

Port district
finances.
Levy for
dredging,
canal con-
struction, land
leveling or
filling pur-
poses—
Collection of.

Whenever such additional levy for dredging, canal construction, or land leveling or filling purposes shall have been authorized by the electors of the district at an election, held subsequent to the time of making the levy for the district for general purposes, in any year, such levy shall be certified by the port commission in the manner provided by law for certifying levies for general purposes of the district, and shall be forthwith spread and extended upon the tax rolls for the current year, and the taxes so levied and extended shall be collected in the manner provided by law for the collection of general taxes.

Passed the House March 18, 1965.

Passed the Senate March 23, 1965.

Approved by the Governor April 2, 1965.

CHAPTER 23.

[House Bill No. 156.]

COUNTIES—PROPERTY SALES—SITUS.

AN ACT relating to property sales by counties; amending section 36.34.080, chapter 4, Laws of 1963 and RCW 36.34.080; amending section 46.52.110, chapter 12, Laws of 1961 as amended by section 1, chapter 44, Laws of 1963 and RCW 46.52.110; amending section 49, chapter 255, Laws of 1927 as amended by section 20, chapter 257, Laws of 1959 and RCW 79.01.196; amending section 20, chapter 130, Laws of 1925 extraordinary session, as last amended by section 1, chapter 8, Laws of 1963 and RCW 84.64.080; amending section 84.64.270, chapter 15, Laws of 1961 and RCW 84.64-.270; and adding a new section to chapter 4, Laws of 1963 and to chapter 36.16 RCW.

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

SECTION 1. Section 36.34.080, chapter 4, Laws of 1963 and RCW 36.34.080 are each amended to read as follows:

RCW 36.34.080
amended.

All sales of county property ordered after a public hearing upon the proposal to dispose thereof must be made by the county treasurer at such place on county property as the board of county commissioners may direct to the highest and best bidder at public auction.

County property—Sale of.
Place of sales—
Public auction.

SEC. 2. Section 46.52.110, chapter 12, Laws of 1961 as amended by section 1, chapter 44, Laws of 1963 and RCW 46.52.110 are each amended to read as follows:

RCW 46.52.110 amended.

It shall be the duty of the sheriff of every county, the chief of police or chief police officer of every incorporated city and town of this state, constables and members of the Washington state patrol to report immediately to the chief of the Washington state patrol all motor vehicles reported to them as stolen or recovered, upon forms to be provided by the chief of the Washington state patrol.

Stolen and abandoned vehicles—
Reports of—
Notice—Sale—
Violations—
Penalty.

In the event that any motor vehicle reported as stolen has been recovered, the person so reporting the same as stolen shall be guilty of a misdemeanor unless he shall report the recovery thereof to the sheriff, chief of police, or other chief police officer to whom such motor vehicle was reported as stolen.

Upon receipt of such information the chief of the Washington state patrol shall file the same in a "stolen vehicle index." He shall also file any reports of vehicles stolen in other states and reported to him as such. It shall be the duty of the chief of the Washington state patrol to keep a file record of all vehicles reported to him as recovered.

The chief of the Washington state patrol shall publish at least once a month a list of all vehicles reported as stolen and not reported as having been recovered and all abandoned vehicles and forward a copy of such list to every sheriff in this state, the chief of police or chief police officer of every incor-

Stolen and
abandoned
vehicles—
Reports of—
Notice—Sale
—Violations—
Penalty.

porated city and town with a population in excess of three thousand inhabitants, each member of the Washington state patrol and the cognizant state officer of each state in the United States.

Such information shall be provided by the chief of the Washington state patrol for the use of the director of licenses as will permit the director of licenses to check the motor or serial number set forth in any application for certificate of ownership or certificate of license registration against such "stolen vehicle index" and no such certificates shall be issued upon any vehicle recorded as stolen and the director of licenses shall immediately inform the chief of the Washington state patrol of any application upon any such vehicle.

