refuge.
- k. Advise that this property has been screened against the known needs of this holding agency.
- l. State that this property, in its present condition, is not dangerous or hazardous to the public health and safety, e.g., toxic waste contamination, military ordnance and explosive waste, debris. If this statement cannot be made, explain extent of contamination and plans for decontamination. Also advise of the existence of any underground storage tank(s).
- m. Certify that this holding agency is in compliance with 40 CFR 761, "PCB's Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions," as it relates to PCB use, storage, handling, and disposal on this property, as follows:
 1. There are known PCB's on the property. An inventory/registration of all PCB transformers located on the property, a copy of the latest PCB quarterly inspection, where required, and a list of those transformers which must be replaced by October 1, 1990, are attached. Subsequent inspection reports must be submitted to GSA until disposal action is complete.

OR

2. There are no PCB's on or associated with the property being excessed.

- n. Certify that this property contains no asbestos material, such as is sometimes used to insulate ceilings, pipes, and ducts, or to fireproof structural members. If property contains asbestos, specifically identify and describe location, advise if asbestos is friable, and if friable provide plans for eliminating the problem in accordance with EPA regulations.
- o. Advise whether or not the property is located on an Indian Reservation and if known, whether the property qualifies under P.L. 93-599 for transfer to the Indians.
- p. State whether or not this property is located within the corporate limits of a city or town. If it is, provide name of city or town and name and address of mayor or city manager.

B. FMV \geq \$1,000/Capitalized Value $>$ \$50,000.

The following procedures should be observed for reporting as excess, real property, with an FMV greater than or equal to \$1,000 and/or, for demolition or abandonment, an acquisition cost greater than \$50,000 (for donations, an acquisition cost greater than \$250,000.)

1. Inventory. Specific items of the inventory of ARS real property, excess to research requirements, must be identified.
2. Valuation. For the real property identified for excess, determine the FMV through in-house estimate. In addition, review property records to determine the acquisition cost of the real property identified for excess.
3. Preparation of SF 118, 118a, and 118c. Follow instructions set forth in 8a (3) for preparation of SF's-118, -118a, and -118c except for the following:
 - a. SF-118, Block 3 (To). Indicate the name/address of the Regional GSA office with jurisdiction over the site where the excess real property is located. (See Exhibit 9 for a list of GSA offices.)

(NOTE: For disposal actions for which the GSA National Capital Region has jurisdiction, after preparation, forward disposal documents to GSD.)

- b. SF-118, Block 4 (From). Indicate the name and address of the appropriate APMO.
4. Health and safety clearances. The real property being reported as excess must be evaluated to determine if the property and/or recommended method of disposal is dangerous or hazardous to health and safety. Any report of excess requiring the concurrence of GSA shall state the extent of such contamination, the plans for decontamination, and the extent to which the property may be used without further decontamination.
- Any facility or site where radioactive materials have been used must be decommissioned so that the level of any residual radioactivity remaining in the facility or on the site is low enough to allow unrestricted use of the facility or site.
- For property containing asbestos (to the extent such information is reasonably available or ascertainable from agency files, personnel, and other inquiry) a description shall be provided of the type, location, and condition of asbestos that has been incorporated in the construction, repair, or alteration of any building or improvement on the property (e.g., siding, pipe insulation) and a description of any asbestos control measures taken for the property.
- Where available, without conducting specific studies and/or tests, agencies shall provide any available indication of costs and/or time necessary to remove all or any portion of the asbestos-containing materials.
5. National Register Property. Disposal of excess real property listed on the National Register of Historic Places shall first be cleared through the SHPO.
6. Approvals. Follow instructions set forth in 8a (6).
7. GSA concurrence. In addition to the approvals required by Section 8b (6) herein, the APMO shall obtain concurrence of GSA prior to:
- a. Donation of real property with an original cost (estimated if not known) in excess of \$250,000 or with an FMV greater than or equal to \$1,000.
 - b. Abandonment or destruction of real property with an original cost (estimated if not known) in excess of \$50,000 or with an FMV greater than or equal to \$1,000.

