

# Board of Water Commissioners Policy: Land Ownership, Surplus Designation, and Disposition

## I. Land Ownership Records and Titling

1. All property owned or acquired for use by Saint Paul Regional Water Services (SPRWS) shall be recorded under the legal name "**The Board of Water Commissioners – SPRWS.**"
2. SPRWS staff shall review and work to update the title records of all current properties to reflect ownership under **The Board of Water Commissioners – SPRWS.**
3. Any future acquisitions shall be titled accordingly at the time of purchase or transfer.

## II. Surplus Land Identification and Designation

1. SPRWS staff may identify property that is no longer necessary for utility operations currently or for expected future uses.
2. Staff shall present the parcel and justification for surplus designation to the Board of Water Commissioners ("the Board").
3. The Board may:
  - a. **Designate the property as surplus**
    - i. Upon designation as surplus, the Board shall further classify the property as one of the following:
      - **Surplus – Available for Sale**
      - **Surplus – Unavailable for Sale**
  - b. **Decline surplus designation**

## III. Surplus Land Sale Process

If a property is classified as **Surplus – Available for Sale**, the following process shall be followed:

1. **City-Owned Properties:**
  - a. If the property is titled under the City of Saint Paul, the Board resolution shall request City Council concurrence in the surplus designation and authorization of a quitclaim deed in favor of the Board.
  - b. Staff shall prepare and record the quitclaim deed transferring title to the Board.
2. **Government Right of First Refusal:**
  - a. The property shall be first offered at market value to:
    - i. The City in which it is located
    - ii. Followed by the County in which it is located

- b. If neither party expresses interest, the Board may proceed to public sale.
- 3. **Broker Engagement:**
  - a. Staff shall engage a licensed real estate broker to list the property and market it for sale.
- 4. **Purchase Agreement:**
  - a. Staff or buyer prepares a purchase and sale agreement.
  - b. The agreement is submitted to the Board for review and approval.
- 5. **Title and Transfer:**
  - a. Upon Board approval, staff obtains a title opinion and, where appropriate, title insurance.
  - b. Following satisfaction of purchase agreement conditions, staff prepares and executes a quitclaim deed to the buyer and collects payment.

#### **IV. Oversight and Amendments**

This policy shall be reviewed periodically by the Board or its designees and may be amended by Board resolution to ensure continued alignment with SPRWS operational needs and public benefit.