

## **8120            DISPOSAL OF SCHOOL BOARD PROPERTIES**

1. The School District administration will provide the School Board with an updated official appraisal, in a timely manner, of all property to be disposed.
2. The School Board will provide other units of government with the initial opportunity to acquire such property with the right reserved to be reimbursed for 80% of any profit another public body may make on the properties sales should the government body sell the property.
3. Property shall not be released without knowledge of its proposed utilization, and no property is to be released for the purpose or subsequent purpose of usage as a school other than ISD 709. By contract, such violation shall result in the property reverting back to ISD 709.
4. Property shall not be released if the proposed utilization may be of a nature that is inconsistent with the public interest as determined by the School Board.
5. If property is advertised for sale on a bid basis, the School Board shall reserve its right to reject any or all bids.
6. The School Board may choose to negotiate the sale of properties, seeking to obtain in the transaction the fair value of the properties.

**Legal References:** MSA 123.36  
MSA 123.37  
MSA 471.345

Opinion of Schools' Attorney, dated February 21, 1974, is quoted as follows: "...the School Board need not advertise for bids for real estate of the school district which it desires to dispose of, but that such sale may be negotiated by the School District with any prospective buyer, assuming that adequate consideration is paid by the buyer for the property."

Adopted:        04-20-1976 ISD 709  
Revised:        04-12-1977  
                    08-17-1993  
                    06-20-1995 ISD 709