

CHAPTER 80.

[S. B. 389.]

LIBRARY LOCAL IMPROVEMENT DISTRICTS.

AN ACT relating to library local improvement districts; amending section 2, chapter 162, Laws of 1961 and RCW 27.14.020; and amending section 3, chapter 162, Laws of 1961 and RCW 27.14.030; and amending section 4, chapter 162, Laws of 1961 and RCW 27.14.040; and adding new sections to chapter 162, Laws of 1961 and chapter 27.14 RCW.

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

SECTION 1. Section 2, chapter 162, Laws of 1961 and RCW 27.14.020 are each amended to read as follows:

RCW 27.14.020 amended.

In any instance where the acquisition of land, buildings or capital equipment, or the construction of library buildings are of special benefit to part or all of the lands in the district, the governing board of the library district shall have authority to include such lands in a local improvement district, and to levy special assessments under a mode of annual installments extending over a period not exceeding twenty years on all property specially benefited by any local improvement, on the basis of the special benefits to pay in whole or in part the damages or costs of any such improvements ordered in such library district. For the purposes of this chapter, the duties devolving upon the city treasurer under said laws are imposed upon the county treasurer serving the library district. Such local improvement districts may be initiated either by resolution of the governing board of the library district or by petition signed by the owners, according to the records of the office of the county auditor, of at least fifty-one percent of the area of the land within the local improvement district to be created excluding all federally owned or other non-assessable property.

Library L.I.D.'s. Petition or resolution method authorized—Procedure—Assessments.

In case the governing board of the library district

Library
L.I.D.'s.
Petition or
resolution
method
authorized—
Procedure.

shall desire to initiate the formation of a local improvement district by resolution, it shall first pass a resolution declaring its intention to order such improvement, setting forth the nature and territorial extent of such proposed improvement, designating the number of the proposed district, describing the boundaries thereof, stating the estimated cost and expenses of the improvement and the proportionate amount thereof which will be borne by the property within the proposed district, and fixing a date, time and place for a public hearing on the formation of the proposed district.

In case any such local improvement district shall be initiated by petition, such petition shall set forth the nature and territorial extent of such proposed improvement and the fact that the signers thereof are the owners according to the records of the county auditor of at least fifty-one percent of the area of land within the limits of the local improvement district to be created excluding all federally owned or other non-assessable property. Upon the filing of such petition with the secretary of the board of trustees of the library district, the board shall determine whether the same shall be sufficient, and the board's determination thereof shall be conclusive upon all persons. No person shall withdraw his name from said petition after the filing thereof with the secretary of the board of trustees. If the board shall find the petition to be sufficient, it shall proceed to adopt a resolution declaring its intention to order the improvement petitioned for, setting forth the nature and territorial extent of said improvement, designating the number of the proposed local districts describing the boundaries thereof, stating the estimated cost and expense of the improvement and the proportionate amount thereof which will be borne by the property within the proposed local district, and fixing a date, time and place for a public

hearing on the formation of the proposed local district.

SEC. 2. Section 3, chapter 162, Laws of 1961 and RCW 27.14.030 are each amended to read as follows:

RCW 27.14.030 amended.

The resolution of intention, whether adopted on the initiative of the board or pursuant to a petition of the property owners, shall be published in a least two consecutive issues of a newspaper of general circulation in the proposed local district, the date of the first publication to be at least fifteen days prior to the date fixed by such resolution for hearing before the board of library trustees. Notice of the adoption of the resolution of intention shall be given each owner or reputed owner of any lot, tract, parcel of land or other property within the proposed improvement district by mailing said notice at least fifteen days before the date fixed for the public hearing to the owner or reputed owner of the property as shown on the tax rolls of the county treasurer at the address shown thereon. The notice shall refer to the resolution of intention and designate the proposed improvement district by number. Said notice shall also set forth the nature of the proposed improvement, the total estimated cost, the proportion of total cost to be borne by assessment, the estimated amount of the cost and expense of such improvement to be borne by the particular lot, tract or parcel, the date, time and place of the hearing before the board of library trustees; and in the case of improvements initiated by resolution, said notice shall also state that all persons desiring to object to the formation of the proposed district must file their written protests with the secretary of the board of library trustees within three weeks of the date said notice is mailed.

Resolution of intention—
Notice of hearing.