It shall be the duty of the sheriff of every county, the chief of police or chief police officer of each incorporated city and town, members of the Washington state patrol and constables to report to the chief of the Washington state patrol all vehicles found abandoned on a public highway or at any other place and the same shall be taken into the custody of the sheriff of the county wherein found abandoned and stored and the same shall, for the purposes of listing the same, be considered as a recovered vehicle. Personal notice that such vehicle has been found abandoned shall be forwarded to the registered and legal owners of such vehicle if any record of registered or legal owner thereof exists in this state. In the event there appears to be a registered or legal ownership thereof in another state the sheriff shall send notice thereof to the official having cognizance of issuing legal or registered ownerships in such other state. If, at the expiration of twenty days from the date of mailing such notices by registered or certified mail with return receipt requested, the vehicle remains unclaimed and has not been reported as a stolen vehicle, then the same may be sold at public auc-

tion either at the site of the vehicle or at such place on county property as the board of county commissioners may direct upon notice published in one issue of a paper of general circulation in the county in which such vehicle has been found abandoned, such publication to describe the vehicle and set forth the place, date and time at which such vehicle shall be put up for public auction, which date shall be not sooner than three days following the date of such publication. Any surplus accruing at said sale after deducting the cost of placing the vehicle in custody, advertising and selling the same, shall be held for the owner a period of ten days and if not claimed by the expiration thereof shall be certified one-half to the county treasurer of such county to be placed in the county current expense fund and one-half to the state treasurer to be credited to the highway safety fund.

If no bids are received at said sale the sheriff shall deliver the vehicle to the garage operators who may be entitled to reimbursement for towing and storing the vehicle. In this event such garage operators may dispose of all or any part of the vehicle as they may determine.

Any vehicle left in a garage for storage more than fifteen days where the same has not been left by the registered owner under a contract of storage and has not during such period been removed by the person leaving the same shall be an abandoned vehicle and shall be delivered to the sheriff of the county with notice of such fact. Any garage keeper failing to report such fact to the sheriff and tender delivery to him of such vehicle at the end of fifteen days shall thereby forfeit any claims for the storage of such vehicle. All such vehicles considered abandoned by being left in a garage shall be disposed of in accordance with the procedure prescribed above for abandoned vehicles.

Except for the forfeiture of claim for storage as set forth herein for failure to report vehicle left in excess of fifteen days, nothing in this section shall be construed to impair any lien for storage accruing to a garage keeper under other law of this state.

RCW 79.01.196
amended.

SEC. 3. Section 49, chapter 255, Laws of 1927 as amended by section 20, chapter 257, Laws of 1959 and RCW 79.01.196 are each amended to read as follows:

Public lands,
sale of. Place
of sale—
Hours.

When sales are made by the county auditor, they shall take place at such place on county property as the board of county commissioners may direct in the county in which the whole, or the greater part, of each lot, block or tract of land, or the material thereon, to be sold, is situated. All other sales shall be held at the departmental district offices having jurisdiction over the respective sales. Sales shall be conducted between the hours of ten o'clock in the forenoon and four o'clock in the afternoon.

Any sale which has been offered, and for which there are no bids received shall not be reoffered until it has been readvertised as specified in RCW 79.01.188 and 79.01.192. If all sales cannot be offered within the specified time on the advertised date, the sale shall continue on the following day between the hours of ten o'clock in the forenoon and four o'clock in the afternoon.

RCW 84.64.080
amended.

SEC. 4. Section 20, chapter 130, Laws of 1925 extraordinary session as last amended by section 1, chapter 8, Laws of 1963 and RCW 84.64.080 are each amended to read as follows:

Property
taxes.
Foreclosure
proceedings—
Judgment—
Sale—Notice—
Form of deed
—Recording.

