

RCW 35.86.030 Acquisition and disposition of real property. (1)

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

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

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

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

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

(3) If the legislative body determines that all or a portion of the property that is being disposed of in accordance with subsection (2) of this section was acquired through condemnation or eminent domain, the former owner has the right to repurchase as described in this subsection. For the purposes of this subsection, "former owner" means the person or entity from whom the legislative body acquired title. At least ninety days prior to the date on which the property is intended to be sold by the legislative body, the legislative body must mail notice of the planned sale to the former owner of the property at the former owner's last known address or to a forwarding address if that owner has provided the legislative body with a forwarding address. If the former owner of the property's last known address, or forwarding address if the forwarding address has been provided, is no longer the former owner of the property's address, the right of repurchase is extinguished. If the former owner notifies the legislative body within thirty days of the date of the notice that the former owner intends to repurchase the property, the legislative body shall proceed with the sale of the property to the former owner for fair market value and shall not list the property for sale to other owners. If the former owner does not provide timely written notice to the legislative body of the intent to exercise a repurchase right, or if the sale to the former owner is not completed within six months of the date of notice that the former owner intends to repurchase the property, the right of repurchase is extinguished. [2019 c 254 § 1; 1965 c 7 § 35.86.030. Prior: 1961 c 186 § 3; 1959 c 302 § 3.]

Eminent domain by cities: Chapter 8.12 RCW.