

1. Applicability

- Except as provided below, these procedures shall apply to the disposal of real property owned by Administrative School District No. 1 (Bend-La Pine), Deschutes County, Oregon (District) determined to be surplus and excess property no longer necessary for current or future District purposes. It is the intent of the District to receive fair market value for the identified properties while maintaining its responsibilities of community stewardship. The provisions of these rules shall not apply to granting of easements or the dedication of right of way as may be required by the Cities of Bend or La Pine, Deschutes County, the State of Oregon, or in the best interest of the District.

2. Determination of Surplus Property

- District staff, on a periodic basis no less than every 2 years, shall submit to the Superintendent a report showing any real property in the possession, custody or control of the District that is no longer used and is otherwise surplus and excess for the needs of the District. If the Superintendent finds that such real property is not required for any other district use, he shall so report to the School Board, and the School Board may announce its intent to declare the subject property surplus and request a written estimate or appraisal of its fair market value.
- The Superintendent shall set a date for a public hearing, as nearly as possible to 60 days from the announcement. At least 5 calendar days but not more than 25 calendar days prior to the hearing, the Superintendent shall cause to be published a public notice setting forth the date, time and place of the hearing, at least once in a newspaper of general circulation in the area where the property is located. This notice shall identify the property using a description, which can be easily understood by the public and shall describe the current use of the lands involved. After the hearing, the School Board shall determine whether the subject property should be declared surplus. If the School Board determines the property to be surplus, a resolution making such a declaration shall be adopted.
- Prior to disposal of surplus real property by public sale, the Superintendent shall provide notice to local public agencies to determine their interest in the subject property. If interest is expressed, the Superintendent will recommend to the School Board disposition of the subject property in the best interest of the District.
- The following procedures apply if the property is not acquired by a public agency.

3. Manner of Disposal and Sale Procedure

- The Superintendent may dispose of any surplus real property which has an estimated market value of less than ten thousand dollars (\$10,000) subject to final approval by the School Board without advertising for bids.
- If the surplus real property has an estimated market value of ten thousand dollars (\$10,000) or more, the Superintendent shall dispose of the property in accordance with this procedure and shall require School Board approval for final agreement of sale.
- If none of the parties listed in the previous sections expresses interest in the subject property, then the District shall advertise for bids for a minimum two-week period following the resolution, which declares the subject property to be surplus. For the following two weeks, sealed bids may

be received, time and date stamped, and the highest and best offer within 10% of, or over, the appraised value may be accepted, upon final approval by the School Board.

- In the event no acceptable offer is received within the bid period, the property shall continue to be marketed by the District on a first come first served basis, using all resources common to the marketing of such property, including but not limited to installing signs, distributing offering information to local real estate firms, and publishing offering information monthly in a neighborhood newspaper. The Superintendent shall be authorized to negotiate with prospective purchasers and accept reasonable offers on behalf of the District, upon final approval by the School Board.
 - In the alternative to the sale procedure described above, the District may select a Real Estate Agent of Record in accordance to District purchasing guidelines to market and negotiate sale of the subject property subject to final approval by the School Board.
 - Sales of parcels shall be handled through independent escrow.
4. District Personnel Prohibited
- No District official, officer or employee shall bid, or be financially interested in any bid for surplus real property sold in accordance with these rules.
5. Deed - Additional Costs
- Upon receipt of the amount of the highest bid and School Board approval, the Superintendent or designee shall execute a warranty or bargain and sale deed on behalf of the District for the real property. All incidental and ancillary costs, including but not limited to escrow fees, commissions, and title and recording fees shall be borne exclusively by the purchaser unless otherwise negotiated.
6. Funds
- The net proceeds after cost of sale received for any property sold pursuant to these rules shall be credited to the land reserve fund or other appropriate fund as the School Board may determine.
7. Exceptions
- This procedure may be modified or waived at any time by a decision of the Board that it is in the best interest of the District to do so. No claim may be brought against the District for failure to follow this procedure.

Reviewed: 6/4/12, 10/20/14

Approved: 6/4/12, 10/21/14