

**SHB 1083** - S COMM AMD  
By Committee on Local Government

**ADOPTED 04/17/2019**

1 Strike everything after the enacting clause and insert the  
2 following:

3 **"Sec. 1.** RCW 35.86.030 and 1965 c 7 s 35.86.030 are each amended  
4 to read as follows:

5 (1) Such cities are authorized to obtain by lease, purchase,  
6 donation and/or gift, or by eminent domain in the manner provided by  
7 law for the exercise of this power by cities, such real property for  
8 off-street parking as the legislative bodies thereof determine to be  
9 necessary by ordinance.

10 (2) Such property or any fraction or fractions thereof may be  
11 sold, transferred, exchanged, leased, or otherwise disposed of by the  
12 city when one or more of the following conditions have been  
13 satisfied:

14 (a) When its legislative body has determined by ordinance such  
15 property or fraction or fractions thereof is no longer necessary for  
16 off-street parking purposes;

17 (b) When all bonds or financing contracts issued for the  
18 acquisition or construction have been paid in full. The proceeds from  
19 the sale, transfer, exchange, or lease of the property may be applied  
20 to the remaining balance of the bonds or financing contract in order  
21 to satisfy the requirement that the property bonds or financing  
22 contract be paid in full; or

23 (c) When the properties within any local improvement district  
24 created for the acquisition or construction of the off-street parking  
25 facilities are no longer subject to any assessment for such purpose.

26 (3) If the legislative body determines that all or a portion of  
27 the property that is being disposed of in accordance with subsection  
28 (2) of this section was acquired through condemnation or eminent  
29 domain, the former owner has the right to repurchase as described in  
30 this subsection. For the purposes of this subsection, "former owner"  
31 means the person or entity from whom the legislative body acquired  
32 title. At least ninety days prior to the date on which the property

1 is intended to be sold by the legislative body, the legislative body  
2 must mail notice of the planned sale to the former owner of the  
3 property at the former owner's last known address or to a forwarding  
4 address if that owner has provided the legislative body with a  
5 forwarding address. If the former owner of the property's last known  
6 address, or forwarding address if the forwarding address has been  
7 provided, is no longer the former owner of the property's address,  
8 the right of repurchase is extinguished. If the former owner notifies  
9 the legislative body within thirty days of the date of the notice  
10 that the former owner intends to repurchase the property, the  
11 legislative body shall proceed with the sale of the property to the  
12 former owner for fair market value and shall not list the property  
13 for sale to other owners. If the former owner does not provide timely  
14 written notice to the legislative body of the intent to exercise a  
15 repurchase right, or if the sale to the former owner is not completed  
16 within six months of the date of notice that the former owner intends  
17 to repurchase the property, the right of repurchase is extinguished."

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18 On page 1, line 2 of the title, after "parking;" strike the  
19 remainder of the title and insert "and amending RCW 35.86.030."

EFFECT: Requires the legislative body, when selling or disposing of property used for off-street parking obtained by means of eminent domain or condemnation, to notify the former owner and allow the former owner to repurchase the property at fair market value and prescribes a process and timeline for such a sale.

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