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| Policy Title: | Real Property, Facility and Campus Planning |
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| Governing Body:   | Southern Oregon University                  | Policy Number: | FAD.059 (580-060) |
| Policy Contact:   | Vice President for Finance & Administration | Date Revised:  | July 2015         |
| Custodial Office: | Finance & Administration                    | Date Approved: | July 2015         |
| Approved By:      | President                                   | Next Review:   | July 2015         |
| Related Policy:   |   |                |                   |

Revision History

| Revision Number: | Change:         | Date:     |
|------------------|-----------------|-----------|
| -                | Initial version | July 2015 |
| 1                | Revision        | July 2016 |

A. Purpose

This policy codifies and revises as Southern Oregon University Policy the rules previously adopted by the State Board of Higher Education at Oregon Administrative Rule 580, Division 060 and transferred to SOU by operation of law on July 1, 2015.

B. Definitions

**Division 60, 580-060-0005 Definitions**  
 All capitalized terms in chapter 580, Division 60 have the meanings set forth in 580-061-0010 (Procurement and Contracting Code) unless the context requires otherwise or except as stated.

C. Policy Statement

**A. Division 60, 580-060-0000 Authority**  
 These rules establish the procedures that will be followed by Southern Oregon University (SOU) to acquire, receive, hold, control, convey, sell, manage, operate, lease, lend, improve, and develop all real property of the university held in the name of the State of Oregon.

**B. Division 60, 580-060-0010 Comprehensive Plan Coordination**

The university will maintain a long-range campus development plan covering all real property under its control and management. Institutional plans, and revisions thereof, will be approved by the President and by the Board. The Board will approve revisions to the campus boundaries.

**C. Division 60, 580-060-0015 Records**

The university will maintain the official records of all documents that affect real property under its control and management. Documents affecting real property include, but are not limited to, all instruments that acquire, transfer, sell, or alter the character of land.

**D. Division 60, 580-060-0020 Purchase of Real Property**

1. All purchases of real property will be for the present or future development of the university.
2. Legal title to all real property purchased must be taken and held in the name of the State of Oregon.
3. The President is delegated the authority to execute conveyances for the purchase of real property after the following have been performed to satisfaction of the President:
  - (a) Obtain at least one appraisal by a licensed and experienced real estate appraiser estimating the fair market value;
  - (b) Complete an environmental assessment and determine that any risk associated with the real property is reasonable;
  - (c) Determine that sufficient ongoing revenues are available to operate and maintain the property.
4. If the consideration for the purchase is \$5,000,000 or more, the President must receive the prior approval of the Board or an appropriate standing committee of the Board.

**E. Division 60, 580-060-0025 Gifts of Real Property**

1. Legal title to all real property gifted to the university must be taken and held in the name of the State of Oregon.
2. The President is delegated the authority to execute conveyances for the gift of real property after the following have been performed to satisfaction of the President:
  - (a) Complete an environmental assessment and determine that any risk associated with the real property is reasonable under the circumstances;
  - (b) Determine that sufficient ongoing revenues are available to operate and maintain the property.

**F. Division 60, 580-060-0030 Condemnation**

Acquisition of real property by condemnation will be conducted in accordance with ORS Chapter 35 and must be approved by the Board.

#### **G. Division 60, 580-060-0035 Sale of Real Property**

1. The President is delegated the authority to execute conveyances for the sale of real property after the following have been performed to satisfaction of the President:

- (a) Obtain at least one appraisal by a licensed and experienced real estate appraiser estimating the fair market value;
- (b) Verify with the Office of Finance and Administration regarding whether any tax exempt financing was used to purchase or improve the property and, if any such debt remains outstanding, ensure continued compliance with IRS regulations.

2. If the consideration for the sale is \$5,000,000 or more, the President must receive the prior approval of the Board or an appropriate standing committee of the Board.

#### **H. Division 60, 580-060-0040 Easements**

1. The President is delegated the authority to execute easements and other nonpossessory interests in real estate.

2. If granting an easement, the President shall first verify with the University Shared Services Enterprise (USSE) whether any tax exempt financing was used to purchase or improve the property and, if any such debt remains outstanding, coordinate with the USSE to ensure continued compliance with IRS regulations.

#### **I. Division 60, 580-060-0045 Use of Board Property**

1. If the university intends to lease or license real property owned by the university and either (a) the term of the lease or license exceeds 50 days in total or (b) the arrangement was not set at fair market value, then prior to the execution of the lease or license, the President will take appropriate measures to confirm, including with the USSE, compliance with bond restrictions.

2. The President will obtain prior approval of the Board or an appropriate standing committee of the Board for agreements permitting the construction on or renovation to university-owned property if such improvements exceed \$5 million during the term of the agreement. To obtain approval from the Board or an appropriate standing committee of the Board, the university must specify where funding for operations and maintenance will come from.

3. If the university permits construction on or renovation to university-owned property, the university must approve all plans and specifications prior to the commencement of work and obtain record drawings upon termination of the agreement or completion of the work, whichever first occurs.

4. The university normally will not make available university buildings and other facilities to individuals for essentially private use or to outside organizations, unless approved in university policy or required by law. Exceptions will be made only if the proposed use is consistent with university policies and missions and the individual or organization fully reimburses the university for all appropriate costs.

#### **J. Division 60, 580-060-0050 Leases**

1. The President is delegated the authority to execute leases of real property.

2. If the consideration for the lease is over \$5,000,000 or the term of the lease is over 10 years but less than 15 years, the President must receive the prior approval of the Board or an appropriate standing committee of the Board.
3. If the consideration for the lease is over \$15,000,000 or the term of the lease is over 15 years, the President must receive the prior approval of the Board or an appropriate standing committee of the Board.
4. Prior to executing an amendment to a lease, the President must receive approval under subsection J2 or J3 based on the consideration or term of the amended lease.

**K. Division 60, 580-060-0055 Naming Buildings**

The President is authorized to name buildings. No building or structure of SOU will be named after a living person. However, the President or designee may make exceptions to this rule if a donor contributes a substantial share of the cost of construction or if other unusually meritorious reasons exist.

This policy may be revised at any time without notice. All revisions supersede prior policy and are effective immediately upon approval.

**D. Policy Consultation**

This policy was transferred to SOU by operation of law on July 1, 2015 from Oregon Administrative Rule 580, Division 060. Revisions to the text of the policy were posted for campus comment on June 21, 2016.

**E. Other Information**

The Policy Contact, defined above, will write and maintain the procedures related to this policy and these procedures will be made available within the Custodial Office.