

**Federal Property Management Regulations**

**§ 101-47.4906**

by the disposal agency to be industrial and which shall be so classified for disposal, and (4) property which the holding agency has requested reimbursement of the net proceeds of disposition pursuant to section 204(c) of the Act.

Eligible public agencies: Any State, the District of Columbia; any territory or possession of the United States; and any instrumentality or political subdivision in any of them.

Statute: 50 U.S.C. App. 1622(d). Disposals of power transmission lines needful for or adaptable to the requirements of a public power project.

Type of property\*: Any surplus power transmission line and the right-of-way acquired for its construction.

Eligible public agency: Any State or political subdivision thereof or any State agency or instrumentality.

\*The Commissioner, Public Buildings Service, General Services Administration, Washington, DC 20405, in appropriate instances, may waive any exclusions listed in this description, except for those required by law.

[60 FR 35708, July 11, 1995, as amended at 64 FR 5619, Feb. 4, 1999]

**§ 101-47.4906 Sample notice to public agencies of surplus determination.**

NOTICE OF SURPLUS DETERMINATION—  
GOVERNMENT PROPERTY

(Date) \_\_\_\_\_

(Name of property) \_\_\_\_\_

(Location) \_\_\_\_\_

Notice is hereby given that the above described property has been determined to be surplus Government property. The property consists of \_\_\_\_\_ acres of fee land, more or less, together with easements and improvements as follows:

This property is surplus property available for disposal under the provisions of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 *et seq.*), as amended, certain related laws, and applicable regulations. The applicable regulations provide that non-Federal public agencies shall be allowed a reasonable period of time to submit a formal application for surplus real property in which they may be interested. Disposal of this

property, or portions thereof, may be made to public agencies for the public uses listed below whenever the Government determines that the property is available for such uses and that disposal thereof is authorized by the statutes cited and applicable regulations. (NOTE: List only those statutes and types of disposal appropriate to the particular surplus property described in the notice.)

- 16 U.S.C. 667b- Wildlife conservation.
- d.
- 23 U.S.C. 107 Federal aid and certain other highways.
- and 317.
- 40 U.S.C. 122 .. Transfer to the District of Columbia.
- 40 U.S.C. 345c Widening of highways, streets, or alleys.
- 40 U.S.C. Negotiated sales for general public purpose uses. (NOTE: This statute should not be listed if the affected surplus property has an estimated value of less than \$10,000.)
- 484(e)(3)(H).
- 40 U.S.C. School, classroom, or other educational purposes.
- 484(k)(1)(A).
- 40 U.S.C. Protection of public health, including research.
- 484(k)(1)(B).
- 40 U.S.C. Public park or recreation area.
- 484(k)(2).
- 40 U.S.C. Historic monument.
- 484(k)(3).
- 40 U.S.C. Self-help housing and housing assistance.
- 484(k)(6).
- 40 U.S.C. Correctional facility, law enforcement, or emergency management response.
- 484(p).
- 40 U.S.C. Port facility.
- 484(q).
- 49 U.S.C. 47151 Public airport.
- 50 U.S.C. App. Power transmission lines.
- 1622(d).

If any public agency desires to acquire the property under any of the cited statutes, notice thereof must be filed in writing with \_\_\_\_\_ (Insert name and address of disposal agency):

Such notice must be filed not later than \_\_\_\_\_ (Insert date of the 21st day following the date of the notice.)

- Each notice so filed shall:
- (a) Disclose the contemplated use of the property;
  - (b) Contain a citation of the applicable statute or statutes under which the public agency desires to procure the property;

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(c) Disclose the nature of the interest if an interest less than fee title to the property is contemplated;

(d) State the length of time required to develop and submit a formal application for the property. (Where a payment to the Government is required under the statute, include a statement as to whether funds are available and, if not, the period required to obtain funds.); and

(e) Give the reason for the time required to develop and submit a formal application.

Upon receipt of such written notices, the public agency shall be promptly informed concerning the period of time that will be allowed for submission of a formal application. In the absence of such written notice, or in the event a public use proposal is not approved, the regulations issued pursuant to authority contained in the Federal Property and Administrative Services Act of 1949 provide for offering the property for sale.

Application forms or instructions to acquire property for the public uses listed in this notice may be obtained by contacting the following Federal agencies for each of the indicated purposes:

NOTE: For each public purpose statute listed in this notice, show the name, address, and telephone number of the Federal agency to be contacted by interested public body applicants.)

[60 FR 35710, July 11, 1995, as amended at 64 FR 5619, Feb. 4, 1999]

**§ 101-47.4906a Attachment to notice sent to zoning authority.**

FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949, AS AMENDED

TITLE VIII—URBAN LAND UTILIZATION

DISPOSAL OF URBAN LANDS

SEC. 803

(a) Whenever the Administrator contemplates the disposal for or on behalf of any Federal agency of any real property situated within an urban area, he shall, prior to offering such land for sale, give reasonable notice to the head of the governing body of the unit of general local government having jurisdiction over zoning and land-use regulation in the geographical area within which the land or lands are located in order to afford the government the opportunity of zoning for

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the use of such land in accordance with local comprehensive planning.

(b) The Administrator, to the greatest practicable extent, shall furnish to all prospective purchasers of such real property, full and complete information concerning:

(1) Current zoning regulations and prospective zoning requirements and objectives for such property when it is unzoned; and

(2) Current availability to such property of streets, sidewalks, sewers, water, street lights, and other service facilities and prospective availability of such services if such property is included in comprehensive planning.

[34 FR 11210, July 3, 1969]

**§ 101-47.4906b Paragraph to be added to letter sent to zoning authority.**

As the head of the governing body of the unit of general local government having jurisdiction over zoning and land-use regulations in the geographical area within which this surplus property is located, you also may be interested in section 803 of the Federal Property and Administrative Services Act of 1949, as amended, 82 Stat. 1105, a copy of which is attached for ready reference. It is requested that the information contemplated by section 803(b) be forwarded this office within the same 20-calendar-day period prescribed in the attached notice of surplus determination for the advising of a desire to acquire the property. If the property is unzoned and you desire the opportunity to accomplish such zoning in accordance with local comprehensive planning pursuant to section 803(a), please so advise us in writing within the same time frame and let us know the time you will require for the promulgation of such zoning regulations. We will not delay sale of the property pending such zoning for more than 50 days from the date of this notice. However, if you will not be able to accomplish the desired zoning before the property is placed on sale, we will advise prospective purchasers of the pending zoning in process.

[34 FR 11210, July 3, 1969]

**§ 101-47.4906-1 Sample letter for transmission of notice of surplus determination.**

\_\_\_\_\_  
(Date)