

One fair
each year.

thorized treasurer: *Provided, however,* That no more than one county agricultural fair shall be held in any county in any one year; and said county fair association so applying for the benefit of the aforesaid appropriation must have a corporate existence: *And provided further,* That any and all buildings and structures erected with the funds so appropriated shall become the property of the county making such appropriation: *And further provided,* That full and complete vouchers covering all expenditures of public money appropriated under this act, shall be made to the board of county commissioners before the close of each calendar year.

Passed by the Senate February 15, 1909.

Passed by the House March 4, 1909.

Approved March 6, 1909.

CHAPTER 63.

[S. B. 167.]

PERMITTING THE VACATION OF WATERWAYS.

AN ACT to provide for the vacation of portions of waterways, the extension of streets over the portions so vacated, and for the sale and disposition of the portions so vacated not embraced within any street or streets extended over the same.

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

SECTION 1. Whenever the owners of the tide lands and uplands, if any, abutting upon the portion of any waterway heretofore established under authority of the laws of this state, shall desire any portion of such waterway so abutting upon the lands by them owned, vacated, they shall submit to the city council of the city within, in front of, or in the vicinity of which such waterway is located, a petition therefor, describing the extent of such waterway so desired to be vacated. If such council by ordinance approve such petition, a certified copy thereof, together with a certified copy of such ordinance, shall be sub-

Petition.

mitted to the Commissioner of Public Lands of the State of Washington, and thereupon, if he shall approve the same, and the portion of such waterway sought to be vacated be not navigable water of the United States, or otherwise within the jurisdiction of the United States, the portion of such waterway so described shall thereupon be deemed to be, and shall be thereby vacated: *Provided, however,* That if such portion of such waterway sought to be vacated be navigable water of the United States, or otherwise within the jurisdiction of the United States, a copy of such petition and ordinance, with the approval thereof of the Commissioner of Public Lands, certified to by him, shall be submitted to the Secretary of War and Chief of Engineers of the United States for their approval, and if they approve the same, the portion of such waterway so described, shall thereupon be deemed to be, and shall be, thereby vacated.

Commissioner
of Public
Lands.

Secretary of
War.

SEC. 2. Upon such vacation occurring, in either of the manners aforesaid, the city within, in front of, or in the vicinity of which such waterway is located, shall have the right to extend across the portions so vacated any existing streets, or to select therefrom such portions thereof as the city may desire for street purposes, in no case to exceed 150 feet in width for any one street. Such selection shall be made within sixty days subsequent to the receipt of notice from any party in interest of the vacation of the portion of the waterway so vacated.

Streets.

SEC. 3. Should such city fail to make such selection within such time, or having within such time made such selection, the remaining portions of such waterway so vacated shall be appraised and disposed of in the same manner, and with preference right of purchase in the same parties as is now provided by law for the disposition of tide lands of the class to which such vacated portion shall belong.

Remaining
portion sold.

Passed by the Senate February 11, 1909.

Passed by the House March 1, 1909.

Approved March 6, 1909.