

CHAPTER 251.

[S. B. 431.]

WATER DISTRICTS.

AN ACT relating to water districts; providing for submission to the electors of a proposition for a general tax levy at the election for formation of the water district; providing for the sale of unneeded property; authorizing water districts to contract with counties, cities, towns, sewer districts, water districts and other municipal corporations and with private persons, firms and corporations for joint use of property, facilities and services; providing for the manner of election of water commissioners; providing for adoption, amendment and revision of the comprehensive plan and additions and betterments thereto, both for the original area and annexed areas, by resolution; providing for the formation of Utility Local Improvement Districts, either upon petition or resolution of the water commissioners, and for divesting of the jurisdiction of the water commissioners to proceed with the formation of a Utility Local Improvement District, initiated by resolution, on filing of written protest by the owners of forty percent of the property within the area; providing for the segregation of special assessments; authorizing the refunding of general obligation, local improvement and revenue bonds; providing for alternative methods for annexation of territory adjoining or in close proximity to the district; providing a method to determine the sufficiency of signatures to petitions; validating the organization, establishment, and existence of water districts, including all areas attempted to be annexed thereto; and local improvement districts and utility local improvement districts therein, heretofore organized or established or attempted to be organized or established under chapter 114, Laws of 1929, and amendments thereto, and validating and confirming all bonds, obligations, contracts, assessments, levies, and all other acts, proceedings and things heretofore executed, issued or done by such districts or their officers; declaring an emergency; repealing section 57.32.110, RCW; and amending sections 57.04.050, 57.12.020, 57.16.020, 57.16.030, 57.16.040, 57.16.050, 57.16.060, 57.16.070, 57.20.010, 57.32.050, 57.32.090, 57.32.100, and 57.32.110, RCW.

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

SECTION 1. Section 57.04.050, RCW, as derived Amendment.
from section 3, chapter 114, Laws of 1929, as last
amended by section 4, chapter 72, Laws of 1931, is
amended to read as follows:

Special
election.

Time.

Notice.

Ballots.

Upon entry of the findings of the final hearing on the petition if the commissioners find the proposed district will be conducive to the public health, welfare, and convenience and be of special benefit to the land therein, they shall by resolution call a special election to be held not less than thirty days from the date of the resolution, and cause to be published a notice of the election for four successive weeks in a newspaper of general circulation in the county in which the proposed district is located, which notice shall state the hours during which the polls will be open, the boundaries of the district as finally adopted and the object of the election, and the notice shall also be posted ten days in ten public places in the proposed district. In submitting the proposition to the voters, it shall be expressed on the ballots in the following terms:

Water DistrictYes ☐
Water DistrictNo ☐

giving the name of the district as may be decided by the board.

Commission-
ers to submit
tax levy
proposition.

At the same election the county commissioners shall submit a proposition to the voters, for their approval or rejection, authorizing the water district, if formed, to levy at the earliest time permitted by law on all property located in the district a general tax for one year, in excess of the forty-mill limitation provided by law, of not to exceed five mills, for general preliminary expenses of the district, said proposition to be expressed on the ballots in the following terms:

One year 5 mill tax.....Yes ☐
One year 5 mill tax.....No ☐

Same; vote
required.

Such proposition to be effective must be approved by a majority of at least three-fifths of the electors thereof voting on the proposition and the number of persons voting on the proposition shall constitute not less than forty percent of the total number of votes

cast in the area encompassed by the proposed district at the last preceding general state election held therein.

SEC. 2. The board of commissioners of a water district may sell, at public or private sale, property belonging to the district if the board determines by unanimous vote that the property is not and will not be needed for district purposes and if the board gives notice of intention to sell as in this section provided.

The notice of intention to sell shall be published once a week for three consecutive weeks in a newspaper of general circulation in the district. The last publication shall be at least twenty days but not more than thirty days before the date of sale. The notice shall describe the property and state the time and place at which it will be sold or offered for sale, the terms of sale, whether the property is to be sold at public or private sale, and if at public sale the notice shall call for bids, fix the conditions thereof and shall reserve the right to reject any and all bids.

Vetoed

No real property of the district shall be sold for less than ninety percent of the value thereof as established by a written appraisal made not less than six months prior to the date of sale by three disinterested real estate brokers licensed under the laws of the state of Washington. The appraisal shall be signed by the appraisers and filed with the secretary of the board of commissioners of the district, who shall keep it at the office of the district open to public inspection. Any notice of intention to sell real property of the district shall recite the appraised value thereof.

SEC. 3. A water district may enter into contracts with any county, city, town, sewer district, water district, or any other municipal corporation, or with any private person or corporation, for the joint use of any property, facilities, or services, and a water district may provide water services to property owners outside the limits of the water district.

Contracts
for joint use
of property,
etc.

Amendment.

SEC. 4. Section 57.12.020, RCW, as derived from section 6, chapter 114, Laws of 1929, as last amended by section 1, chapter 216, Laws of 1947, is amended to read as follows:

Nominations
for board
of commis-
sioners.

