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Remarks and Instructions

The complete manual, revision packages, and individual chapters can be accessed at www.wsdot.wa.gov/publications/manuals/m26-01.htm.

For printed manuals, page numbers indicating portions of the manual that are to be removed and inserted are shown below.

Chapter	Remove Pages	Insert Pages
Title Page	i – ii	i – ii
Chapter 11 Property Management	11-37 – 11-38	11-37 – 11-38

Please contact Danny Johnson at 360-705-7317 or johnsoda@wsdot.wa.gov with comments, questions, or suggestions for improvement to the manual.

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**Washington State
Department of Transportation**

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- c. Negotiate a sale for the property for no less than the property's appraised fair market value pursuant to [RCW 47.12.283\(4-5\)](#).
- E. Per [RCW 47.12.063](#), the department may withhold or withdraw properties from an auction at the request of one the entities or persons listed in subsection 3 of this statute but only after:
1. Receipt of a nonrefundable deposit equal to 10 percent of the fair market value or \$5,000; whichever is less.
 2. The conveyance of the property must be completed within 60 days, or the property will be put back up for auction.

11-7.4 Final Processing and Document Preparation

11-7.4.1 Real Estate Contract

- A. A purchaser who wishes to enter into a real estate contract for the payment of any remaining balance due on a purchase of property must complete an Application for Real Estate Contract (DOT Form 263-008 EF).
- B. HQ will order and review a credit report on the purchaser. If the credit report is not acceptable, the applicant will be informed of the disapproval and that the property may still be purchased for cash with payment in full being due 60 days from the date of notification of credit disapproval. If the purchaser/applicant cannot complete this sale for cash, the sale to that purchaser will be canceled and all surety deposits will be retained. If the purchaser/applicant can complete the sale for cash, the final processing will take place as described in [Section 11-7.4.2](#).
- C. When the purchaser's credit is approved, HQ will prepare a real estate contract and send it to the purchaser for signature together with a request for a check for recording fees, excise tax fee, other applicable fees, and additional down payment. When the contract has been signed and returned to HQ along with the requested checks, the Property Management Section Manager will execute the contract and it will be mailed to the appropriate county for recording.
- D. When the recorded contract is returned to HQ, copies will be distributed to the purchaser and the region; the original document will be retained in the HQ PM file and the file submitted to the HQ Title Section for posting.
- E. HQ will collect and enter all payments into IRIS until the contract is paid in full. Per the Office of Financial Management (OFM), all payments will be transmitted to HQ Accounting within 24 hours of receipt.
- F. If a purchaser defaults on a real estate contract, HQ will take the following steps, in accordance with [RCW 61.30.070](#):
 1. Where the payment is past due and no arrangements have been made for late payment, a reminder letter will be sent to the purchaser (Delinquency Letter #1).
 2. If no response is received to Delinquency Letter #1, a payment demand and notice that forfeiture proceedings will commence will be sent to the purchaser (Delinquency Letter #2).

3. If the contract is not brought current by the date specified in Delinquency Letter #2, or as agreed upon by WSDOT and the purchaser, forfeiture proceedings will commence. HQ will order a title guarantee for court proceeding purposes. Based on the title guarantee, a “Notice of Intent to Declare Forfeiture” will be prepared, signed, and recorded in the county where the property is situated. Within ten days after recording, a copy of the “Notice” is sent to all interest holders and occupants by certified mail, return receipt requested, and regular mail. If unable to locate mailing addresses for all impacted parties, a copy is posted on the property either by HQ or Region PM. A photo of the posted notice on the property shall be retained in the HQ PM file.
 4. If the default is not cured within the statutory time period (at least 90 days), a “Declaration of Forfeiture” is prepared, signed, and recorded in the proper county.
 5. Within three days after recording the “Declaration,” a copy is sent to all interested parties and occupants by both certified mail, return receipt requested, and regular mail.
 6. After the forfeiture is completed and a 30-day appeal period has expired, the parcel may be resold.
 7. HQ may make adjustments to the schedule of letters and notifications on delinquent payments.
- G. A purchaser may request a partial fulfillment deed. If such a request is received, HQ will prepare a map showing the total area under the contract and the area covered by the request for partial fulfillment deed. This map is submitted to the Appraisal section with a request for a determination as to how much additional payment, if any, is needed to facilitate the request. The purchaser is advised of any additional payment needed. Upon receipt of the additional payment, document preparation will be commenced.

11-7.4.2 Cash Sale, Final Contract Payment, and Conveyance

Upon receipt of full payment of the sales price either at the time of sale or in fulfillment of a real estate contract, HQ will prepare the appropriate conveyance document and send it to the AAG for approval. Upon receipt of approval by the AAG, the document is sent to the grantee for approval as to form along with a request for checks for payment of recording fees and an excise tax fee. When the document and the appropriate fees are returned to HQ, the document is executed by the Secretary of Transportation and is sent to the proper county for recording. After the document is returned from recording, the original is sent to the grantee and a copy is scanned and e mailed to the region. A copy is also placed in the HQ file and the appropriate IRIS entries are made to close the disposal and ICN. The closed file is submitted to the Title Section for posting and filing.