

CHAPTER 131.

[ H. B. 427. ]

IRRIGATION, DIKING AND DRAINAGE DISTRICTS—  
FORECLOSURES—DEEDS.

AN ACT relating to irrigation, diking or drainage districts; pre-  
scribing the form and contents of deeds issued on fore-  
closure of assessments; amending section 30, chapter  
XXI (21), Laws of 1889-90, as amended by section 1, chap-  
ter 256, Laws of 1943 (section 7448, Remington's Revised  
Statutes, also Pierce's Perpetual Code 679-111).

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

Amendment.

SECTION 1. That section 30, chapter XXI (21),  
Laws of 1889-90, as amended by section 1, chapter  
256, Laws of 1943 (section 7448, Remington's Revised  
Statutes, also Pierce's Perpetual Code 679-111), be  
amended to read as follows:

Section 30. The matter recited in the certificate  
of sale must be recited in the deed, and such deed  
duly acknowledged or proved is prima facie evidence  
that--

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of deed.

First: That property was assessed as required  
by law.

Second: That property was equalized as re-  
quired by law.

Third: That the assessments were levied in ac-  
cordance with the law.

Fourth: The assessments were not paid.

Fifth: At a proper time and place the property  
was sold as prescribed by law and by the proper  
officers.

Sixth: The property was not redeemed.

Seventh: The person who executed the deed  
was the proper officer.

Eighth: Such deed, duly acknowledged or  
proved is (except as against actual fraud) conclusive  
evidence of the regularity of all the proceedings  
from the assessments by the secretary, inclusive, up  
to the execution of the deed.

Ninth: When the grantee in the deed is a party other than the irrigation district or the county, the deed conveys to the grantee the absolute title to the lands described therein, free from all encumbrances, except general taxes, drainage or diking district assessments, drainage or diking improvement district assessments, and all existing irrigation district assessments.

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of deed.

Tenth: When the grantee in the deed is the irrigation district or the county, the deed conveys to the grantee the absolute title to the lands described therein, free from all encumbrances except drainage or diking district assessments or installments thereof not delinquent at the time of sale, drainage or diking improvement district assessments or installments thereof not delinquent at the time of the sale, also except all existing irrigation district assessments or installments thereof not delinquent at the time of the sale, pursuant to which deed is issued.

Eleventh: If the irrigation district reconveys, which it may do upon installments or for cash, any lands so acquired by it to a grantee who has a right to such reconveyance under section 7445 of Remington's Revised Statutes, the grantee before receiving deed, shall pay all general taxes, drainage or diking district assessments, drainage or diking improvement district assessments and irrigation district assessments which have been cancelled by the deed to the irrigation district, such payment being made to the County Treasurer for the benefit of the respective taxing districts entitled thereto, and such grantee shall also pay any expenses of the irrigation district incurred in caring for, operating, or improving said land.

Twelfth: All proceeds received by a county or irrigation district from any lands so acquired, shall be paid to the County Treasurer, and by him distributed pro rata between the county, the irrigation districts, the drainage or diking district, the drainage

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of deed.

or diking improvement districts, and the local improvement districts holding liens against said lands at the time the county or the irrigation district acquired title, in proportion to the amounts of the respective liens: *Provided*, That there can be first deducted therefrom and reimbursed to the district or county advancing same, any expenses incurred in caring for, operating, or improving said land: *Provided further*, That as an alternative method, where an irrigation district or a county has heretofore or may hereafter be the grantee, such district or county has the right to pay all general taxes, irrigation, drainage or diking district or diking or drainage improvement district assessments, which were cancelled by deed to such district or county, and upon such payments being made the irrigation district or the county shall be the absolute owner of the land and upon sale thereof entitled to retain all the proceeds of sale.

Thirteenth: When the land is owned by the United States, or this state, the provisions of subsections nine, ten and eleven shall not apply, and in such cases the deed shall be *prima facie* evidence of the right of possession.

Passed the House March 1, 1945.

Passed the Senate March 6, 1945.

Approved by the Governor March 15, 1945.