

WAC 286-13-150 Conveyance to the state for acquisition project.

(1) Acquisition of perpetual interests. When a sponsor acquires real property in perpetuity, the sponsor must record on the title of the property a binding instrument as required by the office that contains:

(a) A legal description of the real property acquired with grant assistance;

(b) A conveyance to the state of Washington of the right to use the described real property for the purposes funded by the grant in perpetuity; and

(c) A restriction on the conversion of use of the real property.

(2) Acquisition of nonperpetual interests. When a sponsor acquires real property for less than perpetuity, the interest may not be revocable at will. The sponsor must record on the title of the property a binding instrument as required by the office that contains:

(a) A legal description of the real property acquired with grant assistance;

(b) A conveyance to the state of Washington of the right to use the described real property for the purposes funded by the grant for the duration of the nonperpetual interest acquired; and

(c) A restriction on the conversion of use of the real property based on the minimum period in the grant program as follows:

(i) At least twenty years for projects funded from the youth athletic facilities program;

(ii) At least twenty-five years for projects funded from the aquatic lands enhancement account program;

(iii) At least twenty-five years for projects funded from the nonhighway and off-road vehicle activities account;

(iv) At least fifty years for projects funded from the boating facilities program; or

(v) At least fifty years for projects funded from the Washington wildlife and recreation program, except for:

(A) Farmland category projects must be for at least twenty-five years;

(B) Riparian protection category projects for conservation reserve enhancement program leases must be for at least twenty-five years; and

(C) Forestland category projects because only perpetual acquisitions are eligible.

[Statutory Authority: RCW 34.05.220, 42.56.040, 46.09.530, 79A.15.030, 79A.15.060, 79A.15.070, 79A.15.120, 79A.15.130, 79A.25.210. WSR 17-11-071, § 286-13-150, filed 5/17/17, effective 6/17/17.]