

This board may designate and purchase any real property necessary for school purposes or in the operation of the district, or remove any building, or dispose of any real property. The board will determine the size of the site necessary for school purposes. All preliminary discussions concerning site acquisitions will be conducted in executive sessions of the board.

The site will be located within the incorporated limits of any city within the district; provided, however, that if this board finds that it is not in the best interests of the electors and students of the district to locate the site within the incorporated limits of a city, the board, by duly adopted resolution setting forth the reasons for its findings, may designate a site located elsewhere within the district.

The board, by deed, bill of sale, or other appropriate instrument, may convey all of the estate and interest of the district in any property, real or personal. Prior to, but not more than (1) year prior to such sale or conveyance, the sale of such property, the board shall have such property appraised by an appraiser certified in the state of Idaho, which appraisal shall be entered in the records of the board of trustees, and shall be used to establish the value of the real property.–

The property may be sold at public auction or by sealed bids, as the board determines, to the highest bidder. The property may be sold for cash or for such terms and conditions as the board will determine for a period not exceeding ten (10) years, with the annual rate of interest on all deferred payments not less than seven percent (7%) per annum.

The title to all property sold on contract will be retained in the name of this district until full payment has been made by the purchases, and title to all property sold under a note and mortgage or deed of trust will be transferred to the purchaser at the point of sale under the terms and conditions of the mortgage or deed of trust as this board will determine.

Notice of the time and the conditions of such sale will be published twice, and proof thereof made, in accordance with Idaho Code Section 33-402(g) and (h). However, when the appraised value of the property is less than one thousand dollars (\$1,000), one (1) single notice by publication will be sufficient and the property will be sold by sealed bids.

The board may accept the highest bid, may reject any bid, or reject all bids. If the real property was donated to the school district the board may, within a period of one (1) year from the time of the appraisal, sell the property without additional advertising or bidding. Otherwise, the board must have new appraisals made and again publish notice for bids, as before. If, thereafter, no satisfactory bid is made and received, the board may proceed under its own direction to sell and convey the property. In no case will any real property of the school district be sold for less than its appraisal.

Real property may be exchanged for other property if the consideration received by the district will be deemed adequate by the board. Furthermore, the board, by a vote of one-half (½) plus one (1) of the members of the full board, by resolution duly adopted, authorize the transfer or conveyance of any real property owned by the district to the government of the United States, any city, county, the state of Idaho, any hospital district, any other school district, any library district, any community college district, or any recreational district, with or without any consideration

accruing to the district, when in the judgment of the board it is for the interest of the school district that said transfer or conveyance be made.

The board may also convey rights-of-way and easements for highway, public utility, and other purposes over, upon or across any school property and, when necessary to the use of such property for any such purpose, may authorize the removal of school buildings to such new location, or locations, and such removal will be made at no cost or expense to the school district.

The board may also exercise the right of eminent domain for any of the uses and purposes provided in Section 7-701, Idaho Code.



**LEGAL REFERENCE:**

Idaho Code Sections

7-701 *et seq.*

33-402(g) and (h)

33-601(3) and (4)

**ADOPTED:**

January 13, 2003

**AMENDED:**

April 14, 2003