

A guardian or limited guardian shall be allowed such compensation for his services as guardian or limited guardian as the court shall deem just and reasonable. Additional compensation may be allowed for his necessary services as attorney and for other necessary services not required of a guardian or limited guardian. He may also be allowed compensation for necessary expenses in the administration of his trust, including reasonable attorney's fees if the employment of an attorney for the particular purpose is necessary. In all cases, compensation of the guardian or limited guardian and his expenses including attorney's fees shall be fixed by the court and may be allowed at any annual or final accounting; but at any time during the administration of the estate, the guardian or limited guardian or his attorney may apply to the court for an allowance upon the compensation or necessary expenses of the guardian or limited guardian and for attorney's fees for services already performed. If the court finds that the guardian or limited guardian has failed to discharge his duties as such in any respect, it may deny him any compensation whatsoever or may reduce the compensation which would otherwise be allowed.

Sec. 34. Section 11.92.185, chapter 145, Laws of 1965 and RCW 11.92.185 are each amended to read as follows:

The court shall have authority to bring before it, in the manner prescribed by RCW 11.48.070, any person or persons suspected of having in his possession or having concealed, embezzled, conveyed or disposed of any of the property of the estate of incompetents or disabled persons subject to administration under this title.

Passed the Senate March 20, 1975.

Passed the House May 21, 1975.

Approved by the Governor May 28, 1975.

Filed in Office of Secretary of State May 28, 1975.

CHAPTER 96

[Engrossed Senate Bill No. 2117] ACQUISITION AND DISPOSITION OF STATE HIGHWAY PROPERTY

AN ACT Relating to state government; amending section 47.12.060, chapter 13, Laws of 1961 and RCW 47.12.060; amending section 47.12.070, chapter 13, Laws of 1961 as amended by section 2, chapter 91, Laws of 1969 and RCW 47.12.070; amending section 47.12.080, chapter 13, Laws of 1961 and RCW 47.12.080; amending section 47.12.130, chapter 13, Laws of 1961 and RCW 47.12.130; amending section 47.12.150, chapter 13, Laws of 1961 and RCW 47.12.150; and amending section 2, chapter 177, Laws of 1973 1st ex. sess. and RCW 47.12.290.

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

Section 1. Section 47.12.060, chapter 13, Laws of 1961 and RCW 47.12.060 are each amended to read as follows:

When a state highway is relocated and the old route is abandoned, and the new route crosses land owned by a person who owns land abutting on the old route, the Washington state highway commission may agree with the owner to convey to him title to the old route or a part thereof as all or part consideration for his land to be taken for the new route.

Whenever the state has abandoned any highway rights of way, pit sites, stock pile sites or owns land not needed for highway purposes, the Washington state highway commission may sell same to abutting owners for the fair market value or exchange with any person as a consideration or part consideration for lands or property rights needed by the state, or may sell same by public auction whenever it is deemed in the public interest to do so: PROVIDED, That whenever the commission finds that it is in the public interest to sell such property to an abutting private owner and there are two or more abutting owners, the commission shall sell the same only by public auction unless every abutting owner but one signs a statement signifying he does not intend to bid on or purchase such property.

The Washington state highway commission shall certify the agreement to the ~~((governor))~~ director of highways with a description of the property to be conveyed, and the ~~((governor may execute and the secretary of state shall attest))~~ director of highways shall execute the deed which shall be duly acknowledged and deliver it to the grantee.

Sec. 2. Section 47.12.070, chapter 13, Laws of 1961 as amended by section 2, chapter 91, Laws of 1969 and RCW 47.12.070 are each amended to read as follows:

If the Washington state highway commission deems that any land is no longer required for state highway purposes and that it is in the public interest so to do, said highway commission may negotiate for the sale of the land to a city or county of the state. The state highway commission shall certify the agreement for the sale to the ~~((governor))~~ director of highways, with a description of the land and the terms of the sale, and the ~~((governor may execute and the secretary of the state shall attest))~~ director of highways shall execute the deed ((and deliver it)) which shall be duly acknowledged and deliver it to the grantee.

Any moneys received pursuant to the provisions of this section shall be deposited in the motor vehicle fund.

Sec. 3. Section 47.12.080, chapter 13, Laws of 1961 and RCW 47.12.080 are each amended to read as follows:

Whenever in the construction, reconstruction, location or improvement of any state highway it may become necessary to transfer and convey to the United States, its agencies or instrumentalities, to any municipal subdivision of this state, or to any public utility company, any unused state highway right of way or real property, and in the judgment of the highway commission and the attorney general, such transfer and conveyance is consistent with public interest, the highway commission may enter into agreements accordingly. Whenever the highway commission shall make any such agreement for any such transfer or conveyance, and together with the attorney general, certifies to the ~~((governor))~~ director of highways that such agreement has been made setting forth in such certification a description of the lands or premises involved, the ~~((governor may execute and the secretary of state shall attest))~~ director of highways shall execute and deliver unto the United States government, or its agencies or instrumentalities, unto any municipal subdivision of this state, or unto any public utility company, a deed of conveyance, easement or other instrument, duly acknowledged, as shall be necessary to fulfill the terms of the aforesaid agreement. All moneys paid to the state of

Washington under any of the provisions hereof shall be deposited in the motor vehicle fund.

Sec. 4. Section 47.12.130, chapter 13, Laws of 1961 and RCW 47.12.130 are each amended to read as follows:

Whenever the state department of highways shall have title to any parcel of land which the state highway commission shall determine is not necessary for highway purposes, the commission is authorized to cause such land to be deeded to the owner of land abutting upon such parcel in consideration, or partial consideration, for other lands owned by such property owner which the highway commission deems to be necessary for highway purposes. The ~~((governor is authorized to execute and the secretary of state shall attest))~~ director of highways shall execute the conveyances, which shall be duly acknowledged, necessary to carry out such exchange.

Sec. 5. Section 47.12.150, chapter 13, Laws of 1961 and RCW 47.12.150 are each amended to read as follows:

Whenever the highway commission shall need for highway purposes land or property rights belonging to the United States government or any municipality or political subdivision of the state, or which shall be a part of the right of way of any public utility having authority to exercise powers of eminent domain, when the acquisition of such property by the state will result in the displacement of any existing right of way or facility, the state highway commission is authorized to acquire by condemnation or otherwise such lands and property rights as shall be needed to relocate such right of way or facilities so displaced and to exchange lands or property rights so acquired in consideration or partial consideration for the land or property rights needed for highway purposes. The ~~((governor))~~ director of highways, at the request of the state highway commission, shall execute ~~((and conveyances))~~ each conveyance, which shall be duly acknowledged, necessary to accomplish such exchange.

Sec. 6. Section 2, chapter 177, Laws of 1973 1st ex. sess. and RCW 47.12.290 are each amended to read as follows:

When full payment for real property agreed to be sold as authorized by RCW 47.12.280 has been received the director of ~~((the department of))~~ highways shall ~~((certify this fact to the governor with a description of the land and the terms of the sale and the governor may execute and the secretary of state shall attest))~~ execute the deed which shall be duly acknowledged and deliver it to the grantee.

Passed the Senate March 24, 1975.

Passed the House May 19, 1975.

Approved by the Governor May 28, 1975.

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