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HOUSE BILL 1046

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State of Washington                      58th Legislature                      2003 Regular Session

By Representatives Miloscia, Chandler and Uptegrove

Read first time 01/14/2003.                      Referred to Committee on Local Government.

1            AN ACT Relating to the sale of property by water-sewer districts;  
2 and amending RCW 57.08.016.

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

4            **Sec. 1.** RCW 57.08.016 and 1999 c 153 s 5 are each amended to read  
5 as follows:

6            (1) There shall be no private sale of real property where the  
7 (~~appraised~~) estimated value exceeds the sum of two thousand five  
8 hundred dollars. Estimated value shall be determined by the board of  
9 commissioners based upon advice from a real estate appraiser or broker  
10 as it considers appropriate. Subject to the provisions of subsection  
11 (2) of this section, no real property of the district shall be sold for  
12 less than ninety percent of the value (~~thereof as~~). Where the  
13 estimated value exceeds two thousand five hundred dollars, an appraised  
14 value shall be established by a written appraisal made not more than  
15 six months prior to the date of sale by three disinterested real estate  
16 brokers licensed under the laws of the state or by one professionally  
17 designated real estate appraiser(~~s~~) as defined in RCW 74.46.020. The  
18 appraisal shall be signed by the brokers or appraiser(~~s~~) and filed

1 with the secretary of the board of commissioners of the district, who  
2 shall keep it at the office of the district open to public inspection.  
3 Any notice of intention to sell real property of the district shall  
4 recite the estimated value, or the appraised value ((thereof)) if an  
5 appraisal has been made.

6 (2) If no purchasers can be obtained for the property at ninety  
7 percent or more of its appraised value after one hundred twenty days of  
8 offering the property for sale, the board of commissioners of the  
9 district may adopt a resolution stating that the district has been  
10 unable to sell the property at the ninety percent amount. The district  
11 then may sell the property at the highest price it can obtain at public  
12 auction. A notice of intention to sell at public auction shall be  
13 published once a week for two consecutive weeks in a newspaper of  
14 general circulation in the district. The notice shall describe the  
15 property, state the time and place at which it will be offered for sale  
16 and the terms of sale, and shall call for bids, fix the conditions  
17 thereof, and reserve the right to reject any and all bids for good  
18 cause.

19 (3) As an alternative to the requirements under subsections (1) and  
20 (2) of this section, a water-sewer district may dispose of easements or  
21 other interests in real property by private sale, even when the  
22 estimated value exceeds the sum of two thousand five hundred dollars,  
23 when the potential buyer owns real property abutting or adjacent to the  
24 real property, and when the board of commissioners has determined that  
25 no productive use could be made of the property other than by  
26 incorporation with the abutting or adjacent real property.  
27 Determination of appraised value, selling price, and procedures for  
28 sale shall be as described in subsections (1) and (2) of this section.  
29 Notice of a proposed private sale shall be given as described in RCW  
30 57.08.015.

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