

WAC 286-30-030 Acquisition projects—Deed of right, conversions, leases and easements. (1) For fee, less-than-fee, and easement acquisition projects sponsors must execute an instrument or instruments that contain:

(a) A legal description of the property acquired;

(b) A conveyance to the state of Washington of the right to use the described real property for outdoor recreation purposes; and

(c) A restriction on conversion of use of the land to a use other than that for which funds were originally approved.

(2) For lease acquisition projects sponsors must execute a binding agreement which contains a legal description of the property and rights acquired and which meets the following criteria. The agreement:

(a) Must be for at least ten years from the date of the office's final reimbursement unless precluded by state law;

(b) May not be revocable at will;

(c) Must have a value supported through standard appraisal techniques;

(d) Must be paid for in lump sum at initiation; and

(e) May not be converted during the lease period to a use other than that for which funds were originally approved without prior approval of the board.

(3) If a conversion occurs less than ten years after the office's final reimbursement, the board shall approve such a conversion under the following conditions:

(a) All practical alternatives to the conversion have been evaluated and rejected on a sound basis;

(b) The sponsor shall pay back the entire grant amount to the firearms range account; and

(c) The sponsor shall comply with other board adopted policies as applicable.

(4) If a conversion occurs ten or more years after the office's final reimbursement, the board shall approve such a conversion under conditions which assure:

(a) The substitution of other land of at least equal fair market value at the time of conversion and nearly as feasible equivalent usefulness and location as the original project; or

(b) By other remedy as adopted by the board to satisfy the conversion of use.

[Statutory Authority: 2007 c 241 § 39, RCW 34.05.220, 34.05.230, 42.56.040, and 79A.25.210. WSR 14-09-074, § 286-30-030, filed 4/18/14, effective 5/19/14. Statutory Authority: RCW 43.98A.060(1), 43.98A.070(5), 43.99.080(2), 46.09.240(1) and 77.12.720(4). WSR 96-08-044, § 286-30-030, filed 3/29/96, effective 4/29/96. Statutory Authority: RCW 43.98A.060(1), [43.98A].070(5), 43.99.080, 46.09.240 and 77.12.720. WSR 94-17-095, § 286-30-030, filed 8/17/94, effective 9/17/94.]