The court shall examine each application for judgment foreclosing tax lien, and if defense (specifying in writing the particular cause of objection) be offered by any person interested in any of said

lands or lots to the entry of judgment against the same, the court shall hear and determine the matter in a summary manner, without other pleadings, and shall pronounce judgment as the right of the case may be; or said court may, in its discretion, continue such individual cases, wherein defense is offered, to such time as may be necessary, in order to secure substantial justice to the contestants therein; but in all other cases said court shall proceed to determine the matter in a summary manner as above specified. In all judicial proceedings of any kind for the collection of taxes, and interests and costs thereon, all amendments which by law can be made in any personal action pending in such court shall be allowed, and no assessments of property or charge for any of said taxes shall be considered illegal on account of any irregularity in the tax list or assessment rolls or on account of the assessment rolls or tax list not having been made, completed or returned within the time required by law, or on account of the property having been charged or listed in the assessment or tax lists without name, or in any other name than that of the owner, and no error or informality in the proceedings of any of the officers connected with the assessment, levying or collection of the taxes, shall vitiate or in any manner affect the tax or the assessment thereof, and any irregularities or informality in the assessment rolls or tax lists or in any of the proceedings connected with the assessment or levy of such taxes or any omission or defective act of any officer or officers connected with the assessment or levying of such taxes, may be, in the discretion of the court, corrected, supplied and made to conform to the law by the court. The court shall give judgment for such taxes, interest and costs as shall appear to be due upon the several lots or tracts described in said notice of application for judg-

Property
taxes.
Foreclosure
proceedings—
Judgement—
Sale—Notice
Form of deed
—Recording.

ment or complaint, and such judgment shall be a several judgment against each tract or lot or part of a tract or lot for each kind of tax included therein, including all interest and costs, and the court shall order and direct the clerk to make and enter an order for the sale of such real property against which judgment is made, or vacate and set aside the certificate of delinquency or make such other order or judgment as in the law or equity may be just. Said order shall be signed by the judge of the superior court and attested by the clerk thereof, and a certified copy of said order, together with the list of the property therein ordered sold, shall be delivered to the county treasurer, and shall be full and sufficient authority for him to proceed to sell said property for said sum as set forth in said order and to take such further steps in the matter as are provided by law. The county treasurer shall immediately after receiving the order and judgment of the court proceed to sell the property as provided in this chapter to the highest and best bidder for cash. All sales shall be made at such place on county property as the board of county commissioners may direct on Friday between the hours of 9 o'clock in the morning and 4 o'clock in the afternoon, and shall continue from day to day (Saturdays and Sundays excepted) during the same hours until all lots or tracts are sold, after first giving notice of the time and place where such sale is to take place for ten days successively by posting notice thereof in three public places in the county, one of which shall be in the office of said treasurer. The notice shall be substantially in the following form:

TAX JUDGMENT SALE

Public notice is hereby given that pursuant to real property tax judgment of the superior court of the county of in the state of Washington, and an order of sale duly issued by

said court, entered the day of,
, in proceedings for foreclosure of tax liens
 upon real property, as per provisions of law, I shall
 on the day of,, at
 o'clock a.m., at in the
 city of, and county of,
 state of Washington, sell the following described
 lands or lots, to the highest and best bidder for
 cash, to satisfy the full amount of taxes, interest
 and costs adjudged to be due thereon as follows,
 to wit: (Description of property.)

In witness whereof, I have hereunto affixed my
 hand and seal this day of,

.....
 Treasurer of county.

No county officer or employee shall directly or
 indirectly be a purchaser of such property at such
 sale.

The treasurer may include in one notice any
 number of separate tracts or lots.

If any buildings or improvements are upon an
 area encompassing more than one tract or lot, the
 same must be advertised and sold as a single unit.

If the highest amount bid for any such separate
 unit tract or lot is in excess of the entire amount
 of the taxes and interest due upon the whole prop-
 erty included in the certificate of delinquency, the
 excess shall be refunded, on application therefor,
 to the record owner of the property. In the event
 no claim for the said excess is received by the county
 treasurer within three years after the date of the
 sale he shall at expiration of the three year period
 deposit such excess in the current expense fund of
 the county. The county treasurer shall execute to
 the purchaser of any piece or parcel of land a tax
 deed. The deed so made by the county treasurer,
 under the official seal of his office, shall be recorded

Property
taxes.
Foreclosure
proceedings—
Judgment—
Sale—Notice
Form of deed
—Recording.

in the same manner as other conveyances of real property, and shall vest in the grantee, his heirs and assigns the title to the property therein described, without further acknowledgment or evidence of such conveyance, and shall be substantially in the following form:

State of Washington }
County of } ss.