To obtain the concurrence of GSA, forward the completed SF-118, the Statement of Findings (pertinent to the recommended method of disposal) and the safety certification required under Section 8b (5) herein. A cover letter citing 41 CFR 101-47 as the basis for the action should be prepared forwarding the disposal documentation.

9. PROCEDURES - DISPOSAL OF LAND

The following instructions are to be observed when reporting as excess ARS-owned land or ARS-owned land with improvements ("real property").

- a. Inventory. Specific items of the inventory of ARS real property, excess to research requirements, must be identified.
- b. Preparation of SF-118, -118a, -118b (Exhibit 10), and -118c. Follow instructions set forth in 8a (3) and 8b (3) for preparation of SF-118, 118a, and 118c except for the following:
 1. SF-118, Block 10 (Land). In Block 10a, indicate the number of acres of land being reported or excess and held in fee simple title; in 10b, the number of acres leased and being reported as excess; and in 10c, the number of acres held in other than fee simple or lease, e.g., easement. Provide the total number of acres, being reported as excess, in Block 10d.
 2. SF-118, Block 11b (Land). Indicate the original acquisition cost of the land being reported as excess.
 3. SF-118, Block 12 (Leasehold(s) Data). If leased land is being reported as excess in addition to fee simple land, this section should be filled out. In Block 12a, indicate the total annual rent paid by the Government. In Block 12b, indicate the annual rent per acre or square foot of land being leased. In Block 11c, indicate the expiration date (month, day, year) of the current lease term. In Block 11d, indicate "yes" if the lease contains renewal rights. In Block 11f, indicate the date by which a renewal notice must be sent for extension of the lease for another term. In Block 11f, indicate the annual rent per acre or square foot applicable for the subsequent lease term. In Block 11g, indicate for the lessor and the Government, the number of days in advance that the termination notice must be issued.
 4. SF-118, Block 18 (Remarks). List any restrictions which should be placed on future use of the real

property and any known restrictions on the Government's rights to reassign, transfer, or otherwise dispose of the property. Indicate any reservations needed to protect the Government's remaining interest.

5. SF-118b, Land, Schedule C. List, individually, each tract/parcel of land, separately purchased, which make up the Report of Excess.
 - a. Block 1 (Holding Agency No.). Indicate the nine-digit inventory number assigned by GSA to the ARS Location or Worksite. The first four numbers will always be 1205. The last five digits will vary depending on the individual site.
 - b. Block 2 (Page). Number each page sequentially.
 - c. Block 3 (Government interest). Check appropriate box; for land occupied under a permit from another Federal Agency, check "informal agreement"; for land occupied under a Revocable Permit, check "license"; for land occupied under an MOU or Cooperative Agreement, check "informal agreement."
 - d. Line no. (a). Preprinted.
 - e. Tract no. (b). Indicate the number of the parcel being reported as excess (applicable if more than one acquisition).
 - f. Name of former owner or lessor and address (c). For each tract of land, indicate the name of the individual, company, etc., from whom the Government acquired the land. For leases, indicate both the name and address of the lessor.
 - g. Tract acquired (d). Enter total amount of land associated with the original acquisition. Also provide a unit of measurement.
 - h. Acres or square feet (e). Enter actual portion of the land shown in Block (d) being reported as excess.
 - i. Cost (f). Provide the acquisition cost of the land.
 - j. Annual rental (g). If land is leased, enter total annual rental charges to ARS.

