

CHAPTER 127.

[H. B. 388.]

HIGHWAYS—TRANSFER OF UNUSED PORTIONS.

AN ACT relating to state highways; providing that the Director of Highways with the concurrence of the Attorney General and the Governor may transfer to the United States, its agencies and instrumentalities, municipal subdivisions of this state, and utility companies, any unused state highway real properties; prescribing the powers and duties of certain officers; providing for construction agreements between the State and Federal agencies; providing methods of payment therefor; and declaring an emergency.

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

SECTION 1. Whenever in the construction, reconstruction, location or improvement of any state highway it may become necessary to transfer and convey to the United States, its agencies or instrumentalities, to any municipal subdivision of this state, or to any public utility company, any unused state highway right of way or real property, and in the judgment of the Director of Highways and the Attorney General, such transfer and conveyance is consistent with public interest, the Director of Highways may enter into agreements accordingly. Whenever the Director of Highways shall make any such agreement for any such transfer or conveyance, and together with the Attorney General, certifies to the Governor that such agreement has been made setting forth in such certification a description of the lands or premises involved, the Governor may execute and the Secretary of State shall attest and deliver unto the United States Government, or its agencies or instrumentalities, unto any municipal subdivision of this state, or unto any public utility company, a deed of conveyance, easement or other instrument necessary to fulfill the terms of the aforesaid agreement. All moneys paid to the State of Washington under

Transfer of unused highways to United States municipalities, public utilities.

any of the provisions hereof shall be deposited in the Motor Vehicle Fund.

Contracts for
public works
between
state and
Federal gov-
ernment.

SEC. 2. When in the opinion of the Director of Highways it appears that any state highway will be benefited or improved by the construction of any public works project within the State of Washington by any of the departments of the State of Washington, by the Federal Government, or by any agency, instrumentality or municipal corporation of either the State of Washington or the United States, the Director of Highways is hereby authorized to enter into cooperative agreements with any such state department, with the United States, or with any agency, instrumentality or municipal corporation of either the State of Washington or the United States, wherein the State of Washington, acting through its Department of Highways, will participate in the cost of the public works project in such amount as may be determined by the Director of Highways to be the value of the benefits or improvements to the particular state highway derived from the construction of said public works project. Under any such agreement the Department of Highways may contribute to the cost of the public works project by making direct payment to the particular state department, Federal Government or to any agency, instrumentality or municipal corporation of either the state or the United States, or any thereof, which may be involved in said project, from any funds appropriated to the Department of Highways and available for highway purposes, or by doing a portion of the project either by day labor or by contract, or in any other manner as may be deemed advisable and necessary by the Director of Highways.

Effective
immediately.

SEC. 3. This act is necessary for the immediate preservation of the public peace, health and safety,

the support of the state government and its existing public institutions and shall take effect immediately.

Passed the House March 7, 1945.

Passed the Senate March 7, 1945.

Approved by the Governor March 15, 1945.

CHAPTER 128.

[H. B. 132.]

CITIES AND TOWNS—ANNEXATION OF TERRITORY.

AN ACT relating to the annexation to cities and towns of territory contiguous thereto and providing a method therefor.

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

SECTION 1. Any portion of a county not heretofore incorporated as a city or town lying contiguous to any city or town may become annexed to such city or town under the provisions of this act, and when so annexed shall become a part of said city or town: *Provided*, That whenever any such unincorporated territory is separated from any city or town by water, or by tide or shore lands on which no bona fide residence is maintained by any person, said unincorporated territory shall be deemed contiguous for all the purposes of this act.

Annexation
of additional
territory to
cities and
towns.

SEC. 2. Whenever a petition for annexation is filed with the city or town council, or commission in those cities having a commission form of government, which meets the requirements herein specified, of which fact satisfactory proof may be required by the council or commission, the council or commission may entertain the same, fix a date for a public hearing thereon and cause notice of the hearing to be published in one issue of a newspaper of general circulation in the city or town. The notice shall also be posted in three (3) public places within the ter-

Petition.

Hearing.