

CHAPTER 101.

[S. B. 112.]

IRRIGATION DISTRICT DEEDS ON FORECLOSURE OF
ASSESSMENTS.

AN ACT relating to irrigation district deeds on foreclosure of assessments, preserving the lien of general taxes and amending section 30, page 687 of the Session Laws of 1889-90, as amended by section 17 of chapter 165 of the Session Laws of 1895 (section 7448, Remington's Revised Statutes).

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

SECTION 1. That section 30, page 687 of the Session Laws of 1889-90, as amended by section 17 of chapter 165 of the Session Laws of 1895 (section 7448, Remington's Revised Statutes) be amended to read as follows:

Amends § 30,
Laws of
1889-90, as
amended.

Section 7448. Deed, and its effect as evidence. The matter recited in the certificate of sale must be recited in the deed, and such deed duly acknowledged or proved is prima facie evidence that—

Deed,
contents of.

First: That property was assessed as required by law;

Second: The property was equalized as required by law;

Third: That the assessments were levied in accordance with law;

Fourth: The assessments were not paid;

Fifth: At a proper time and place the property was sold as prescribed by law and by the proper officers;

Sixth: The property was not redeemed;

Seventh: The person who executed the deed was the proper officer.

Eighth: Such deed, duly acknowledged or proved, is (except as against actual fraud) conclusive evidence of the regularity of all the proceed-

ings from the assessments by the secretary, inclusive, up to the execution of the deed.

Ninth: When the grantee in the deed is a party other than the irrigation district or the county, the deed conveys to the grantee the absolute title to the lands described therein, free from all encumbrances, except general taxes, drainage improvement districts assessments, and all existing irrigation district assessments.

Absolute
title.

Tenth: When the grantee in the deed is the irrigation district or the county, the deed conveys to the grantee the absolute title to the lands described therein, free from all encumbrances except drainage or diking improvement district assessments or installments thereof not delinquent at the time of the sale, also except all existing irrigation district assessments not delinquent at the time of the sale, pursuant to which said deed issued.

Reconvey-
ance.

Eleventh: If the irrigation district reconveys, which it may do upon installments or for cash, any lands so acquired by it to a grantee who has a right to such reconveyance under section 7445 of Remington's Revised Statutes, the grantee, before receiving deed, shall pay all the taxes, drainage improvement district and irrigation district assessments, which had been cancelled by the deed to the irrigation district, such payment being made to the county treasurer for the benefit of the respective taxing districts entitled thereto, and such grantee shall also pay any expenses of the irrigation district incurred in caring for, operating, or improving said land.

Distribution
of proceeds.

Twelfth: All proceeds received by a county or irrigation district from any lands so acquired, shall unless the taxes and assessments have been paid under the provisions of the preceding paragraph, be paid to the county treasurer and by him distributed pro rata between the county, the irrigation districts, and the drainage improvement districts holding

liens against said lands at the time the county or the irrigation district acquired title, in proportion to the amounts of the respective liens cancelled by the deed to the irrigation district or to the county: *Provided*, That there can be first deducted therefrom and reimbursed to the district or county advancing same, any expenses incurred in caring for, operating, or improving said land.

Thirteenth: When the land is owned by the United States, or this state, the provisions of subsections nine, ten and eleven shall not apply, and in such cases the deed shall be prima facie evidence of the right of possession.

Exceptions.

SEC. 2. This act shall take effect as of January 1, 1936.

Date of effect.

Passed the Senate March 1, 1935.

Passed the House March 13, 1935.

Approved by the Governor March 20, 1935.

CHAPTER 102.

[S. B. 158.]

DIKING AND DRAINAGE DISTRICTS; WITHDRAWAL OF PROPERTY.

AN ACT authorizing property to be withdrawn from a diking and/or drainage district when such property ceases to be benefited by the improvements of such district, and providing procedure therefor.

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

SECTION 1. Whenever any piece of land in any diking or drainage district in this state shall cease to be susceptible to benefit from the diking and/or drainage improvement of such district, the owner thereof may bring civil action in the superior court of the county wherein such property is situated, against the board of commissioners of such district

Withdrawal of property.