- k. Type of acquisition (h). Indicate method of acquisition, e.g., purchase, condemnation, exchange, transfer, etc.
- l. Restrictions on use or transfer of Government interest (i). Describe any encumbrances which run with the land, e.g., easements, outstanding mineral rights, contamination, permits/leases.
- m. Total. Total columns d, e (enter in Block 10d of SF-118); f (enter in Block 11B of SF-118); g (enter in Block 12a of SF-118).
- c. Report on Title. In accordance with Subpart 101-47.202-2 of Reference (b), in all cases where Government-owned land is reported as excess, there shall be attached to and made a part of the documentation package. The report shall be signed by the Area REWO and include the following:
1. A survey map, drawing, and a written metes and bounds legal description of the land to be disposed of as performed by boundary survey. The description will be tied into existing boundary lines and/or permanent monuments indicating property corners of the Location/Worksite and will make reference to a conforming survey map or drawing.
 2. State that the title was obtained by transfer, deed, condemnation, or withdrawal for the public domain. Attach a legible copy of the Deed or Declaration of Taking, as recorded in County land records.
 3. If withdrawn from public domain, state that the Agency has been advised by the Secretary of the Interior that the property is not suitable for return to the public domain and the property may be reported to GSA for disposal. Enclose a copy of the Department of the Interior's notification and report.

State all exceptions, reservations, conditions, and restrictions relating to the title acquired and attach legible copies of all such easements, or other encumbrances. A copy of the Government's title insurance policy and opinion of title by the Attorney General or other attorney, at the time of acquisition, should be included if available.
 4. Furnish date of acquisition of the property. State that no action, thing, or circumstance that occurred from the date of acquisition of the property by the United States to the date of the report which in any way affected or may have

- affected the right, title, and interest of the United States in and to the real property (together with copies of such legal comments or opinions as may be contained in the file concerning the manner in which and the extent to which such right, title, or interest may have been affected) OR list all easements, permits, and other encumbrances affecting title and provide legible copies of same. Include ownership information of minerals and copies of leases, if appropriate.
5. The status of civil and criminal jurisdiction over the land that is peculiar to the property by reason of it being Government-owned land. In the absence of any special circumstances, a statement to that effect shall be made a part of the report.
 6. State whether or not this property is located in an identified floodplain or wetlands. List the restricted uses, furnish appropriate deed covenants, and cite the applicable Federal, State, or local regulations addressing the same for those properties located in a flood hazard area.
- d. Appraisal. Any appraisal reports in the possession of the holding agency of the FMV or the fair annual rental of the real property reported should be submitted.
- e. Reservation of easement. In many cases where the Report of Excess does not include the entire Location, it will be found that roads and/or utilities which serve the residual property being retained are located on the property being reported as excess. In these cases, it will be necessary to retain title to the roads and utilities to assure that the residual property will have adequate access and/or have required utility service. It will be necessary to include a metes and bounds or centerline description and a map of the property to be retained.
- f. Approvals. All land disposal actions must be sent to GSD for approval and further processing. In support of that action, documents described in Sections 9b (including annual protection and maintenance costs - Exhibit 4), 9c, 9d, 9e, and 9f herein are to be completed and forwarded to GSD under a cover letter signed by the AD and AA0. Upon receipt and review of the documentation, GSD will forward all material to USDA-00. GSD will notify the Area office when the Report of Excess has been accepted by GSA.
- g. Annual protection and maintenance costs. ARS, as holding Agency for the excess property, is responsible for physical care, handling, protection, maintenance, and repairs for excess and surplus real and related personal property pending its disposal by GSA. It is also responsible for the expenses of such activities for not more than 12

months, plus the period to the first day of the succeeding quarter of the fiscal year after the date of GSA acceptance of the report of excess. Any such expenses incurred by ARS after this period shall be reimbursed by GSA. However, management responsibility for the property remains with ARS until the property is disposed of by GSA. Item 11e of SF-118 provides a block for reporting the estimated annual protection and maintenance cost. This amount should be carefully compiled.

