

CHAPTER 172.

[S. B. 247.]

LOCATION OF COUNTY ROADS.

AN ACT providing for the definite determination of county roads, the true location, course or width whereof is uncertain.

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

Determina-
tion of
location
and width
of county
road.

Duty of
county
engineer.

SECTION 1. Whenever the board of county commissioners shall by resolution declare that the true location, course or width of any county road is uncertain and that it is in the public interest to determine the same, they shall direct the county engineer to make an examination and survey thereof. Such examination and survey shall embrace an examination of the original petition, report and field notes on the establishment of such road; a survey of the traveled roadway in its present state, with all topography within a reasonable distance from said traveled roadway having a bearing on the original location; such survey to show the distance from the traveled roadway to the nearest section and quarter section corners; a map on sufficient scale accurately showing the above with the field notes thereon; a map on the same scale showing the original field notes, the field notes if possible to be transposed and the same meridian used on both maps.

Hearing by
superior
court.

Plat of
road to
be filed.

SEC. 2. The superior court of any such county, after proper proceedings had on complaint of such county shall hear and determine such matter and order a plat of the road as so determined to be filed with the county auditor, platted in the highway plat book of such county and a copy of the map furnished to the county assessor and the county engineer. Upon such hearing the court shall consider all such survey and other data of the county engineer and may direct him or such other engineer as the court

may select to prepare such further engineering data as may be necessary for the purpose of such proceeding. The court in its discretion shall assess the cost, fees and expenses of such proceedings to the general road and bridge fund of such county, or to the appropriate road district fund as the case may be, wholly, or in part to such fund and in part to the several defendants, each of whom shall be assessed such sums as may be just and equitable.

Assessment by court of costs of proceedings.

SEC. 3. The following acts and parts of acts are hereby repealed: Sections 6473 and 6474 of Remington's Compiled Statutes of Washington; Sections 18 and 27, Chapter XIX (19), Laws of 1889-1890, (pp. 599-601).

Repeals §§ 6037a and 6044, Pierce's Code.

Passed the Senate December 28, 1925.

Passed the House January 6, 1926.

Approved by the Governor January 15, 1926.

CHAPTER 173.

[S. B. 248.]

PROCEDURE TO ESTABLISH COUNTY ROADS.

AN ACT relating to establishing county roads, acquiring rights of way therefor by condemnation or otherwise and repealing certain acts and parts of acts.

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

SECTION 1. County roads shall be laid out and established as provided in this act. The board of county commissioners by unanimous vote of such board may by resolution entered upon their minutes declare their intention to lay out and establish or widen any county road and that the same is considered a public necessity and shall direct the county engineer to report upon such project.

Resolution to establish or widen.

Public necessity.

SEC. 2. Ten or more freeholders of the county residing in the vicinity of a proposed road may

Petition of freeholders.