

County Owned Real Property Acquisition and Disposal Policy

- I. **Policy Statement:** The County is the steward of property for which it has acquired through purchase, bequest, grant, or other means. This Policy is established by the County Board of Commissioners to establish standards for the acquisition and disposal of County Owned Real Property.

This policy does not apply to non-county owned property, property owned by the Land Bank Authority, OR county owned property that is being transferred to another municipality and that property will maintain the intended use.

- II. **Statutory Authority:** The Board of Commissioners may authorize the sale or lease of real estate belonging to the County, and prescribe the manner in which a conveyance of the real estate is to be executed. The Board of Commissioners may also establish rules and regulations to manage the interest and business of the County under Public Act 156 of 1851 [MCLA 46.11(c) and (m)].

III. **Related Procedures:**

- A. The County's Purchasing Policies and Procedures shall apply to any service that must be obtained during the property appraisal and sale process.

IV. **Historical Application:**

- A. No Prior Policy Exists Related to the Acquisition and Disposal of County Owned Real Property.

V. **Exclusions:** None

VI. **Implementation Authority:**

- A. The County Board authorizes the County Administrator or designee to effectuate the creation of any procedures necessary to implement the Policy.

VII. **Policy Standards:** The following standards shall apply to the acquisition and disposal of all County owned real property:

- A. The County shall maintain asset records that document properties owned, the history of government ownership, whether property was donated or purchased using grant funds or tax-exempt financing proceeds, how it is currently being used, its assessed value, its market value, whether there are donor or legal restrictions on its use, whether there are environmental concerns, and annual maintenance costs.
- B. The property considered for disposition/sale shall have been determined by the Board of Commissioners through a Board approved resolution to be surplus, obsolete, or underutilized County owned property.

- C. Except for easements or other rights of way that run with the land, the title and deed of property for sale shall be free and clear of any restrictions that encumber the property, and the title and deed shall permit the County to dispose of said property.
- D. The disposal of said property shall not compromise the ability of the County to obtain State and/or Federal grants.
- E. The County shall investigate the value of any mineral rights on said land prior to the sale and/or disposal of the property.
- F. The County shall consult with an affected and/or adjacent local unit of government and property owner from which the parcel is located and notify them of the intended disposal of real property.
- G. The County shall ensure that any disposal process includes a competitive, open, and transparent process.
- H. A property may be returned to the original owner from which it was bequeathed without compensation from the owner, provided that no additional funding is required from the County, and the return is otherwise lawful.
- I. Any property that is to be purchased by the County shall include the completion of a professional property appraisal.
- J. Any property that is purchased or acquired by the County shall be used only for a public purpose.

VIII. Real Property Disposal Guidelines:

- A. Consistent with the County's Purchasing policies, in the event a County owned property is to be placed on the market for sale, the County shall issue an RFP and obtain a professional real-estate agent to list and market the property and an appraiser to conduct the property appraisal.
- B. A staff work group shall be established to engage in the review process, including the RFP preparation, parcel/deed review, appraisal selection, and bid review process. The staff work group shall be comprised, at a minimum, of members of Equalization, Facilities, Finance, Parks and Recreation, and County Administration.
- C. The County shall publicly list all properties for sale for a minimum of 30-days prior to considering a proposal from a potential buyer, unless the buyer submits a proposal which meets and/or exceeds the listed/asking price. In this case, the proposal may be brought to the Commissioners at their next regularly scheduled meeting for consideration.
- D. The staff work group shall bring all bid proposals and review documents to the County Board for consideration following the closure of the 30-day posting timeline.
- E. The County Board is in no way obligated to act or accept a proposal which is received.

IX. Policy Review: This Policy shall be reviewed at least every three years by the Board of Commissioners.

Reviewed: March 9, 2022