10. LEASED LAND

- a. Pursuant to the provisions of Part 101-47.302-2 of Reference (b), ARS is designated as the disposal Agency for the following types of real property:
 1. Leases, permits, licenses, easements, and similar real estate interests in non-Government owned property (including Government-owned improvements located on the premises.)
 2. Fixtures, structures, and improvements of any kind to be disposed of without the underlying land with the exception of Government-owned machinery and equipment, which are fixtures being used by a contractor-operator where such machinery and equipment will be sold to the contractor-operator.
 3. Standing timber and embedded gravel, sand, and stone to be disposed of without the underlying land.
- b. For buildings or structures located on leased land or on other non-fee simple held land interests to be disposed of, the following procedures apply:
 1. For long-term lease agreements, negotiated pursuant to 7 U.S.C. 2250a, refer to GSD for determination.
 2. For year-to-year lease agreements, negotiated pursuant to FPMR's and Reference (f), review the terms and conditions of the lease agreement and apply, as appropriate and if permissible under the lease agreement, the following procedures:
 - a. Transfer the lease, license, permit, or other similar interest subject to the assumption by the transferee of the obligations of the instrument unless a transfer is prohibited by the terms and conditions of the instrument.

- b. Dispose of any surplus Government-owned improvements on the premises in the following order by one or more of the following methods:
 1. Disposition of all or any portion thereof to the transferee of the lease, license, permit, or other instrument.
 2. Disposition to the owner of the premises or grantor.
 - a. In full satisfaction of a contractual obligation of the Government to restore the premises.
 - b. In satisfaction of a contractual obligation of the Government to restore the premises plus the payment of a money consideration to the Government by the owner or grantor or payment by the Government to the owner or grantor that is fair and reasonable under the circumstances.
- c. By disposition for removal from the premises.

11. DISPOSAL OF EASEMENTS.

Subject to the delegation of authority contained in Reference (f), easements may be terminated when:

1. It is determined that the continued use, occupancy, and control of the easement is not needed for the operation, production, use, or maintenance of property under the custody and control of ARS.
2. A determination is made as to whether the disposal is to be made with or without a cash consideration to the Government based on all circumstances involved, including the acquisition cost to the Government. This determination will be made in writing and the signed findings retained in the documentation for the disposal.
3. The disposal is made to the owner of the lands which are subject to the easement.
4. If the easement is recorded in the public records, the disposal instrument must be prepared such that it may also be recorded and is recorded in the same public records as is the easement.

12. NEGOTIATED DISPOSALS. The provisions of Subpart 101-47.304.9 of Reference (b), indicate the circumstances under which disposals may be accomplished by negotiation in lieu of competitive bidding. Included are disposals of property with an estimated commercial value less than \$1,000. Also included are circumstances where it is impractical to advertise publicly for competitive bids and the commercial value of the property can be obtained through negotiation.

13. CONVEYANCES FOR PUBLIC AIRPORT PURPOSES.

Reference (e) provides that the Secretary of Transportation may request that Federal property which is reasonably necessary for use and development for public airport purposes be conveyed to the appropriate public agency.

Reference (e) further requires that upon receipt of such a request from the Secretary of Transportation, a determination should be made as to whether the requested conveyance is inconsistent with its needs and respond within a period of 4 months.

The conveyance must be on the condition that:

- a. The real property involved is the only property that can be used for the purpose;
- b. The transfer of such property will not interfere with the Government's present or foreseeable use of the remaining property or with other Government activities in the vicinity;
- c. The conveyance does not encompass the conveyance of a major portion of an existing airport or substantial improvements; and
- d. The transfer is in the public interest.

Such conveyances are processed by USDA-00. Such actions should be forwarded to GSD for further processing with USDA-00.

14. CONVEYANCES FOR FEDERAL-AID HIGHWAYS

Reference (c) provides that if the Secretary of Transportation determines that any lands or interests in lands owned by the United States is reasonably necessary for the right-of-way of any highway, or as a source of materials for construction or maintenance of any such highway adjacent to such lands, he shall provide a map with the affected holding agency showing the lands required. The holding agency then has 4 months to either deny the request or agree to a conveyance subject to any necessary conditions. This law indicates that if after the 4 months there has been no certification to the Secretary of Transportation, either pro or con, the lands may be transferred.

