
HOUSE BILL 1627

State of Washington

56th Legislature

1999 Regular Session

By Representatives Pflug, Haigh, K. Schmidt, DeBolt, Fisher, Lovick, McDonald, G. Chandler, Skinner, Hankins, Mitchell, Fortunato, Thomas and Cooper

Read first time 02/01/1999. Referred to Committee on Transportation.

1 AN ACT Relating to the surplus real property program; and amending
2 RCW 47.12.063.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 47.12.063 and 1993 c 461 s 11 are each amended to read
5 as follows:

6 (1) It is the intent of the legislature to continue the
7 department's policy giving priority consideration first to the former
8 owner of the property from whom the state acquired title, then to
9 abutting property owners in agricultural areas when disposing of
10 property through its surplus property program under this section.

11 (2) Whenever the department determines that any real property owned
12 by the state of Washington and under the jurisdiction of the department
13 is no longer required for transportation purposes and that it is in the
14 public interest to do so, the department shall first offer to sell the
15 property or otherwise dispose of the property for legal and sufficient
16 consideration to the former owner of the property from whom the state
17 acquired title; if the former owner does not wish to reacquire the
18 property, the department may sell the property or exchange it in full
19 or part consideration for land or improvements or for construction of

1 improvements at fair market value to any of the following governmental
2 entities or persons:

3 (a) Any other state agency;

4 (b) The city or county in which the property is situated;

5 (c) Any other municipal corporation;

6 ~~((The former owner of the property from whom the state acquired
7 title;~~

8 ~~(e))~~ In the case of residentially improved property, a tenant of
9 the department who has resided thereon for not less than six months and
10 who is not delinquent in paying rent to the state;

11 ~~((f))~~ (e) Any abutting private owner but only after each other
12 abutting private owner (if any), as shown in the records of the county
13 assessor, is notified in writing of the proposed sale. If more than
14 one abutting private owner requests in writing the right to purchase
15 the property within fifteen days after receiving notice of the proposed
16 sale, the property shall be sold at public auction in the manner
17 provided in RCW 47.12.283;

18 ~~((g))~~ (f) To any person through the solicitation of written bids
19 through public advertising in the manner prescribed by RCW 47.28.050;

20 ~~((h))~~ (g) To any other owner of real property required for
21 transportation purposes; or

22 ~~((i))~~ (h) In the case of property suitable for residential use,
23 any nonprofit organization dedicated to providing affordable housing to
24 very low-income, low-income, and moderate-income households as defined
25 in RCW 43.63A.510 and is eligible to receive assistance through the
26 Washington housing trust fund created in chapter 43.185 RCW.

27 (3) Sales to purchasers may at the department's option be for cash,
28 by real estate contract, or exchange of land or improvements.
29 Transactions involving the construction of improvements must be
30 conducted pursuant to chapter 47.28 RCW or Title 39 RCW, as applicable,
31 and must comply with all other applicable laws and rules.

32 (4) Conveyances made pursuant to this section shall be by deed
33 executed by the secretary of transportation and shall be duly
34 acknowledged.

35 (5) All moneys received pursuant to the provisions of this section
36 less any real estate broker commissions paid pursuant to RCW 47.12.320
37 shall be deposited in the motor vehicle fund.

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