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HOUSE BILL 1355

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State of Washington                      59th Legislature                      2005 Regular Session

By Representatives Conway and Kirby

Read first time 01/20/2005. Referred to Committee on Local Government.

1            AN ACT Relating to disposition of surplus property by a  
2 metropolitan park district; amending RCW 35.61.132 and 35.61.132;  
3 providing an effective date; and declaring an emergency.

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

5            **Sec. 1.** RCW 35.61.132 and 1989 c 319 s 4 are each amended to read  
6 as follows:

7            Every metropolitan park district may, by (~~unanimous decision~~)  
8 simple majority vote of its board of park commissioners, sell,  
9 exchange, or otherwise dispose of any real or personal property  
10 acquired for park or recreational purposes when such property is  
11 declared surplus for park or other recreational purposes: PROVIDED,  
12 That where the property is acquired by donation or dedication for park  
13 or recreational purposes, the consent of the donor or dedicator, his or  
14 her heirs, successors, or assigns is first obtained if the consent of  
15 the donor is required in the instrument conveying the property to the  
16 metropolitan park district. In the event the donor or dedicator, his  
17 or her heirs, successors, or assigns cannot be located after a  
18 reasonable search, the metropolitan park district may petition the

1 superior court in the county where the property is located for approval  
2 of the sale. If sold, all sales shall be by public bids and sale made  
3 only to the highest ((and)) or best bidder.

4 **Sec. 2.** RCW 35.61.132 and 2005 c ... s 1 (section 1 of this act)  
5 are each amended to read as follows:

6 Every metropolitan park district may, by ((simple majority vote))  
7 unanimous decision of its board of park commissioners, sell, exchange,  
8 or otherwise dispose of any real or personal property acquired for park  
9 or recreational purposes when such property is declared surplus for  
10 park or other recreational purposes: PROVIDED, That where the property  
11 is acquired by donation or dedication for park or recreational  
12 purposes, the consent of the donor or dedicator, his or her heirs,  
13 successors, or assigns is first obtained if the consent of the donor is  
14 required in the instrument conveying the property to the metropolitan  
15 park district. In the event the donor or dedicator, his or her heirs,  
16 successors, or assigns cannot be located after a reasonable search, the  
17 metropolitan park district may petition the superior court in the  
18 county where the property is located for approval of the sale. If  
19 sold, all sales shall be by public bids and sale made only to the  
20 highest ((or)) and best bidder.

21 NEW SECTION. **Sec. 3.** Section 2 of this act takes effect January  
22 1, 2007.

23 NEW SECTION. **Sec. 4.** Section 1 of this act is necessary for the  
24 immediate preservation of the public peace, health, or safety, or  
25 support of the state government and its existing public institutions,  
26 and takes effect immediately.

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