Such conveyances are processed by USDA-00. Such actions should be forwarded to GSD for further processing with USDA-00.

15. DISTRIBUTION OF DISPOSAL DOCUMENTATION

For all disposals accomplished by the Area REWO not requiring the approval of GSD, copies of the fully executed Statements of Findings only shall be provided to GSD. Copies of completed AD-107's shall be provided to the Location where the excess property is located.

Exhibits

1	SF-118, Report of Excess Real Property	1 page
2	SF-118a, Buildings, Structures, Utilities, and Miscellaneous	1 page
3	SF-118c, Related Personal Property	1 page
4	Annual Protection and Maintenance Costs	1 page
5	Statement of Findings (Abandonment)	1 page
6	Statement of Findings (Demolition)	1 page
7	Statement of Findings (Donation)	1 page
8	AD-107	1 page
9	GSA Regional Offices	3 pages
10	SF-118b	1 page

STANDARD FORM 118
DECEMBER 1953
PRESCRIBED BY GENERAL
SERVICES ADMINISTRATION
REGULATION 2-IV-201.0

**REPORT OF EXCESS
REAL PROPERTY**

1. HOLDING AGENCY NO.	DATE RECEIVED (GSA use only)
2. DATE OF REPORT	GSA CONTROL NO. (GSA use only)

3. TO (Furnish address of GSA regional office)
General Services Administration

4. FROM (Name and address of holding agency)

5. NAME AND ADDRESS OF REPRESENTATIVE TO BE CONTACTED

6. NAME AND ADDRESS OF CUSTODIAN

7. PROPERTY IDENTIFICATION

8. PROPERTY ADDRESS (Give full location)

9. SPACE DATA						10. LAND	
USE	NUMBER OF BUILDINGS (1)	FLOOR AREA (Sq. ft.) (2)	NUMBER OF FLOORS (3)	FLOOR LOAD CAPACITY (4)	CLEAR HEADROOM (5)	(From SF 118b)	ACRE OR SQUARE FEET
A. OFFICE						A. FEE	
B. STORAGE						B. LEASED	
C. OTHER (See 3 F)						C. OTHER	
D. TOTAL (From SF 118a)						D. TOTAL	
E. GOV'T INTEREST:			F. SPECIFY "OTHER" USE ENTERED IN C ABOVE				
(1) OWNER							
(2) TENANT							

11. COST TO GOVERNMENT			12. LEASEHOLD(\$\$) DATA (Use separate sheet if necessary)	
ITEM	SCHEDULE	COST	A. TOTAL ANNUAL RENTAL	\$
A. BUILDINGS, STRUCTURES, UTILITIES, AND MISCELLANEOUS FACILITIES	A (Col. d)	\$	B. ANNUAL RENT PER SQ. FT. OR ACRE	\$
B. LAND	B (Col. f)		C. DATE LEASE EXPIRES	
C. RELATED PERSONAL PROPERTY	C (Col. h)		D. NOTICE REQUIRED FOR RENEWAL	
D. TOTAL (Sum of 11A, 11B, and 11C)		\$	E. TERMINAL DATE OF RENEWAL RIGHTS	
E. ANNUAL PROTECTION AND MAINTENANCE COST (Government-owned or leased)			F. ANNUAL RENEWAL RENT PER SQ. FT. OR ACRE	\$
			G. TERMINATION RIGHTS (in days)	
			LESSOR	GOVERNMENT

