

and Thurston jointly, two judges of the superior court; in the counties of Pacific and Wahkiakum jointly, one judge of the superior court; in the counties of Pend Oreille and Stevens jointly, one judge of the superior court; and in the counties of San Juan and Whatcom jointly, two judges of the superior court.

Passed the House March 9, 1955.

Passed the Senate March 8, 1955.

Approved by the Governor March 15, 1955.

CHAPTER 160.

[H. B. 76.]

POWERS OF APPOINTMENT—RELEASE.

AN ACT relating to powers of appointment; providing for the release thereof; and providing for the recording and fees for recording of instruments releasing powers of appointment.

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

SECTION 1. Any power, which is exercisable by deed, by will, by deed or will, or otherwise, whether general or special, other than a power in trust which is imperative, is releasable, either with or without consideration, by written instrument signed by the holder thereof and delivered as hereinafter provided, unless the instrument creating the power provides otherwise.

Powers
releasable.

SEC. 2. A power which is releasable may be released with respect to the whole or any part of the property subject to such power and may also be released in such manner as to reduce or limit the persons or objects, or classes or [of] persons or objects, in whose favor such powers would otherwise be exercisable. No release of a power shall be deemed

Whole or
in part.

to make imperative a power which was not imperative prior to such release, unless the instrument of release expressly so provides.

Instrument of release.

SEC. 3. In order to be effective as a release of a power, the instrument of release must, as to form and substance, comply with the requirements therefor, if any, set forth in the instrument creating the power, and must be delivered to the person or persons designated in any one or more of the following:

- (1) Each person specified for such purpose in the instrument creating the power; and
- (2) Any trustee or cotrustee of the property to which the power relates; and
- (3) The office of the secretary of state, and such delivery shall from the time thereof constitute notice of such release to all persons other than those specified in subsections (1) and (2) above.

Act not to impair prior releases.

SEC. 4. The enactment of this act shall not be construed to impair the validity of any release heretofore made which was otherwise valid when executed.

Secretary of state's duties.

SEC. 5. It shall be the duty of the secretary of state to mark each instrument of release filed in his office with a consecutive file number and with the date and hour of filing, and to note and index the filing in a suitable alphabetical index according to the name or names of the person or persons signing the same and containing a notation of the address or addresses of the signer or signers, if given in the instrument. The fee for filing is one dollar. The secretary of state shall deliver or mail to the person filing the instrument a receipt showing the filing number and date and hour of filing.

Filing fee.

Passed the House February 9, 1955.

Passed the Senate March 8, 1955.

Approved by the Governor March 15, 1955.