

CHAPTER 115.

[H. B. 74.]

EMINENT DOMAIN.

AN ACT relating to eminent domain proceedings in cities and towns, and amending Sections 9263, 9265, 9266 and 9277, of Remington's Compiled Statutes of Washington.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That Section 9263 of Remington's Compiled Statutes of Washington be, and the same is hereby, amended to read as follows:

Section 9263. Such bonds shall be issued only in pursuance of ordinances of the city directing the issuance of the same, and by their terms shall be made payable on or before a date not to exceed twelve (12) years from and after their date, which latter date may be fixed by resolution or ordinance by council or other legislative body of said city and shall bear interest not exceeding eight per centum per annum, which interest shall be payable annually, or semi-annually, as may be provided by resolution or ordinance, and each bond shall have attached thereto interest coupons for each interest payment: *Provided*, That the legislative body of any city of the first class having a population of three hundred thousand (300,000) inhabitants, or more, issuing any bonds hereunder may by ordinance, passed by unanimous vote, authorize the issuance of such bonds payable on or before a date not to exceed twenty-two (22) years from and after the date of the issue of such bonds, and shall in such ordinance provide that said bonds shall be sold at not less than par and shall bear interest at not to exceed six (6) per centum per annum.

Such bonds shall be in such denominations as shall be provided in the resolution or ordinance authorizing their issuance and shall be numbered

Amends § 7592, Pierce's Code.

Date of maturity.

Interest coupons.

Time of maturity of bonds may be longer in certain first class cities.

Rate of interest.

Denominations.

from one upwards, consecutively, and each bond and coupon shall be signed by the mayor and attested by the clerk or comptroller of such city: *Provided, however,* That said coupons may in lieu of being so signed have printed thereon a facsimile of the signature of said officers and each bond shall have the seal of such city affixed thereto and shall refer to the improvement to pay for which the same shall be issued and to the ordinance authorizing the same. Each bond shall provide that the principal sum therein named, and the interest thereon, shall be payable out of the local improvement fund created for the payment of the cost and expense of such improvement, and not otherwise. Such bonds shall not be issued in any amount in excess of the cost and expense of the improvement.

Signatures
of officers.

Against
which fund
issued.

Amount of
issue.

SEC. 2. That Section 9265 of Remington's Compiled Statutes of Washington be, and the same is hereby, amended to read as follows:

Amends
§ 7594,
Pierce's
Code.

Section 9265. In all cases where any city shall issue bonds as provided for in this act, the whole or any portion of the separate assessments for any such improvement may be paid during the thirty (30) day period provided for in Section 9266, and thereafter the sum remaining unpaid may be paid in equal annual installments; the number of which installments shall be less by two than the number of years which the bonds issued to pay for the improvements may run, with interest upon the whole unpaid sum at the bond rate, and each year thereafter one of such installments, together with the interest due thereon and on all installments thereafter to become due, shall be collected in the same manner as shall be provided by law and the resolutions and ordinances of such city for the collection of assessments for such improvements in cases where no bonds are issued: *Provided, however,* That whenever the legislative body of any city of the first class

Assess-
ments:
Payment
in install-
ments.

Certain cities of first class: conditions for payments in installments.

having a population of three hundred thousand (300,000) inhabitants, or more, shall have, as provided in Section 9263, as amended by Section 1 hereof, by unanimous vote determined that any bonds issued hereunder shall be payable in twenty-two (22) years, such legislative body may by ordinance provide that the principal sum remaining unpaid after the thirty (30) day period specified in Section 9266 may be paid in ten (10) equal annual installments, beginning with the eleventh year and ending with the twentieth year after said thirty (30) day period, together with interest upon the unpaid installments at the bond rate, and that in each year after the said thirty (30) day period, to and including the tenth year thereafter, one installment of interest on the principal sum of said assessment shall be paid and collected, and that, beginning with the eleventh year after said thirty (30) day period, one installment of the principal, together with the interest due thereon and on all installments thereafter to become due, shall be paid and collected in the same manner as shall be provided by law and the resolutions and ordinances of such city for the collection of assessments for such improvements in cases where no bonds are issued.

If proceedings already initiated, applicability.

In all cases of improvements authorized in this act, where, at the time this act shall become effective, the notice by the city treasurer of the assessment for such improvement shall not have been published, the city council or other legislative body of such city may by ordinance or resolution provide for the issuance and sale of bonds for such improvement and for the payment of such assessments in installments.

Amends § 7595, Pierce's Code.