13. DISPOSITION OF PROCEEDS

14. TYPE OF CONSTRUCTION

15. HOLDING AGENCY USE

16. RANGE OF POSSIBLE USES

17. NAMES AND ADDRESSES OF INTERESTED FEDERAL AGENCIES AND OTHER INTERESTED PARTIES

18. REMARKS

19. REPORT AUTHORIZED BY

NAME

SIGNATURE

TITLE

STANDARD FORM 118 a DECEMBER 1953 PRESCRIBED BY GENERAL SERVICES ADMINISTRATION REGULATION 2-IV-201.00		BUILDINGS, STRUCTURES, UTILITIES, AND MISCELLANEOUS FACILITIES										2 PAGE OF PAGES OF THIS SCHEDULE (GSA CONTROL NO. GSA use only)	
SCHEDULE A—SUPPLEMENT TO REPORT OF EXCESS REAL PROPERTY												1. HOLDING AGENCY NO.	3. ANNUAL RENTAL
LINE NO. (a)	HOLDING AGENCY BUILDING NO. (b)	DESCRIPTION (c)	COST (d)	OUTSIDE DIMENSIONS (e)	FLOOR AREA (Sq Ft) (f)*	NO. OF FLOORS (g)*	CLEAR HEAD-ROOM (h)*	FLOOR LOAD RANGE (i)*	RESTRICTIONS ON USE GOVERNMENT INTEREST (j)				
1													
2													
3													
4													
5													
6													
7													
8													
9													
10													
11													
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29													
30													
31													
32													
TOTAL													

*Prefix figures with symbols to denote type of space, as follows: (a) for office; (b) for storage; (c) for other.

ANNUAL PROTECTION AND MAINTENANCE COSTS

Item 11 E. - Enter the total estimated direct annual cost to the holding agency of protecting and maintaining the property reported herein while it is excess. Give breakdown of such costs as follows:

<u>Item</u>	<u>Annual Cost</u>
Personnel	
Water	
Electricity	
Gas	
Sewage Disposal	
Telephone	
Heating	
Automatic Protection Devices	
Vehicles	
Other (specify)	
Grounds Maintenance	
Grounds Security	
TOTAL	
ROUNDED TO	

Approving Official

Date

STATEMENT OF FINDINGS FOR DISPOSAL OF REAL PROPERTY
(ABANDONMENT)

I find that _____ located at _____
(Building No., Structure Description)
_____ is/are excess to the needs
(Name of Location/Street Address)
of _____ and has/have a commercial value
(Name of Location)
less than \$1,000.

The proposed disposal action has been evaluated and found to have no significant effect on the quality of the human environment, and it is not considered controversial.

There is no known historical or cultural value in regard to the subject property.

I find that the donation of subject property is desirable and in the best public interest due to the cost of its continued care and handling which is estimated at \$ _____.

Recommending Official:

Location Official

Date

Determination of Surplus and
Revising Authority Approval:

Concurring Officials:

Real Estate Warrant Officer

Area Director

Date

Date

Area Administrative Officer

Date

STATEMENT OF FINDINGS FOR DISPOSAL OF REAL PROPERTY
DESTRUCTION

I find that _____ located at _____
(Building No., Structure Description)
_____ is/are excess to the needs
(Name of Location/Street Address)
of _____ and has/have a commercial value
(Name of Location)
less than \$1,000.

The proposed disposal action has been evaluated and found to have no significant effect on the quality of the human environment, and it is not considered controversial.

There is no known historical or cultural value in regard to the subject property.

I find that the destruction of subject property is desirable and in the best public interest due to the cost of its continued care and handling which is estimated at \$ _____.

Recommending Official:

Location Official

Date

Determination of Surplus and
Revising Authority Approval:

Concurring Officials:

Real Estate Warrant Officer

Area Director

Date

Date

Area Administrative Officer

Date

STATEMENT OF FINDINGS FOR DISPOSAL OF REAL PROPERTY
(DONATION)

I find that _____ located at
 _____ (Building No., Structure Description)
 _____ (Name of Location/Street Address) is/are excess to the needs
 of _____ (Name of Location) and has/have a commercial value
 less than \$1,000.

The proposed disposal action has been evaluated and found to have no significant effect on the quality of the human environment, and it is not considered controversial.