This indenture, made this day of,
....., between, as treasurer of
..... county, state of Washington, 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,
....., pursuant to a real property tax judgment entered in the superior court in the county of on the day of,
....., in proceedings to foreclose tax liens upon real property and an order of sale duly issued by said court, duly purchased in compliance with the laws of the state of Washington, the following described real property, to wit: (Here place description of real property conveyed) and that said has complied with the laws of the state of Washington necessary to entitle (him, or her or them) to a deed for said real property.

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 provided, do hereby grant and convey unto, his heirs and assigns, forever, the said real property hereinbefore described.

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

.....
County Treasurer.

SEC. 5. Section 84.64.270, chapter 15, Laws of 1961 and RCW 84.64.270 are each amended to read as follows:

RCW 84.64.270 amended.

Real property heretofore or hereafter acquired by any county of this state by foreclosure of delinquent taxes may be sold by order of the board of county commissioners of the county when in the judgment of the members of the board they deem it for the best interests of the county to sell the same. When the board desires to sell any such property it may, if deemed advantageous to the county, combine any or all of the several lots and tracts of such property in one or more units, and may reserve from sale coal, oil, gas, gravel, minerals, ores, fossils, timber, or other resources on or in said lands, and the right to mine for and remove the same, and it shall then enter an order on its records fixing the unit or units in which the property shall be sold and the minimum price for each of such units, and reserving from sale such of said resources as it may determine and from which units such reservations shall apply, and directing the county treasurer to sell such property in the unit or units and at not less than the price or prices and subject to such reservations so fixed by said board: *Provided*, That the said order shall be subject to the approval of the county treasurer if several lots or tracts of land are combined in one unit. 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,

Sales of tax-title property
—Reservations
—Notices—
Installment contracts—
Separate sale of reserved resources.

County prop-
erty—Sale of.
Sale of tax—
title property
—Reservations
—Notices—In-
stallment con-
tracts—Sep-
arate sale of
reserved
resources.

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, said notice shall describe the property to be sold, the unit or units, the reservations, 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 such place on county property as the board of county commissioners may direct in the county in which the land is situated between the hours of 9 o'clock a. m. and 4 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 chapter 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 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 percent 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 1st and each year following the date of said sale, and shall require said purchaser to pay six percent 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: *Provided further*, That said board may, by order entered in its records, direct said coal, oil, gas, gravel, minerals, ores, timber, or other resources sold apart from the land, such sale to be conducted in the manner hereinabove prescribed for the sale of the land: *Provided further*, That any such reserved minerals or resources not exceeding two hundred dollars in value may be sold, when said board deems it advisable, either with or without such publication of the notice of sale, and in such manner as the board may determine will be most beneficial to the county.

SEC. 6. There is added to chapter 4, Laws of 1963 and to chapter 36.16 RCW a new section to read as follows:

New section.

Public auction sales of property conducted by or for the county or an officer thereof shall be held at such places on county property as the board of county commissioners may direct.

County public
auction sales—
Commissioners
to direct place
of.

Passed the House March 16, 1965.

Passed the Senate March 23, 1965.

Approved by the Governor April 2, 1965.

CHAPTER 24.

[House Bill No. 161.]

COUNTIES—PLANNING—BOARD OF ADJUSTMENT.

AN ACT relating to county boards of adjustment and amending section 36.70.210, chapter 4, Laws of 1963, and RCW 36-.70.210.

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

RCW 36.70.210 amended.

SECTION 1. Section 36.70.210, chapter 4, Laws of 1963, and RCW 36.70.210 are each hereby amended to read as follows:

County board of adjustment. Membership—Quorum.

A board of adjustment shall consist of five or seven members as may be provided by ordinance, and a majority of the members shall constitute a quorum for the transaction of all business.

Passed the House March 16, 1965.

Passed the Senate March 24, 1965.

Approved by the Governor April 2, 1965.