

Income**DISPOSAL OF SURPLUS LAND AND OTHER REAL PROPERTY**

The School Board of Dade County, Florida may dispose of land or other real property which has been declared by resolution of the Board to be unnecessary or unsuitable for educational purposes and which is recommended for disposal in the educational plant survey.

- I. The Board may dispose of such property by one of the following methods:

- A. Transfer to another governmental agency:

If the Board in conjunction with another governmental agency determines that the property can be effectively used by such governmental agency, such property may be transferred by the Board to such agency for whatever consideration the Board deems to be in the best interest of the public.

- B. Trade:

The Board may trade, to a public or private entity or person, land or other real property that has been determined to be of equal dollar value by two appraisers, one selected by each of the parties to the proposed trade. A third appraiser shall mediate if the other appraisers do not agree on the value of the land or other real property to be traded. The Board may trade land or other real property not of equal value if the Board deems the trade to be in the best interest of the public. There shall be no limit on the value of land or other real property which may be traded by the Board provided that the land or other real property to be received by the Board has been determined to be of equal dollar value, or the Board has determined the trade of land or other real property not of equal value to be in the best interest of the public.

- C. Public or private sale:

1. When the property, in the opinion of the Board, has an estimated value of one hundred thousand dollars (\$100,000) or less, the Board may dispose of the property by either public or private sale for whatever consideration the Board deems to be in the best interest of the public.

2. When the property, in the opinion of the Board, has an

estimated value in excess of one hundred thousand dollars (\$100,000), the Board shall dispose of the property in the following manner:

- a. The Board shall direct the Superintendent to have the property appraised as follows:
 - (1) For property with an estimated value from one hundred thousand dollars (\$100,000) to five hundred thousand dollars (\$500,000), an appraisal from at least one (1) qualified real estate appraiser shall be obtained:
 - (2) For property with an estimated value exceeding five hundred thousand dollars (\$500,000), appraisals from at least two (2) qualified real estate appraisers shall be obtained.
- b. Upon receipt of the appraisal, the Board may:
 - (1) Establish the fair market value of the property at the median of the independent appraisals or a higher amount not to exceed the highest appraisal and proceed with the sale;
 - (2) Decide not to dispose of the property;
 - (3) Direct that the property be reappraised.
- c. After the Board establishes the fair market value for the property, based on the appraisals (or reappraisals) and determines to proceed with the sale of the property, such sale shall be by sealed bids received and opened after advertising for a minimum of three consecutive weeks in a newspaper having general circulation in the county, and in other additional newspapers which the Board may direct.
- d. Bid advertisements shall indicate that only bids meeting or exceeding the fair market value (the amount will be stated) will be considered.
- e. The Board shall accept the highest bid meeting or exceeding the advertised fair market value.

- f. If no bids are received which are equal to or exceed the advertised fair market value, the Board shall reject all bids and may negotiate with prospective buyers, or may dispose of the property through public auction, providing the purchase price meets or exceeds the previously established fair market value.
 - g. If after six months the Board fails to dispose of the property, it must reappraise and readvertise the property for public sale in accordance with the above procedure, if it determines to proceed for disposal of the property.
- II. After the Board has disposed of any land or other real property, pursuant hereto, the funds received from the sale of the property shall be placed in the appropriate part of the Board's budget and expended for capital outlay requirements of the Board.
- III. Any interest or requirement of the United States government, other agencies, or individuals shall be met in those instances where the property was acquired wholly or in part through the use of federal funds or under conditions which specified its use or disposition.
- IV. Upon disposal of any land or real property the Superintendent of Schools shall so notify the Department of Education in writing.

Specific Authority: 230.22(2) F.S.

Law Implemented, Interpreted, or Made Specific: 235.04(1) F.S.; 6A-2.0111 FAC, incorporating by reference, *State Requirements for Educational Facilities, 1994*, Section 1.4

History: THE SCHOOL BOARD OF DADE COUNTY, FLORIDA

New: 6-6-84

Amended: 5-9-90; 9-26-90; 3-22-95