There is no known historical or cultural value in regard to the subject property.

I find that the donation of subject property is desirable and in the best public interest due to the cost of its continued care and handling which is estimated at \$ _____.

Recommending Official:

Location Official

Date

Concurring Officials:

Area Director

Date

Area Administrative Officer

Date

Determination of Surplus and
Revising Authority Approval:

Real Estate Warrant Officer

Date

FORM AD-107 UNITED STATES DEPARTMENT OF AGRICULTURE REPORT NO.

REV 9-60

REPORT OF TRANSFER OR OTHER DISPOSITION OR CONSTRUCTION OF PROPERTY

1 TYPE OF TRANSACTION (REPORT EACH TYPE SEPARATELY):

TRANSFER SALE TRADE IN DONATION

CONSTRUCTION

2 AUTHORIZATION REFERENCE

3 PROCEEDS RECEIVED

4. REPORTING AGENCY. 5. RECEIVING AGENCY (ON NAME OF PURCHASER OR DONEE):

A. ORGANIZATIONAL UNIT A. ORGANIZATIONAL UNIT (ON ADDRESS OF PURCHASER)

B. LOCATION B. LOCATION

C. SIGNATURE C. SIGNATURE

D. TITLE D. TITLE E. DATE

8. PROPERTY ITEMS	ITEM DESCRIPTION (GIVE FULL DETAILS INCLUDING SERIAL NUMBERS, IF ANY, AND CONDITION CODES)	INVENTORY VALUE

CERTIFICATIONS OF PROPERTY AND FISCAL OFFICERS

7. PROPERTY OFFICER: THIS TRANSACTION IS COMPLETED AND THE NECESSARY ENTRIES HAVE BEEN MADE TO ADJUST THE PROPERTY RECORDS. PROCEEDS, IF ANY, ARE TO BE DEPOSITED TO:

8. FISCAL OFFICER

A. THE SUM INDICATED BELOW HAS BEEN RECEIVED IN PAYMENT FOR THE PROPERTY DISPOSED OF.

B. THE NECESSARY ENTRIES HAVE BEEN MADE TO ADJUST THE ACCOUNTING RECORDS.

AMOUNT IN: SCHEDULE NO.

SIGNATURE DATE SIGNATURE DATE

(OVER)

GENERAL SERVICES ADMINISTRATION
WASHINGTON, D. C. 20405

November 25, 1986

GSA BULLETIN FPMR H- 48
UTILIZATION AND DISPOSAL

TO: Heads of Federal agencies

SUBJECT: GSA Regional Consolidation of Real Property Disposition Programs

1. Purpose. This bulletin is issued to notify agencies of the consolidation of real property disposition programs in the GSA regional offices and to redirect agency inquiries and program documentation accordingly. The real property program provides for the utilization and disposal of excess and surplus real property and related personal property.
2. Expiration date. This bulletin will remain in effect until canceled.
3. Background. In order to conduct the real property disposition programs efficiently with the current and projected resources available, the Administrator approved the consolidation of the real property Disposal Divisions from six regions into four offices at the regional level. The divisional title was changed from Disposal Division to Office of Real Estate Sales.
4. General. On May 1, 1986, the Disposal Division in Region 5 was disestablished and effective October 1, 1986, the Disposal Division, Region 10, was disestablished. The real property disposition functions of those divisions were transferred to the consolidated Offices of Real Estate Sales, which are listed below:

<u>Consolidated Office of Real Estate Sales</u>	<u>Geographical Coverage</u>
<p>Region 1 Director, Office of Real Estate Sales (1DR) John W. McCormick Building Post Office & Courthouse Boston, MA 02109 (617) 223-2651</p>	<p>Regions 1, 2 (less Puerto Rico and the Virgin Islands), and 5 - Includes: Maine, Vermont, New Hampshire, Rhode Island, Massachusetts, Connecticut, New York, New Jersey, Illinois, Indiana, Michigan, Wisconsin, Ohio, and Minnesota.</p>

