

CHAPTER 7.00 - BUSINESS SERVICES

ACQUISITION OF REAL PROPERTY

7.73

- (1) A determination by the School Board that real property is needed for school use shall be based on approved master planning data. Two (2) or more proposed locations shall be considered for each acquisition unless extenuating circumstances preclude such consideration. Extenuating circumstances shall be as follows:
 - (a) Availability of alternate locations because of prior land use commitments; the need to acquire land adjacent to an existing school site for purpose of expanding said site; or the purpose of establishing a new school center adjacent to an existing school center for implementation of programs that may be suitably carried out through common use of facilities for more than one (1) school.
 - (b) Joint use of land, as part of a master plan, for educational purposes and community recreational and cultural purposes.
- (2) The Superintendent or designee may negotiate with the owner and determine the purchase price of the land, if such is determined to be in the best interest of the School Board.
- (3) If it is determined to be in the best interest of the School Board, two (2) independent, qualified real estate appraisers shall be appointed to provide a standard narrative form of appraisal complete with supporting data. Final settlement shall not exceed the amount of the highest appraisal.
- (4) If negotiations with the owner are not successful, the School Board may exercise its right of eminent domain, and proceedings shall be filed in a court having jurisdiction and a date of value established on which to base the market value of the property.
- (5) Prior to acquisition of property, the Board shall obtain at least one (1) appraisal by an appraiser for each purchase in an amount greater than \$100,000 and not more than \$500,000. For each purchase in an amount in excess of \$500,000, the Board shall obtain at least two appraisals by appraisers. If the agreed purchase price exceeds the average appraised value, the Board is required to approve the purchase by an extraordinary vote.
- (6) Topographical surveys and legal descriptions shall be obtained, including metes and bounds description of all real property considered for purchase.

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- (7) Upon decision of the School Board to acquire real property, a title search shall be initiated by a competent, legal consultant or a title search company, and a policy of title insurance will be required upon completion of acquisition proceedings secured by surety satisfactory to the School Board.

STATUTORY AUTHORITY:

1001.42, F.S.

LAWS IMPLEMENTED:

1001.43; 1013.14; 1013.24,1013.36 F.S.

HISTORY:

ADOPTED:

REVISION DATE(S): 01/10/05 (CITATION)

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