

WAC 468-30-080 Policy and procedure for sales of personalty.

Whenever the department of transportation shall have acquired any lands, except state granted lands, upon which are located any structures, timber or other thing of value attached to the land, same may be severed from the land and sold at public auction subject to the following guidelines:

(1) Such items of value may be approved for sale at public auction or for removal by demolition under contract procedures approved by the secretary of transportation.

(2) Authorized sales of personalty shall be made by the department of transportation acting through the secretary of transportation at public auction upon a date, place and hour to be set by the secretary.

(3) The authorization for sale shall include a minimum price at which any item or items may be sold.

(4) Notice of sale shall be given as follows:

(a) By publishing notice of the time and place of sale two successive times with an interval of one week between publications, in any daily or weekly newspaper of general circulation published in the county in which the sale is to take place. If there is no legal newspaper published in the county, then such notice shall be published in the legal newspaper published in this state nearest to the place of sale.

(b) The notice shall describe with reasonable particularity each item of property to be sold, shall state the location at which said property can be viewed, shall state the date, time and place at which the auction is to be held, and shall be signed by the secretary of transportation or such other person as he may designate.

(5) All items sold shall be removed from the right of way or premises of the department of transportation within a maximum period of sixty days following sale, provided, that the secretary of transportation may increase said maximum period when in his judgment it would not be practical to make such removal within sixty days.

(6) The secretary of transportation is authorized at his discretion to include as a condition of any sale a requirement that the purchaser provide a surety deposit guaranteeing satisfactory performance in removal of the item purchased and correction of all unsightly or hazardous conditions caused by such removal, and the secretary is further authorized to determine the amount of deposit to be required.

(7) If a minimum price shall have been set and the highest bid at the auction is less than such minimum, one of the following alternative procedures shall be pursued:

(a) When time permits, the building shall be readvertised for sale at a later date and this shall be announced to the bidders immediately.

(b) If the building cannot be readvertised due to the imminence of construction, the bidders shall be advised immediately of the minimum acceptable bid and that a sale will be made to the first responsible bidder offering the minimum bid plus the required deposit.

[Statutory Authority: 1977 ex.s. c 151. WSR 79-01-033 (DOT Order 10 and Comm. Order 1, Resolution No. 13), § 468-30-080, filed 12/20/78. Formerly WAC 252-12-060.]