

CHAPTER 262.

[H. B. 125.]

TIDE LANDS RESERVED IN KITSAP COUNTY.

AN ACT relating to the reservation of certain tide lands from sale and lease.

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

SECTION 1. That all of the tide lands of the second class owned by the State of Washington situate in front of, and abutting upon lot 4, section 5, township 24 north, range 2 east W. M., in Kitsap county, are hereby reserved from sale and lease: *Provided, however,* That nothing in the foregoing reservation shall prevent the county of Kitsap from securing necessary easements for county road rights of way and wharf sites, on and over said tide lands.

Passed the House February 15, 1927.

Passed the Senate March 2, 1927.

Approved by the Governor March 19, 1927.

Reservation from sale and lease of second class tide lands in Kitsap county.

County may secure county road rights of way and wharf sites.

CHAPTER 263.

[H. B. 133.]

SALE BY COUNTIES OF PROPERTY ACQUIRED FOR TAXES.

AN ACT relating to the sale by counties of property acquired for taxes, and amending sections 133 and 134 of chapter 130 of the Laws of the Extraordinary Session of 1925.

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

SECTION 1. That section 133 of chapter 130 of the Laws of the Extraordinary Session of 1925 be amended to read as follows:

Section 133. Real property hereafter or heretofore acquired by the several counties of the State

Sec. 133, ch. 130, L. Ex. Sess. 1925.

Real property acquired by counties

of Washington for taxes shall be subject to sale by order of the board of county commissioners of the several counties of this state at any time after the counties shall have received a deed therefor, when in the judgment of the board of county commissioners they deem it for the best interests of the county to sell the same, and when the board of county commissioners desires to sell any property so acquired, they shall enter an order upon their records fixing a minimum price below which said property shall not be sold, and directing the county treasurer to sell such portions of such property as they may determine to sell from time to time, and it shall be the duty of the county treasurer upon receipt of such order to publish once a week for three consecutive weeks a notice of the sale of such property in a newspaper printed and published in the county where the land is situated: *Provided*, That in counties where there is no newspaper published, the treasurer of such county shall cause such notice to be published in some newspaper in the state of general circulation in such county having no resident newspaper, and the property to be sold shall be set forth and described in said notice, and the minimum price fixed in said order, together with the time and place and terms of sale, which said sale shall be made at the front door of the county court house in the county in which the land is situated between the hours of nine o'clock a. m., and four o'clock p. m., and all sales so made shall be to the highest and best bidder at such sale, and sales to be made under the provisions of this act may be adjourned from day to day by the county treasurer by public announcement made by the treasurer at the time and place designated in the notice of such sale, or at the time and place to which said sale may be adjourned. The person making the bid shall state

for taxes
subject to
sale.

Procedure
for sale.

Notice.

Sale to
highest and
best bidder.

Cash sale or
contract of
purchase.

Contract
bidder.

Terms of
sale.

Interest on
deferred
payments.

Forfeiture
for breach.

whether he will pay cash for the amount of his bid or accept a real estate contract of purchase in accordance with the provisions hereinafter contained. The person making the highest bid shall become the purchaser of said property. If the highest bidder is a contract bidder the purchaser shall be required to pay twenty per cent of the total purchase price at the time of said sale and shall enter into a contract with the county as vendor and the purchaser as vendee which shall obligate and require the purchaser to pay the balance of said purchase price in ten equal annual installments commencing November 1 and each year following the date of said sale and shall require said purchaser to pay six per cent interest on all deferred payments, interest to be paid at the time the annual installment is due; and may contain a provision authorizing the purchaser to make payment in full at any time of any balance due on the total purchase price plus accrued interest on such balance. Said contract shall contain a provision requiring the purchaser to pay before delinquency all subsequent taxes and assessments that may be levied or assessed against said property subsequent to the date of said contract, and shall contain a provision that time is of the essence of the contract and that in event of a failure of the vendee to make payments at the time and in the manner required and to keep and perform the covenants and conditions therein required of him that the said contract may be forfeited and terminated at the election of the vendor, and that in event of said election all sums theretofore paid by the vendee shall be forfeited as liquidated damages for failure to comply with the provisions of said contract; and shall require the vendor to execute and deliver to the vendee a deed of conveyance covering said property upon the payment in full of the purchase price, plus accrued interest.

SEC. 2. That section 134 of chapter 130 of the Laws of the Extraordinary Session of 1925 be amended to read as follows:

Sec. 134, ch. 130, L. Ex. Sess. 1925.

Section 134. The county treasurer shall upon payment to him of the purchase price for said property and any interest due, make and execute under his hand and seal, and issue to the purchaser, a deed in the following form for any lots or parcels of real property sold under the provisions of the preceding section.

Deed to purchaser.

State of Washington } ss.
County of

This indenture, made this.....day of, 19...., between....., as treasurer of.....county, State of Washington, the party of the first part, and...., party of the second part.

WITNESSETH, That whereas, at a public sale of real property, held on the.....day of....., A. D. 19...., pursuant to an order of the board of county commissioners of the county of....., State of Washington, duly made and entered, and after having first given due notice of the time and place and terms of said sale, and, whereas, in pursuance of said order of the said board of county commissioners, and of the laws of the State of Washington, and for and in consideration of the sum of.....dollars, lawful money of the United States of America, to me in hand paid, the receipt whereof is hereby acknowledged, I have this day sold to.....the following described real property, and which said real property is the property of.....county, and which is particularly described as follows, to-wit:....., the said..... being the highest and best bidder at said sale, and the said sum being the highest and best sum bid at said sale;

Form.

Now, therefore, Know ye that I,....., county treasurer of said county of....., State of Washington, in consideration of the premises and by virtue of the statutes of the State of Washington, in such cases made and provided, do hereby grant and convey unto....., heirs and assigns, forever, the said real property hereinbefore described, as fully and completely as the said party of the first part can by virtue of the premises convey the same.

Given under my hand and seal of office this..... day of....., A. D. 19.....

.....
 County Treasurer.
 By.....
 Deputy.

Passed the House February 4, 1927.
 Passed the Senate March 1, 1927.
 Approved by the Governor March 19, 1927.

CHAPTER 264.

[H. B. 145.]

VENUE OF CIVIL ACTIONS IN JUSTICE COURTS.

AN ACT relating to the venue of civil actions in justice courts.

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

SECTION 1. Should any civil action be filed or commenced in any justice court other than as provided in chapter 53 of the Laws of the Extraordinary Session of 1925, no jurisdiction over the defendant shall be acquired thereby, and no judgment shall be entered therein against such defendant; and if, the action having been commenced before a justice court not having jurisdiction over the defendant, the defendant appears either specially or generally and

Civil action in justice court.

See ch. 53, L. Ex. Sess. 1925.

No jurisdiction over defendant.

Appearance.