

**RCW 36.35.120 Sales of tax-title property—Reservations—Notices
—Installment contracts—Separate sale of reserved resources.**

(1) Real property acquired by any county of this state by foreclosure of delinquent taxes may be sold by order of the county legislative authority when in the judgment of the county legislative authority it is deemed in the county's best interests to sell the real property.

(2) When the county legislative authority desires to sell any such property it may, if deemed advantageous to the county, combine any or all of the several lots and tracts of the property in one or more units, and reserve from sale coal, oil, gas, gravel, minerals, ores, fossils, timber, or other resources on or in the lands, and the right to mine for and remove the same. It must then enter an order on its records fixing the unit or units in which the property will be sold, the minimum price for each of the units, and whether the sale will be for cash or whether a contract will be offered, and reserving from sale the resources as it may determine and from which units the reservations will apply, and directing the county treasurer to sell the property in the unit or units and at not less than the price or prices and subject to the reservations so fixed by the county legislative authority. The order is subject to the approval of the county treasurer if several lots or tracts of land are combined in one unit.

(3) Except in cases where the sale is to be by direct negotiation as provided in RCW 36.35.150, the county treasurer must, upon receipt of the order, publish once a week for three consecutive weeks a notice of the sale of the property in a newspaper of general circulation in the county where the land is situated. The notice must describe the property to be sold, the unit or units, the reservations, and the minimum price fixed in the order, together with the time and place and terms of sale, in the same manner as foreclosure sales as provided by RCW 84.64.080. If a public auction sale by electronic media is conducted pursuant to RCW 36.16.145, notice must conform to requirements for a public auction sale by electronic media.

(4) The person making the bid must state whether he or she will pay cash for the amount of his or her bid or accept a real estate contract of purchase in accordance with the provisions hereinafter contained. If a public auction sale by electronic media is conducted pursuant to RCW 36.16.145, the county may require payment by electronic funds transfer.

(5) The person making the highest bid will become the purchaser of the property. If the highest bidder is a contract bidder the purchaser must pay thirty percent of the total purchase price at the time of the sale and enter into a contract with the county as vendor and the purchaser as vendee. The contract must obligate and require the purchaser to pay the balance of the purchase price in ten equal annual installments commencing November 1st and each year following the date of the sale, and require the purchaser to pay twelve percent interest on all deferred payments, interest to be paid at the time the annual installment is due. The contract may contain a provision authorizing the purchaser to make payment in full at any time of any balance due on the total purchase price plus accrued interest on the balance. The contract must contain a provision requiring the purchaser to pay before delinquency all subsequent taxes and assessments that may be levied or assessed against the property subsequent to the date of the contract. The contract must contain a provision that time is of the essence of the contract, and that in the event of a failure of the

vendee to make payments at the time and in the manner required and to keep and perform the covenants and conditions therein required of him or her, the contract may be forfeited and terminated at the election of the vendor, and that in event of the election all sums theretofore paid by the vendee will be forfeited as liquidated damages for failure to comply with the provisions of the contract. The contract must also require the vendor to execute and deliver to the vendee a deed of conveyance covering the property upon the payment in full of the purchase price, plus accrued interest.

(6) The county legislative authority may, by order entered in its records, direct that the coal, oil, gas, gravel, minerals, ores, timber, or other resources be sold apart from the land, such sale to be conducted in the manner hereinabove prescribed for the sale of the land. Any such reserved minerals or resources not exceeding two hundred dollars in value may be sold, when the county legislative authority deems it advisable, either with or without such publication of the notice of sale, and in such manner as the county legislative authority may determine will be most beneficial to the county. [2015 c 95 s 7; 2001 c 299 s 10; 1993 c 310 s 1; 1991 c 245 s 30; 1981 c 322 s 7; 1965 ex.s. c 23 s 5; 1961 c 15 s 84.64.270. Prior: 1945 c 172 s 1; 1937 c 68 s 1; 1927 c 263 s 1; 1925 ex.s. c 130 s 133; Rem. Supp. 1945 s 11294; prior: 1903 c 59 s 1; 1899 c 141 s 29; 1890 p 579 s 124; Code 1881 s 2934. Formerly RCW 84.64.270, 84.64.280, 84.64.290, and 84.64.270.]

Intent—2015 c 95: See note following RCW 36.16.145.

City may acquire property from county before resale: RCW 35.49.150.

Disposition of proceeds upon resale

generally: RCW 35.49.160.

of property subject to diking, drainage or sewerage

improvement district assessments: RCW 85.08.500.

Exchange, lease, management of county tax title lands: Chapter 36.35 RCW.

Tax title land

conveyance of to port districts: RCW 53.25.050.

may be deeded to department of natural resources for

reforestation purposes: RCW 79.22.010.

may be leased for mineral, gas and petroleum development:

Chapter 78.16 RCW.