FPMR Bulletin H- 48

November 25, 1986

Region 4 Director, Office of
Real Estate Sales (4DR)
75 Spring Street, SW.
Atlanta, GA 30303
(404) 331-5133

Regions 3, NCR, 4 -
Includes: Maryland,
Delaware, Virginia,
Pennsylvania,
West Virginia,
North Carolina,
Mississippi,
South Carolina,
Tennessee, Georgia,
Alabama, Florida,
Kentucky,
Washington, DC,
Puerto Rico, and the
Virgin Islands.

Region 7 Director, Office of
Real Estate Sales (7DR)
819 Taylor Street
Fort Worth, Texas 76102
(817) 334-2331

Regions 6, 7, and 8 -
Includes: Kansas,
Missouri, Iowa,
Nebraska, Arkansas,
Louisiana, New Mexico,
Oklahoma, Texas,
Montana, North Dakota,
South Dakota, Wyoming,
Utah, and Colorado.

Region 9 Director, Office of
Real Estate Sales (9DR)
525 Market Street
San Francisco, CA 94105
(415) 454-9086

Regions 9 and 10 -
Includes: California,
Nevada, Arizona,
Hawaii, Guam,
American Samoa, the
Trust Territory of
the Pacific Islands,
Alaska, Washington,
Oregon, and Idaho.

5. Agency action. Effective immediately, Standard Form 118 (Report of Excess Real Property) and accompanying Standard Forms 118a (Buildings, Structures, Utilities, and Miscellaneous Facilities), 118b (Land), and 118c (Related Personal Property); inquiries regarding property previously reported to a real property Disposal Division that has been deactivated; and all other matters, except mortgage administration, related to the real property program should be directed to the appropriate consolidated Office of Real Estate Sales listed above. Matters regarding mortgage administration should be directed to the General Services Administration, Finance Division (6BCR-G), 1500 E. Bannister Road, Kansas City, MO 64131, Telephone (816) 976-7351.

November 25, 1986

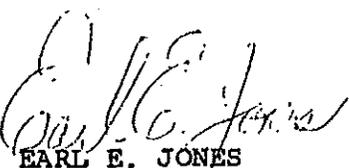
FPMR Bulletin H-48

6. GSA assistance.

a. A field office with real property disposition program representatives reporting to the consolidated Office of Real Estate Sales will be maintained in Regions 5 (Chicago, Illinois) and 10 (Auburn, Washington) to maintain customer liaison and perform related work of a local nature. Reports of excess (SF 118) should not be sent to the field offices.

b. Additional information needed in connection with this bulletin may be obtained by writing to the Commissioner, Federal Property Resources Service (D), General Services Administration, Washington, DC 20405, or by calling the Office of Real Estate Policy and Sales (DR), telephone (202) 535-7084.

7. Cancellation. This bulletin cancels GSA Bulletin FPMR H-38, Utilization and Disposal, dated January 28, 1982; Supplement 1, dated April 26, 1982; and Supplement 2, dated May 18, 1983.


EARL E. JONES
Commissioner
Federal Property Resources Service

STANDARD FORM 1185
DECEMBER 1983
PRESCRIBED BY GENERAL
SERVICES ADMINISTRATION
REGULATION 41 CFR 101-11.6

LAND

SCHEDULE B—SUPPLEMENT TO REPORT OF EXCESS REAL PROPERTY

LINE NO.	TRACT NO.	NAME OF FORMER OWNER OR LESSOR AND ADDRESS	TRACT ACQUIRED (Acres or sq. ft.)	EXCESS REAL PROPERTY		TYPE OF ACQUISITION	RESTRICTIONS ON USE OR TRANSFER OF GOVERNMENT INTEREST
				ACRES OR SQUARE FEET	COST		
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(i)
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32							
				TOTAL			