

HOUSE BILL 1972

State of Washington                      60th Legislature                      2007 Regular Session

By Representatives Ross and Newhouse

Read first time 02/02/2007. Referred to Committee on Agriculture & Natural Resources.

1            AN ACT Relating to proceeds from irrigation district foreclosure  
2 sales; and amending RCW 87.06.080.

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

4            **Sec. 1.** RCW 87.06.080 and 1988 c 134 s 8 are each amended to read  
5 as follows:

6            (1) The treasurer shall post notice of the foreclosure sale, at  
7 least ten days before the sale, at the following locations: At the  
8 courthouse of the county in which the property is located, at the  
9 district office, and at a public place in the district. The treasurer  
10 shall also publish, at least once and not fewer than ten days before  
11 the sale, the notice in any daily or weekly legal newspaper of general  
12 circulation in the district.

13            (2) The notice shall be in substantially the following form:

IRRIGATION ASSESSMENT JUDGMENT SALE

15            Public notice is hereby given that pursuant to judgment, rendered  
16 on . . . . ., of the superior court of the county of . . . . . in  
17 the state of Washington, that I shall sell the property described  
18 below, at a foreclosure sale beginning at . . . . . (time), on

1 . . . . . (date), at . . . . . (location), in the city of  
2 . . . . . , and county of . . . . . , state of  
3 Washington. This sale is made in order to pay for delinquent  
4 assessments, costs, and interest owed to . . . . . The  
5 property will be sold to the highest and best bidder but bids will not  
6 be accepted for less than the minimum sale price set by the superior  
7 court. The minimum sale price is listed on the bid sheet, a copy of  
8 which is provided at the treasurer's office. Payment must be made at  
9 time of sale and must be by cash, bank cashier's check, or a negotiable  
10 instrument of equivalent security.

11 Description of property: . . . . .  
12 Interested parties and members of the public are invited to  
13 participate in this sale. This sale will not take place if by  
14 . . . . . (time), on . . . . . (date), the amount due . . . . . , is  
15 paid in the manner specified by law.

16 .....  
17 Treasurer for .....  
18 Irrigation District  
19 Date signed: .....

20 (3) The treasurer shall conduct the sale in conformance with the  
21 notice and this chapter. If the sale is conducted by the county  
22 treasurer, no county or district officer or employee may directly or  
23 indirectly be a purchaser. If the irrigation district treasurer  
24 conducts the sale, no officer or employee of the district may directly  
25 or indirectly be a purchaser.

26 (4) If the bid amount paid for the property is in excess of the  
27 lien amount for which the judgment has been rendered, plus any  
28 additional assessments, costs, and interest which have become due after  
29 the date of preparation of the certificate of delinquency and before  
30 the date of sale, then the excess shall be remitted, on application  
31 therefor, to the record owner of the property. The record owner of the  
32 property is the person who held title on the date of issuance of the  
33 certificate of delinquency. Assignments of interests, deeds, or other  
34 documents executed or recorded after filing the certificate of  
35 delinquency shall not affect the payment of excess funds to the record  
36 owner. If no claim for the excess is received by the treasurer within

1 three years after the date of the sale, the treasurer, at expiration of  
2 the three-year period, shall deposit the excess in the current expense  
3 fund of the district.

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