
SENATE BILL 5209

State of Washington

57th Legislature

2001 Regular Session

By Senators T. Sheldon, Swecker, Regala, Rossi, Prentice and Costa

Read first time 01/16/2001. Referred to Committee on Transportation.

1 AN ACT Relating to the sale of surplus real property by the
2 department of transportation; and amending RCW 47.12.063.

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

4 **Sec. 1.** RCW 47.12.063 and 1999 c 210 s 1 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 to abutting property
8 owners in agricultural areas when disposing of property through its
9 surplus property program under this section.

10 (2) Whenever the department determines that any real property owned
11 by the state of Washington and under the jurisdiction of the department
12 is no longer required for transportation purposes and that it is in the
13 public interest to do so, the department may sell the property or
14 exchange it in full or part consideration for land or improvements or
15 for construction of improvements at fair market value to any of the
16 following governmental entities or persons:

17 (a) Any other state agency;

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

19 (c) Any other municipal corporation;

1 (d) Regional transit authorities created under chapter 81.112 RCW;

2 (e) The former owner of the property from whom the state acquired
3 title;

4 (f) In the case of residentially improved property, a tenant of the
5 department who has resided thereon for not less than six months and who
6 is not delinquent in paying rent to the state;

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

14 (h) To any person through the solicitation of written bids through
15 public advertising in the manner prescribed by RCW 47.28.050;

16 (i) To any other owner of real property required for transportation
17 purposes; ~~((or))~~

18 (j) In the case of property suitable for residential use, any
19 nonprofit organization dedicated to providing affordable housing to
20 very low-income, low-income, and moderate-income households as defined
21 in RCW 43.63A.510 and is eligible to receive assistance through the
22 Washington housing trust fund created in chapter 43.185 RCW; or

23 (k) A federally recognized Indian tribe within whose exterior
24 reservation boundary the property is located.

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

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

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

--- END ---