SEC. 3. That Section 9266 of Remington's Compiled Statutes of Washington be, and the same is hereby, amended to read as follows:

Section 9266. Whenever the assessment for any such improvement shall be payable in installments,

the owner of any lot, tract, or parcel of land or other property charged with any such assessment may pay such assessment or any portion thereof, without interest, within thirty (30) days after such notice of such assessment.

The city treasurer shall, as soon as the certified copy of the assessment roll has been placed in his hands for collection, publish a notice in the official newspaper of the city for two consecutive daily or two consecutive weekly issues, that the said roll is in his hands for collection and that any assessment thereon or any portion of any such assessment may be paid at any time within thirty (30) days from the date of the first publication of said notice without penalty, interest or costs, and the unpaid balance, if any, may be paid in equal annual installments, or any such assessment may be paid at any time after the first thirty (30) days following the date of the first publication of such notice by paying the entire unpaid portion thereof with all penalties and costs attached, together with all interest thereon to the date of delinquency of the first installment thereof next falling due.

Notice of
receipt of
roll.

Installment
payments:
How made.

Such notice shall further state that the first installment of such assessment shall become due and payable during the thirty (30) day period succeeding a date one (1) year after the date of first publication of such notice, and annually thereafter each succeeding installment shall become due and payable in like manner.

If the whole or any portion of any assessment remains unpaid after the first thirty (30) day period herein provided for, interest upon the whole unpaid sum shall be charged at the bond rate, and each year thereafter one (1) of said installments, together with interest due upon the whole of the unpaid balance, shall be collected, except that where the assessment is payable in twenty (20) years, installments of in-

terest only shall be collected for the first ten years, as provided in Section 9265, as amended by Section 2 hereof.

Delinquent
install-
ments.

Any installment not paid prior to the expiration of the thirty (30) day period during which such installment is due and payable, shall thereupon become delinquent. All delinquent installments shall be subject to a charge of five per cent (5%) penalty levied upon both principal and interest due on such installments, and all delinquent installments, except installments of interest when the assessment is payable in twenty (20) years, as provided in Section 9265, as amended by Section 2 hereof, shall, until paid, be subject to a charge for interest at the bond rate.

Bonds:
Time of
issuance.

The bonds herein provided for shall not be issued prior to twenty (20) days after the expiration of the thirty (30) days first above mentioned, but may be issued at any time thereafter. In all cases where any sum is paid as herein provided, the same shall be paid to the city treasurer, or to the officer whose duty it is to collect said assessments, and all sums so paid shall be applied solely to the payment of the awards, interest and costs of such improvements or the redemption of the bonds issued therefor.

Applying of
payments.

Selecting
newspaper
for publi-
cation of
notice.

In case any city has no official newspaper, any publication required under the provisions of this act may be made in any newspaper of general circulation published therein, or in case there be no such newspaper, then in a newspaper published in the county in which such city is located and of general circulation in such city.

Amends
§ 7606,
Pierce's
Code.

SEC. 4. That Section 9277 of Remington's Compiled Statutes of Washington be, and the same is hereby, amended to read as follows:

Terms
defined.

Section 9277. Whenever the word "person" is used in this act, the same shall be construed to include any company, corporation or association, the

state or any county therein, and the words "city" or "town" wherever used, shall be construed to be either. Whenever the words "installment" or "installments" are used in this act, they shall be construed to include installment or installments of interest, as provided in Section 9265, as amended by Section 2 hereof.

Passed the House December 14, 1925.

Passed the Senate January 4, 1926.

Approved by the Governor January 12, 1926.

CHAPTER 116.

[H. B. 54.]

AUTHORITY TO CITY OF SEATTLE TO DEED CERTAIN LANDS TO THE UNITED STATES.

AN ACT authorizing the City of Seattle to deed certain shorelands on Lake Washington to the United States.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That the City of Seattle is hereby granted the authority to convey to the United States for canal purposes, the following described lands, being part of Block 12 of Lake Washington Shorelands, which was conveyed to the City of Seattle by grant of the State of Washington, under Chapter 233, Laws of 1909: Beginning at the southeast corner of Waterway No. 3-A, said point being the most westerly point of Block 12, Lake Washington Shorelands, and running thence along the northwesterly line of said block, N 46° 49' 30.6" E 836.265 feet; thence along the arc of a curve to the right having a radius of 200 feet, turning through an angle of 43° 10' 29.4", a distance of 150.709 feet; thence east 40 feet to the northeast corner of said Block 12; thence along the east line of said Block S 14° E

Authority
to city of
Seattle to
convey
lands to
U. S.