

PROPERTY MANAGEMENT

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- I. The Vice President of Finance and Business shall be responsible for supervising acquisitions of real property, including appraisals and valuations of real property and improvements; securing title insurance policies; dedications or conveyance of easements; vacation of streets and alleys, street lighting and other special assessments; and the condemnation of real property.
- II. The governing board of a community college district pursuant to Education Code Section 81300 shall receive in the name of the district conveyances for all property received and purchased by it, and shall make in the name of the district conveyances of all property belonging to the district and sold by it.
- III. The governing board of a community college district pursuant to Education Code Section 81301 shall have the power to execute and deliver quitclaim deeds, either with or without consideration to the owners of real property adjacent to any real property owned by the district, for the purpose of removing defects in and otherwise clearing up the title to such adjacent real property.
- IV. The governing board of a community college district pursuant to Education Code Section 81360 may sell any real property belonging to the district or may lease for a term not exceeding 99 years, any real property, together with any personal property located thereon, belonging to the district which is not or will not be needed by the district for school classroom buildings at the time of delivery of title or possession. The sale or lease may be made without first taking a vote of the electors of the district, and shall be made in the manner provided by this article.
- V. The governing boards of any community college district pursuant to Education Code Section 81430 may sell, exchange, grant or quitclaim all or any of its interest in, or may lease for a term not exceeding 99 years, to the federal government or its agencies, to the state, or to any county, city and county, city or special district, or to any other school district, any real property belonging to the district, and which is not or will not at the time of delivery of title or possession be needed for school classroom buildings by the district owning it, as provided in this article.
- VI. In accordance with Education Code Section 81431, any sale, exchange, lease or grant of an interest in real property by a community college district pursuant to Section EC81430 shall be upon such terms and conditions as the parties thereto may agree and may be entered into without complying with any provisions of this code except as provided in this article.

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- VII. The board pursuant to Education Code Section 81432, shall not enter into and be a party to any such sale, exchange, or lease unless the following conditions have been met:
- A. A resolution authorizing such action and prescribing the terms of the sale, exchange, or lease has been adopted by the unanimous vote of all the members elected or appointed to the board;
 - B. Such resolution has been published in a paper published in the district and having a general circulation there; or if there is no such paper, then in a paper having a general circulation in the district; or, if there is no such paper, then in a paper having a general circulation in a county in which the district or any part thereof is situated. Notice shall be published no less than once a week for three weeks prior to the making of the sale, exchange, or the execution of the lease by the board.
- VIII. In any lease made pursuant to Education Code Section 81433 shall be competent to provide that the community college district lessee may purchase the property at an agreed purchase price and that rental paid for the use of the property shall be applied in whole or in part upon the purchase price. The district lessee may cancel the lease at the end of any budgetary year, and in such case shall not be obligated to complete the lease and shall be released from all obligations there under.
- IX. The governing board of a community college district pursuant to Education Code Section 81470 may exchange any of its real property for real property of another person or private business firm. Any exchange shall be upon such terms and conditions as the parties thereto may agree and may be entered into without complying with any provisions in this code except as provided in this article.
- X. Before ordering any exchange of real property the board pursuant to Education Code Section 81471 shall adopt, by a two-thirds vote of its members, a resolution declaring its intention to exchange the property. The resolution shall describe the properties to be exchanged in such manner as to identify them, and the terms and conditions, not including the price, upon which they will be exchanged.
- XI. The board, pursuant to Education Code Section 81472, and the other party to the exchange each shall appoint one member of a board of appraisers, and the third member shall be selected by the county superintendent of schools.
- XII. The governing board and the other party to the exchange shall agree on the compensation of the board of appraisers. The amount for the board's

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- appraiser and one-half of the amounts for the appraiser appointed by the county superintendent of schools shall be a legal charge against the funds of the district exchanging the property. The board of appraisers shall make a report to the parties to the exchange and the county superintendent of schools of its determination of the cash values of the properties proposed to be exchanged. The report may provide for payment by one of the parties to compensate for any difference in appraised values of the properties.
- XIII. If the county superintendent of schools pursuant to Education Code Section 81473, approves the report of the appraisers and the terms and conditions set forth in the resolution, the governing board shall publish at least once a week for two weeks in a paper of general circulation, circulated in the county, the resolution and a notice stating the time and place within the district at which a public meeting of the board will be held to consider the report of the appraisers and the exchange of the real properties described in the resolution.
- XIV. Pursuant to Education Code Section 81474, at the time and place fixed in the published notice, the board shall meet and consider the report of the appraisers. It then may order the exchange pursuant to the terms and conditions set forth in the resolution and the report of the appraisers.
- XV. The governing board of a community college district pursuant to Education Code Section 81601, shall furnish, repair, insure against fire, and in its discretion rent the school property of its districts. The governing board may also insure the property against other perils. The insurance shall be written in any admitted insurer, or in any non-admitted insurer to the extent and subject to the conditions prescribed in Section 1763 of the Insurance Code. Insurance on property of a district may be, in the discretion of the governing board, of the deductible type of coverage. By deductible type of coverage is meant a form of insurance under which the insurance becomes operative when the loss and damage exceeds an amount stipulated in the procedures or policies.
- XVI. The governing board, in their notice of bid for district construction, may indicate that it may elect to assume the cost of fire insurance by adding the coverage to the district's existing procedure and in such event bids made on such construction shall be made in the alternative, with and without the fire insurance coverage included, and the governing board shall make its election as to who shall secure and pay for such insurance at the time of accepting the bid. The deductible amount of fire insurance for any community college district may exceed one thousand dollars (\$1,000) for each occurrence.
- XVII. Reference:

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Education Code Section 70902; 81300 et seq.