

**N.D.A.G. Letter to Sagsveen (Sep. 19, 1986)**

September 19, 1986

Mr. Murray G. Sagsveen  
LTC, JAGC, NDARNG Staff Judge Advocate  
Office of the Adjutant General  
P. O. Box 5511  
Bismarck, ND 58502-5511

Dear Ltc. Sagsveen:

Thank you for your letter of September 2, 1986, requesting my review of an application from the Adjutant General to the Board of University and School Lands concerning particular lands described within that application. I have reviewed the information and statements contained within the application and I do hereby state it is my opinion that the Adjutant General does possess the authority to accomplish the transaction proposed in this application.

With respect to the authority of the Board of University and School Lands to accept other land in trade for land under its jurisdiction, N.D.C.C. Ch. 15-09 does require the Board to fix a price for its land based upon its valuation. Upon payment of that price, the Board shall convey the land. However, these statutes do not provide the specific method by which such a price is to be paid. Thus, so long as the valuation of the Board's land has been satisfied, the Board may accept any form of payment, including a land trade, that it desires to accept.

Sincerely,

Nicholas J. Spaeth

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