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HOUSE BILL 1392

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State of Washington                      62nd Legislature                      2011 Regular Session

By Representatives Klippert, Haler, Fagan, and Chandler

Read first time 01/20/11. Referred to Committee on Local Government.

1            AN ACT Relating to leases of irrigation district property; and  
2 amending RCW 87.03.136.

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

4            **Sec. 1.** RCW 87.03.136 and 1994 c 117 s 2 are each amended to read  
5 as follows:

6            An irrigation district has the power to sell or lease real property  
7 owned by the district whenever its board of directors, by resolution:  
8 Determines that the property is not necessary or needed for the use of  
9 the district; and authorizes the sale or lease. Notice of the  
10 district's intention to sell or lease the property shall be made by  
11 publication at least twenty days before the transaction is executed  
12 regarding the property in a newspaper of general circulation in the  
13 county where the property or part of the property is located or, if  
14 there is no such newspaper in the county, in a newspaper of general  
15 circulation published in an adjoining county. The publication shall be  
16 made at least once a week during three consecutive weeks. The notice  
17 shall state whether the sale or lease will be negotiated by the  
18 district or will be awarded by bid.

1       The district may lease the property ((~~from year to year~~)) for a  
2 duration determined by the board, afford the lessee the option to  
3 purchase the property, sell the property on contract for deferred  
4 payments, sell the property pursuant to a promissory note secured by a  
5 mortgage or deed of trust, or sell the property for cash and conveyance  
6 by deed. The appropriate documents shall be executed by the president  
7 of the board and acknowledged by the secretary.

8       The resolution authorizing the sale or lease shall be entered in  
9 the minutes of the board and shall fix the price at which the lease,  
10 option, or sale may be made. The price shall be not less than the  
11 reasonable market value of the property; however, the board may,  
12 without consideration, dedicate, grant, or convey district land or  
13 easements in district land for highway or public utility purposes that  
14 convenience the inhabitants of the district if the board deems that the  
15 action will enhance the value of the remaining district land to an  
16 extent equal to or greater than the value of the land or easement  
17 dedicated, granted, or conveyed.

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