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HOUSE BILL 1382

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State of Washington

54th Legislature

1995 Regular Session

By Representatives Reams, Scott and Rust

Read first time 01/24/95. Referred to Committee on Government Operations.

1 AN ACT Relating to sale of surplus property by sewer and water  
2 districts; and amending RCW 56.08.080, 56.08.090, 57.08.015, and  
3 57.08.016.

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

5 **Sec. 1.** RCW 56.08.080 and 1993 c 198 s 17 are each amended to read  
6 as follows:

7 The board of commissioners of a sewer district may sell, at public  
8 or private sale, property belonging to the district if the board  
9 determines that the property is not and will not be needed for district  
10 purposes and if the board gives notice of intention to sell as in this  
11 section provided: PROVIDED, That no notice of intention is required to  
12 sell personal property of less than two thousand five hundred dollars  
13 in value.

14 The notice of intention to sell shall be published once a week for  
15 two consecutive weeks in a newspaper of general circulation in the  
16 district. The notice shall describe the property and state the time  
17 and place at which it will be sold or offered for sale, the terms of  
18 sale, whether the property is to be sold at public or private sale, and

1 if at public sale the notice shall call for bids, fix the conditions  
2 thereof and shall reserve the right to reject any and all bids.

3 The board of commissioners may agree to pay a sales commission to  
4 a real estate broker or salesperson licensed under the laws of the  
5 state who procures an offer that is accepted by the board.

6 **Sec. 2.** RCW 56.08.090 and 1993 c 198 s 18 are each amended to read  
7 as follows:

8 ~~((1) Subject to the provisions of subsection (2) of this~~  
9 ~~section,))~~ No real property valued at two thousand five hundred dollars  
10 or more ~~((of the district))~~ shall be sold by private sale for less than  
11 ninety percent of the value thereof as established by a written  
12 appraisal made not more than ~~((six))~~ twelve months prior to the date of  
13 sale by ~~((three))~~ a disinterested real estate broker~~((s))~~ licensed  
14 under the laws of the state or a professionally designated real estate  
15 appraiser~~((s))~~ as defined in RCW 74.46.020. The appraisal shall be  
16 signed by the broker or appraiser~~((s))~~ and filed with the secretary of  
17 the board of commissioners of the district, who shall keep it at the  
18 office of the district open to public inspection. ~~((Any))~~ The notice  
19 of intention to sell real property of the district by private sale  
20 shall recite the appraised value thereof~~((: PROVIDED, That there shall~~  
21 ~~be no private sale of real property where the appraised value exceeds~~  
22 ~~the sum of two thousand five hundred dollars.~~

23 ~~(2) If no purchasers can be obtained for the property at ninety~~  
24 ~~percent or more of its appraised value after one hundred twenty days of~~  
25 ~~offering the property for sale, the board of commissioners of the sewer~~  
26 ~~district may adopt a resolution stating that the district has been~~  
27 ~~unable to sell the property at the ninety percent amount. The sewer~~  
28 ~~district then may sell the property at the highest price it can obtain~~  
29 ~~at public auction. A notice of intention to sell at public auction~~  
30 ~~shall be published once a week for two consecutive weeks in a newspaper~~  
31 ~~of general circulation in the sewer district. The notice shall~~  
32 ~~describe the property, state the time and place at which it will be~~  
33 ~~offered for sale and the terms of sale, and shall call for bids, fix~~  
34 ~~the conditions thereof, and reserve the right to reject any and all~~  
35 ~~bids)).~~

36 **Sec. 3.** RCW 57.08.015 and 1993 c 198 s 19 are each amended to read  
37 as follows:

1 The board of commissioners of a water district may sell, at public  
2 or private sale, property belonging to the district if the board  
3 determines that the property is not and will not be needed for district  
4 purposes and if the board gives notice of intention to sell as in this  
5 section provided: PROVIDED, That no such notice of intention shall be  
6 required to sell personal property of less than two thousand five  
7 hundred dollars in value.

8 The notice of intention to sell shall be published once a week for  
9 two consecutive weeks in a newspaper of general circulation in the  
10 district. The notice shall describe the property and state the time  
11 and place at which it will be sold or offered for sale, the terms of  
12 sale, whether the property is to be sold at public or private sale, and  
13 if at public sale the notice shall call for bids, fix the conditions  
14 thereof and shall reserve the right to reject any and all bids.

15 The board of commissioners may agree to pay a sales commission to  
16 a real estate broker or salesperson licensed under the laws of the  
17 state who procures an offer that is accepted by the board.

18 **Sec. 4.** RCW 57.08.016 and 1993 c 198 s 20 are each amended to read  
19 as follows:

20 ~~((1) Subject to the provisions of subsection (2) of this~~  
21 ~~section,))~~ No real property valued at two thousand five hundred dollars  
22 or more ((of the district)) shall be sold by private sale for less than  
23 ninety percent of the value thereof as established by a written  
24 appraisal made not more than ((six)) twelve months prior to the date of  
25 sale by ((three)) a disinterested real estate broker((s)) licensed  
26 under the laws of the state or a professionally designated real estate  
27 appraiser((s)) as defined in RCW 74.46.020. The appraisal shall be  
28 signed by the broker or appraiser((s)) and filed with the secretary of  
29 the board of commissioners of the district, who shall keep it at the  
30 office of the district open to public inspection. ((Any)) The notice  
31 of intention to sell real property of the district by private sale  
32 shall recite the appraised value thereof((: PROVIDED, That there shall  
33 be no private sale of real property where the appraised value exceeds  
34 the sum of two thousand five hundred dollars.

35 ~~(2) If no purchasers can be obtained for the property at ninety~~  
36 ~~percent or more of its appraised value after one hundred twenty days of~~  
37 ~~offering the property for sale, the board of commissioners of the water~~  
38 ~~district may adopt a resolution stating that the district has been~~

1 ~~unable to sell the property at the ninety percent amount. The water~~  
2 ~~district then may sell the property at the highest price it can obtain~~  
3 ~~at public auction. A notice of intention to sell at public auction~~  
4 ~~shall be published once a week for two consecutive weeks in a newspaper~~  
5 ~~of general circulation in the water district. The notice shall~~  
6 ~~describe the property, state the time and place at which it will be~~  
7 ~~offered for sale and the terms of sale, and shall call for bids, fix~~  
8 ~~the conditions thereof, and reserve the right to reject any and all~~  
9 ~~bids)).~~

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