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HOUSE BILL 2734

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State of Washington

61st Legislature

2010 Regular Session

By Representatives Kagi, Lias, Chase, Miloscia, Clibborn, Wallace, Maxwell, Nelson, Simpson, and Santos

Read first time 01/13/10. Referred to Committee on Transportation.

1 AN ACT Relating to allowing federally qualified community health  
2 centers to buy surplus real property from the department of  
3 transportation; and amending RCW 47.12.063.

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

5 **Sec. 1.** RCW 47.12.063 and 2006 c 17 s 2 are each amended to read  
6 as follows:

7 (1) It is the intent of the legislature to continue the  
8 department's policy giving priority consideration to abutting property  
9 owners in agricultural areas when disposing of property through its  
10 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 may sell the property or  
15 exchange it in full or part consideration for land or improvements or  
16 for construction of improvements at fair market value to any of the  
17 following governmental entities or persons:

18 (a) Any other state agency;

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

1 (c) Any other municipal corporation;

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

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

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

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

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

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

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

24 (k) A federally qualified community health center as defined in RCW  
25 82.04.4311; or

26 (1) A federally recognized Indian tribe within whose reservation  
27 boundary the property is located.

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

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

36 (5) Unless otherwise provided, all moneys received pursuant to the

1 provisions of this section less any real estate broker commissions paid  
2 pursuant to RCW 47.12.320 shall be deposited in the motor vehicle fund.

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