
SUBSTITUTE SENATE BILL 5209

State of Washington 57th Legislature**2002 Regular Session**

By Senate Committee on Transportation (originally sponsored by Senators T. Sheldon, Swecker, Regala, Rossi, Prentice and Costa)

READ FIRST TIME 01/22/2002.

1 AN ACT Relating to the sale of surplus real property by the
2 department of transportation; amending RCW 47.12.063; and adding a new
3 section to chapter 47.12 RCW.

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

5 **Sec. 1.** RCW 47.12.063 and 1999 c 210 s 1 are each amended to read
6 as follows:

7 (1) It is the intent of the legislature to continue the
8 department's policy giving priority consideration to abutting property
9 owners in agricultural areas when disposing of property through its
10 surplus property program under this section.

11 (2) Whenever the department determines that any real property owned
12 by the state of Washington and under the jurisdiction of the department
13 is no longer required for transportation purposes and that it is in the
14 public interest to do so, the department may sell the property or
15 exchange it in full or part consideration for land or improvements or
16 for construction of improvements at fair market value to any of the
17 following governmental entities or persons:

- 18 (a) Any other state agency;
19 (b) The city or county in which the property is situated;

1 (c) Any other municipal corporation;
2 (d) Regional transit authorities created under chapter 81.112 RCW;
3 (e) The former owner of the property from whom the state acquired
4 title;

5 (f) In the case of residentially improved property, a tenant of the
6 department who has resided thereon for not less than six months and who
7 is not delinquent in paying rent to the state;

8 (g) Any abutting private owner but only after each other abutting
9 private owner (if any), as shown in the records of the county assessor,
10 is notified in writing of the proposed sale. If more than one abutting
11 private owner requests in writing the right to purchase the property
12 within fifteen days after receiving notice of the proposed sale, the
13 property shall be sold at public auction in the manner provided in RCW
14 47.12.283;

15 (h) To any person through the solicitation of written bids through
16 public advertising in the manner prescribed by RCW 47.28.050;

17 (i) To any other owner of real property required for transportation
18 purposes; ((or))

19 (j) In the case of property suitable for residential use, any
20 nonprofit organization dedicated to providing affordable housing to
21 very low-income, low-income, and moderate-income households as defined
22 in RCW 43.63A.510 and is eligible to receive assistance through the
23 Washington housing trust fund created in chapter 43.185 RCW; or

24 (k) A federally recognized Indian tribe within whose reservation
25 boundary the property is located.

26 (3) Sales to purchasers may at the department's option be for cash,
27 by real estate contract, or exchange of land or improvements.
28 Transactions involving the construction of improvements must be
29 conducted pursuant to chapter 47.28 RCW or Title 39 RCW, as applicable,
30 and must comply with all other applicable laws and rules.

31 (4) Conveyances made pursuant to this section shall be by deed
32 executed by the secretary of transportation and shall be duly
33 acknowledged.

34 (5) All moneys received pursuant to the provisions of this section
35 less any real estate broker commissions paid pursuant to RCW 47.12.320
36 shall be deposited in the motor vehicle fund.

37 NEW SECTION. **Sec. 2.** A new section is added to chapter 47.12 RCW
38 to read as follows:

1 For the purposes of this chapter "reservation boundary" means the
2 boundary of the reservation as established by federal law or under the
3 authority of the United States Secretary of the Interior.

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