

CHAPTER 154.

[H. B. 77.]

PROBATE—REALTY SALES BY ADMINISTRATORS, ETC.

AN ACT relating to probate law and procedure and the sale of real property by guardians, administrators and executors and amending section 132, chapter 156, Laws of 1917 and RCW 11.56.110.

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

SECTION 1. Section 132, chapter 156, Laws of 1917 and RCW 11.56.110 are each amended to read as follows: Amendment.

If, at any time before confirmation of any such sale, any person shall file with the clerk of court a bid on such property in an amount not less than ten percent higher than the bid the acceptance of which was reported by the return of sale and shall deposit with the clerk not less than twenty percent of his bid, to be forfeited to the estate unless such bidder complies with his bid, the bidder whose bid was accepted shall be informed of such increased bid by registered mail addressed to such bidder at any address which may have been given by him at the time of making such bid. Such bidder then shall have a period of five days, not including holidays, in which to make and file a bid better than that of the subsequent bidder. After the expiration of such five-day period the court may refuse to confirm the sale reported in the return of sale and direct a sale to the person making the best bid then on file, indicating which is the best bid, and a sale made pursuant to such direction shall need no further confirmation. Instead of such a direction, the court, upon application of the administrator, executor or guardian, may direct the reception of sealed bids. Thereupon the administrator, executor or guardian shall mail notice by registered mail to all those who have made bids on such property informing them

Offer of increased bid.

that sealed bids will be received by the clerk of the court within ten days. At the expiration of such period the administrator, executor or guardian, in the presence of the clerk of the court, shall open such bids as shall have been submitted to the clerk within the time stated in the notice (whether by previous bidders or not) and shall file a recommendation of the acceptance of the bid which he deems best in view of the requirements of the particular estate. The court may thereupon direct a sale to the bidder whose bid is deemed best by the court and a sale made pursuant to such direction shall need no confirmation.

Passed the House February 16, 1955.

Passed the Senate March 7, 1955.

Approved by the Governor March 15, 1955.

CHAPTER 155.

[H. B. 158.]

EMINENT DOMAIN—PAYMENT—TRIAL—COSTS.

AN ACT relating to the power of eminent domain by the state and amending section 2, chapter 177, Laws of 1951, and RCW 8.04.092.

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

Amendment. SECTION 1. Section 2, chapter 177, Laws of 1951, and RCW 8.04.092 are each amended to read as follows:

Determination of compensation and damages. (RCW 8.04.092) The amount paid into court shall constitute just compensation paid for the taking of such property: *Provided*, That respondents may, in the same action, request a trial for the purpose of assessing the amount of compensation to be made and the amount of damages arising from the taking. In the event that, pursuant to such hearing, the verdict of the jury, unless a jury be waived by all par-