

### **331.361 County property.**

1. Counties bounded by a body of water have concurrent jurisdiction over the entire body of water lying between them.
2. In disposing of an interest in real property by sale or exchange, by lease for a term of more than three years, or by gift, the following procedures shall be followed, except as otherwise provided by state law:
  - a. The board shall set forth its proposal in a resolution and shall publish notice of the time and place of a public hearing on the proposal, in accordance with section 331.305.
  - b. After the public hearing, the board may make a final determination on the proposal by resolution.
  - c. When unused highway right-of-way is not being sold or transferred to another governmental authority, the county shall comply with the requirements of section 306.23.
3. An interest in real property which is assessed for taxation as residential or commercial multifamily property may be disposed of through a public request for proposals process. A proposal submitted pursuant to this section shall state the housing use planned by the person submitting the proposal. The board shall publish the proposals in a notice of the time and place of a public hearing on the proposals, in accordance with section 331.305. After the public hearing, the board may choose by resolution from among the proposals submitted or may reject all proposals and submit a new request for proposals.
4. The board shall not dispose of real property by gift except for a public purpose, as determined by the board, in accordance with other state law.
5. The board shall:
  - a. Proceed upon a petition to establish a memorial hall or monument under chapter 37, as provided in that chapter.
  - b. Comply with section 103A.10, subsection 4, in the construction of new buildings.
  - c. Proceed upon a petition to, or with approval of the voters, establish a county public hospital under chapter 347 or sell or lease a county hospital for use as a private hospital or as a merged area hospital under chapter 145A or sell or lease a county hospital in conjunction with the establishment of a merged area hospital in accordance with procedures set out in chapter 347.
  - d. Bid for real property at a tax sale as required under section 446.19, and handle the property in accordance with section 446.31 and chapter 569.
  - e. Require the conduction of a life cycle cost analysis for county facilities in accordance with chapter 470.
  - f. Comply with chapter 216D if food service is provided in public buildings.
  - g. Comply with section 216C.9 if curbs and ramps are constructed.
  - h. Provide facilities for the district court in accordance with section 602.1303.
  - i. Perform other duties required by state law.
6. In exercising its power to manage county real property, the board may lease land for oil and gas exploration as provided in section 458A.21.

7. The board shall not lease, purchase, or construct a facility or building before considering the leasing of a vacant facility or building which is located in the county and owned by a public school corporation. The board may lease a facility or building owned by the public school corporation with an option to purchase the facility or building in compliance with section 297.22. The lease shall provide that the public school corporation may terminate the lease if the corporation needs to use the facility or building for school purposes. The public school corporation shall notify the board at least thirty days before the termination of the lease.

**1.** [C51, § 95; R60, § 223; C73, § 280; C97, § 395; C24, 27, 31, 35, 39, § **5129**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 332.2; S81, § 331.361(1); 81 Acts, ch 117, § 360]

**2, 3.** [C24, 27, 35, 39, § **5130**; C46, 50, 54, 58, 62, 66, § 332.3; C71, 73, 75, 77, 79, § 332.3, 569.8; C81, § 332.3(13); S81, § 331.361(2, 3); 81 Acts, ch 117, § 360]

**4.** [C39, § **5130.1**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 332.5; S81, § 331.361(4); 81 Acts, ch 117, § 360]

**5.** [C24, 27, 31, 35, 39, § **487**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 37.5; S81, § 331.361(5); 81 Acts, ch 117, § 360]

**6.** [S81, § 331.361(6); 81 Acts, ch 117, § 360]

**7.** [82 Acts, ch 1148, § 3]

83 Acts, ch 186, § 10076, 10201; 85 Acts, ch 185, §1; 87 Acts, ch 35, §2; 94 Acts, ch 1173, §19; 96 Acts, ch 1204, §30; 97 Acts, ch 184, § 5; 2007 Acts, ch 54, §32