

CHAPTER 150.

(S. B. No. 165)

VALIDATING CERTAIN ASSESSMENTS BY CITIES.

AN ACT to validate assessments made, or which may be made, to pay for local improvements, by any incorporated city in this State, and to prohibit the setting of such assessments aside or declaring the same invalid upon any ground other than upon the ground of fraud.

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

SECTION 1. That whenever the city council of any city within this State has made, or shall hereafter make any assessment against property within any local improvement district for the purpose of improving any street, avenue, lane, or alley, square or public place within said city by grading, curbing, parking, sidewalking, sewerage or the laying of a permanent pavement thereon, including foundation, curbing, guttering, drainage facilities and other necessary work incidental to such improvement, and has in making such assessment acted in good faith and without fraud or shall hereafter act in good faith and without fraud the said assessment shall be valid and enforceable as such and a lien upon the property upon which the same purports to be a lien; and it shall be no objection to the validity thereof that the contract for such improvement was not awarded in the manner or at the time required by law, nor, shall it be any objection to the validity of such assessment that the same was made by an unauthorized officer or person, if the same shall have been confirmed by the city authorities, of such city, nor, shall it be any objection to the legality of such assessment that the same is based upon a front foot basis, or upon a basis of benefits to the property within such district unless it shall be made to appear that the city authorities did not act in good faith and did not attempt to act fairly in regard thereto, nor unless it shall be made to appear that the city authorities acted fraudulently or oppressively in making such assessment, and all assessments heretofore or hereafter made which are made by the city authorities in good faith are hereby declared to be valid

Assessment.

Lien.

When valid.

and in full force and effect, and to be collectible in the manner which is now or may hereafter be provided by law for the collection of assessments for local improvements for the purposes specified in this act.

Passed the Senate February 23, 1905.

Passed the House March 8, 1905.

Approved by the Governor March 9, 1905.

CHAPTER 151.

(S. B. No. 163)

RELATIVE TO EXPENSES INCURRED IN CONSTRUCTION OF DIKES AND DAMS.

AN ACT to provide for the payment of expenses incurred in compliance with an act entitled, "An act to provide for the construction and maintenance of dikes and dams in certain cases," approved February 2, 1888, or of any acts amendatory thereof.

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

Construction
and
maintenance.

SECTION 1. That where any dike or any portion thereof, has been constructed and maintained in compliance with the provisions of an act of the Legislative Assembly of the Territory of Washington, entitled, "An act to provide for the construction and maintenance of dikes and dams in certain cases," approved February 2, 1888, or any acts amendatory thereof, and where any warrants or orders, issued in connection with the expense of the construction and maintenance thereof, remain outstanding and unpaid, it shall be the duty of the board of county commissioners of the county in which the same are located to assess the lands benefited thereby for the purpose of paying said outstanding warrants, or orders together with interest thereon from the date of their issuance until paid, at the rate of six per cent annum: *Provided*, That no such assessment shall be made, nor shall any proceeding under this act be had, unless such dike or system of dikes shall have been so constructed and maintained and be at the time of the initiation of such assessment proceeding in such a condition as to constitute an actual substantial

Assess the
lands.