SEC. 3. There is added to chapter 162, Laws of 1961 and to chapter 27.14 RCW a new section to read as follows:

New section.

Library
L.I.D.'s.
Hearing on
petition or
resolution—
Procedure
upon order
forming.

Whether the improvement is initiated by petition or resolution, the board shall conduct a public hearing at the time and place designated in the notice to property owners. At this hearing the board shall hear objections from any person affected by the formation of the local district and may make such changes in the boundaries of the district or such modifications in plans for the proposed improvement as shall be deemed necessary: *Provided*, That the board may not change the boundaries of the district to include property not previously included therein without first passing a new resolution of intention and giving a new notice to property owners in the manner and form and within the time herein provided for the original notice.

Proviso.

After said hearing the board shall have jurisdiction to overrule protests and proceed with any such improvement initiated by petition or resolution: *Provided*, That the jurisdiction of the board to proceed with any improvement initiated by resolution shall be divested by protests filed with the secretary of the board pursuant to Sec. 2 of this act, signed by the owners, according to the records of the county auditor, of at least forty percent of the area of land within the proposed local district, excluding all federally owned or other non-assessable property.

Proviso.

If the board finds that the district should be formed, they shall by resolution order the improvement, provide the general funds of the district to be applied thereto, adopt detailed plans of the local improvement district and declare the estimated cost thereof, acquire all necessary land therefor, pay all damages caused thereby, and commence in the name of the district such eminent domain proceedings and supplemental assessment or reassessment proceedings to pay all eminent domain awards as may be necessary to entitle the district to proceed with the work. The board shall proceed with the work and

file with the county treasurer its roll levying special assessments in the amount to be paid by special assessment against the property situated within the local improvement district in proportion to the special benefits to be derived by the property therein from the improvement.

SEC. 4. Section 4, chapter 162, Laws of 1961 and RCW 27.14.040 are each amended to read as follows:

RCW 27.14.040 amended.

All subsequent proceedings in connection with the local improvement, including but not limited to the levying, collection and enforcement of local improvement assessments, shall be in accordance with the provisions of law applicable to sewer district local improvement district improvements set forth in chapter 56.20, and references therein to the board of sewer commissioners and secretary of the board of sewer commissioners shall be deemed references to the governing board of the library district and secretary of the governing board of the library district.

Subsequent proceedings in accord with sewer district L.I.D. improvements.

SEC. 5. There is added to chapter 162, Laws of 1961 and to chapter 27.14 RCW a new section to read as follows:

New section.

Whenever the terms "owner" or "reputed owner" of property are used in this act, such terms shall include the following:

"Owner", "reputed owner", to include.

(1) The signature of a record owner, as determined by the records of the county auditor, shall be sufficient without the signature of his or her spouse.

(2) In the case of mortgaged property, the signature of the mortgagor shall be sufficient.

(3) In the case of property purchased on contract, the signature of the contract purchaser, as shown by the records of the county auditor, shall be deemed sufficient.

(4) Any officer of a corporation owning land in the district duly authorized to execute deeds or en-

cumbrances on behalf of the corporation may sign on behalf of such corporation, provided that there shall be attached to the petition a certified excerpt from the bylaws showing such authority.

(5) If any property in the district stands in the name of a deceased person or any person for whom a guardian has been appointed the signature of the executor, administrator or guardian, as the case may be, shall be equivalent to the signature of the owner of the property.

Passed the Senate February 22, 1963.

Passed the House March 12, 1963.

Approved by the Governor March 22, 1963.

CHAPTER 81.

[S. B. 416.]

CITY OF CENTRALIA, GRANT OF EASEMENT TO.

AN ACT authorizing the execution of an easement for a right of way over certain state property to the city of Centralia for public street purposes.

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

Right of way
given to
Centralia—
Description.

SECTION 1. The governor is hereby authorized to execute on behalf of the state of Washington and the secretary of state to attest an easement conveying to the city of Centralia, a municipal corporation, a right of way over the following described property, for public street purposes:

“A part of Block 1, Seminary Hill Addition, and a part of the Northwest quarter (NW ¼) of Section 9, Township 14 North, Range 2 West of Willamette Meridian, described as follows, to wit:

Beginning at the Northeast corner of Lot 24, Block 2, Seminary Hill Addition to Centralia; thence East, 221.70 feet; thence S6°53'E, 189.79 feet; thence on a curve concaved to the Southwest, having a