

CHAPTER 61.

[H. B. 168.]

PUBLICATION OF LEGAL NOTICES IN NEWSPAPERS.

AN ACT relating to publications in newspapers, authorized or required by law.

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

SECTION 1. Whenever any advertisement, notice, summons or other document is required by law to be published in a newspaper, the same shall be published in a newspaper which shall have been established, published and circulated continuously as a daily or weekly newspaper, as the case may be, in the city or town where the same is published at the time of the publication of such advertisement, notice, summons or other document, for at least six months prior to the date of such publication.

Six months' prior existence necessary.

Passed the House March 2, 1917.

Passed the Senate March 6, 1917.

Approved by the Governor March 10, 1917.

CHAPTER 62.

[H. B. 179.]

WITHDRAWAL OF LAND TITLES FROM REGISTRATION.

AN ACT relating to the registration of titles to land, amending section 8841 of Remington & Ballinger's Annotated Codes and Statutes of Washington, and providing the method of withdrawing land titles from registration.

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

SECTION 1. That section 8841 of Rem. & Bal. Code be amended to read as follows:

Section 8841. The obtaining of a decree of registration and receiving of a certificate of title shall be deemed an agreement running with the land and binding upon the applicant and the successors in title, that the land shall be and forever remain registered land, subject to the pro-

Land remains registered unless withdrawn.

visions of this chapter and of all acts amendatory thereof, unless the same shall be withdrawn from registration in the manner hereinafter provided. All dealings with the land or any estate or interest therein after the same has been brought under this chapter, and all liens, encumbrances, and charges upon the same shall be made only subject to the terms of this chapter, so long as said land shall remain registered land and until the same shall be withdrawn from registration in the manner hereinafter provided.

Withdrawal from registration authorized.

SEC. 2. The owner or owners of any lands, the title to which has been or shall hereafter be registered in the manner provided by law, shall have the right to withdraw said lands from registration in the manner hereinafter provided, and after the same have been so withdrawn from registration, shall have the right to contract concerning, convey, encumber or otherwise deal with the title to said lands as freely and to the same extent and in the same manner as though the title had not been registered.

Application for withdrawal.

SEC. 3. The owner or owners of registered lands, desiring to withdraw the same from registration, shall make and file with the registrar of titles in the county in which said lands are situated, an application in substantially the following form:

To the Registrar of Titles in the county of, State of Washington:

I, (or we),, the undersigned registered owner. . in fee simple of the following described real property situated in the county of, State of Washington, to-wit: (here insert the description of the property), hereby make application to have the title to said real property withdrawn from registration.

Witness my (or our) hand. . and seal. . this. day of, 19. . .

.....

Applicant's signature.

Said application shall be acknowledged in the same manner as is required for the acknowledgment of deeds.

SEC. 4. Upon the filing of such application and the payment of a fee of one dollar (\$1.00), the registrar of titles, if it shall appear that the application is signed and acknowledged by all the registered owners of said land, shall issue to the [applicant] a certificate in substantially the following form:

Filing fee.

THIS IS TO CERTIFY, That.....the owner (or owners) in fee simple of the following described lands situated in the county of....., State of Washington, the title to which has been heretofore registered under the laws of the State of Washington, to wit: (here insert description of the property), having heretofore filed his (or their) application for the withdrawal of the title to said lands from the registry system; *Now, therefore,* The title to said above described lands has been withdrawn from the effect and operation of the title registry system of the State of Washington and the owner (or owners) of said lands is (or are) by law authorized to contract concerning, convey, encumber or otherwise deal with the title to said lands in the same manner and to the same extent as though said title had never been registered.

Registrar's certificate of withdrawal.

Witness my hand and seal this.....day of, 19...

.....
Registrar of Titles for.....County.

SEC. 5. The person receiving such certificate of withdrawal shall record the same in the record of deeds in the office of the county auditor of the county in which the lands are situated and thereafter the title to said lands shall be conveyed or encumbered in the same manner as the title to lands that have not been registered.

Certificate to be recorded.

SEC. 6. This act shall not be construed to disturb the effect of any proceedings under said registry system, wherein the question of title to said real property has been determined, but all proceedings had in connection with the registering of said title, relating to the settlement or determination of said title, prior to such withdrawal, shall have

Title determined prior to withdrawal not affected.

the same force and effect as if said title still remained under said registry system.

Passed the House March 3, 1917.

Passed the Senate March 6, 1917.

Approved by the Governor March 10, 1917.

CHAPTER 63.

[S. H. B. 182.]

FILLING LOWLANDS IN SECOND AND THIRD CLASS CITIES.

AN ACT relating to the filling of lowlands within cities of the second and third class, providing for the creation of assessment districts therefor, and the levying and collection of special assessments on the property benefited, amending sections 7971 and 7975 of Remington and Ballinger's Annotated Codes and Statutes of Washington, validating certain proceedings for the creation of assessment districts.

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

SECTION 1. That section 7971 of Rem. & Bal. Code be amended to read as follows:

Section 7971. Whenever the city council of any city dependent on account of the public health, sanitation, the general welfare, or other cause, to fill or raise the grade or elevation of any marsh-lands, swamp-lands, tide-lands, shorelands, or lands commonly known as tide flats, or any other lowlands situated within the limits of such city, and to clear and prepare said lands for such filling, such city council shall have power so to do and the expense thereof, including the cost of making compensation for property taken or damaged, and all other costs and expense incidental to such improvement, shall be assessed to the property benefited, except such amount of such expense as the city council, in its discretion, may direct to be paid out of the current or general expense fund: *Provided*, That if in the judgment of the city council the special benefits for any such improvement shall extend beyond the boundaries of the filled area, the council may create an enlarged district which shall include, as near as may be, all the

Special
assessments
authorized.

Enlarged
districts
beyond
filled areas.