

## CHAPTER 92.

[H. B. No. 41.]

PROVIDING FOR CHANGES IN TOWNSITES, CITY PLATS;  
ASSESSMENT AND COLLECTION OF DAMAGES CON-  
NECTED THEREWITH.

AN ACT to provide for the alteration, replat or vacation of any townsite, city plat or plats, addition or additions, or part thereof, and the assessment, collection and payment of any damages connected therewith.

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

SECTION 1. That whenever three-fourths in number and area of the owners of any townsite, city plat or plats, addition or additions, or part thereof, shall be desirous of altering the plat or plats, replatting or vacating the same or any part thereof, they may prepare a plat or plats, showing such alterations or replat, drafted upon a copy of the existing plat or plats, or that portion desired to be altered, replatted or vacated, and file the same with the clerk of the board of county commissioners, or city council having jurisdiction of the establishment or vacation and control of the streets to be affected, accompanied with a petition for the change desired.

Procedure  
for altera-  
tions.

SEC. 2. That thereupon and upon the payment of the cost thereof the said clerk shall fix a time for the hearing of said petition, which time shall not be less than thirty nor more than sixty days after the filing of said petition, and shall cause a notice to be issued under his hand and the seal of said county or city, stating by whom and when said petition was filed, the object thereof and when and where the same will be heard. Said notice shall also describe the property sought to be altered, replatted or vacated.

Notice and  
time of  
hearing.

SEC. 3. That said clerk shall cause said notice to be served, as in the manner provided for service of summons in civil actions, upon all the owners of property not joining in said petition, as shown by the records in the auditor's office of the county wherein the townsite, plat or plats, addition or additions may be located.

Clerk to  
cause service  
of notice.

Jurisdiction  
of Commis-  
sioners or  
City Council.

SEC. 4. That thereafter such board of county commissioners, or city council shall have full and complete jurisdiction to inquire into and determine the merits of the changes or relief prayed for, assess damages or benefits, award the same and make such order in the premises as justice and the public welfare may require.

Assessment  
district.

SEC. 5. That the whole of the land embraced in the plat or plats proposed to be altered, replatted or vacated shall be and constitute an assessment district, and damages shall be assessed and benefits awarded as now provided by law for the establishment, alteration or vacation of streets, alleys and roads by said board of county commissioners and city council.

Filing of  
plats with  
County  
Auditor.

SEC. 6. That any plat or replat so adjudicated, adjusted and approved showing the lines of the original and adjudicated plat shall be filed and recorded with the auditor of the county where the property is situated, and shall thereafter be the lawful plat and a substitute for all former plats.

Appeals to  
Superior  
Court.

SEC. 7. That any owners of any portion of the property affected by the actual award or final judgment of such board of county commissioners or city council may appeal to the Superior Court having jurisdiction of appeals from justice of the peace in the *locus in quo*.

SEC. 8. That such appeals shall be taken in the same manner and form as appeals from justices of the peace.

Not to affect  
vacation of  
streets and  
alleys by  
Commission-  
ers or City  
Council.

SEC. 9. That nothing in this act contained shall in any way change, limit or affect the power now vested in a board of county commissioners or city council to vacate streets and alleys and parts of streets and alleys.

Passed the House February 13, 1903.

Passed the Senate March 9, 1903.

Approved by the Governor March 14, 1903.