Nominations for the first board of commissioners to be elected at the election for the formation of the water district shall be by petition of at least twenty-five of the qualified electors of the district, filed in in the auditor's office of the county in which the district is located, at least thirty days prior to the election. Thereafter, candidates for the office of water commissioners shall file declarations of candidacy and their election shall be conducted as provided by the general election laws. A vacancy on the board shall be filled by appointment by the remaining commissioners until the next regular election for commissioners: *Provided*, That if there is a vacancy of the entire board a new board may be appointed by the board of county commissioners.

Election.

Vacancies.

Any person residing in the district who is a qualified voter under the laws of the state may vote at any district election.

Amendment.

SEC. 5. Section 57.16.020, RCW, as derived from section 10, chapter 114, Laws of 1929, as amended by section 1, chapter 25, Laws of 1951, Second Extraordinary Session, is amended to read as follows:

General
indebtedness
proposition.

The commissioners may submit to the voters of the district at any general or special election, a proposition that the district incur a general indebtedness payable from annual tax levies to be made in excess of the forty-mill tax limitation for the construction of any part or all of the comprehensive plan. The amount of the indebtedness and the terms thereof shall be included in the proposition submitted to the voters, and the proposition shall be adopted by three-fifths of the voters voting thereon, at which such election the total number of persons voting shall constitute not less than forty percent of the total

number [of] votes cast in said water district at the last preceding general state election. When the comprehensive plan has been adopted the commissioners shall carry it out to the extent specified in the proposition to incur general indebtedness.

SEC. 6. Section 57.16.030, RCW, as derived from section 10, chapter 114, Laws of 1929, as last amended by section 1, chapter 112, Laws of 1951, is amended to read as follows: Amendment.

The commissioners may submit at any general or special election, a proposition that the district issue revenue bonds for the construction or other costs of any part or all of the plan. The amount of the bonds and the terms thereof shall be included in the proposition submitted. Submission of proposition to issue revenue bonds.

The proposition to issue such revenue bonds may include provision for refunding any local improvement district bonds of a district, out of the proceeds of sale of revenue bonds, and a district may pay off any outstanding local improvement bonds with such funds either by purchase in the open market below their par value and accrued interest or by call at par value and accrued interest at the next succeeding coupon maturity date. Refunding local improvement district bonds.

No proposition for the issuance of revenue bonds shall be submitted at any election if there are outstanding any district local improvement district bonds issued under the provisions of RCW 57.20.030 to 57.20.090, unless the proposition provides that all such local improvement district bonds shall be paid out of the proceeds of the sale of the revenue bonds. Limitation on issuance of revenue bonds.

The proposition for issuance of revenue bonds shall be adopted by a majority of the voters voting thereon. When a proposition has been adopted the commissioners may forthwith carry out the general plan to the extent specified.

SEC. 7. Section 57.16.040, RCW, as derived from section 10, chapter 114, Laws of 1929, as last amended Amendment.

by section 2, chapter 25, Laws of 1951, Second Extraordinary Session, is amended to read as follows:

Plan for
additions and
betterments.

In the same manner as provided for the adoption of the original comprehensive plan, a plan providing for additions and betterments to the original plan may be adopted.

General
indebtedness
for additions
and
betterments.

The district may incur a general indebtedness payable from annual tax levies to be made in excess of the forty-mill limitation for the construction of the additions and betterments in the same way that general indebtedness may be incurred for the construction of the original plan after submission to the voters of the entire district in the manner the original proposition to incur indebtedness was submitted. Upon ratification the additions and betterments may be carried out by the commissioners to the extent specified in the proposition to incur the general indebtedness.

Revenue
bonds for
additions and
betterments.

The district may issue revenue bonds to pay for the construction of the additions and the betterments in the same way revenue bonds may be issued for payment of the construction of the original comprehensive plan or any portion thereof. Revenue bonds for additions and betterments may be issued by the water commissioners without authorization of the voters of the district.

Amendment.

SEC. 8. Section 57.32.050, RCW, as derived from section 5, chapter 267, Laws of 1943, is amended to read as follows:

Upon the entry of the findings of the final hearing upon the petitions, if the commissioners find the consolidation to be conducive to the public health, welfare, and convenience and to be of special benefit to the land of the districts, they shall give notice of a special election to be held within the districts to vote upon one or more of the following propositions:

Special
election.

(1) Whether or not the several districts shall be consolidated, giving the name of the district as

decided by the county commissioners. The notice shall particularly describe the boundaries of the districts, and set forth the names thereof.

Consolidation.

(2) If a comprehensive plan of water supply for the consolidated district has previously been approved and adopted by the commissioners of all the districts proposed to be consolidated, and such plan includes a proposition to incur a general indebtedness payable from annual tax levies to be made in excess of the forty-mill limitation for the construction of any part or all thereof, the proposition to incur such general indebtedness shall be submitted for ratification or rejection.

Comprehensive plan for water supply.

(3) If the comprehensive plan includes a proposition that the district issue revenue bonds for the construction or other costs of any part or all of the plan, the proposition shall be submitted for ratification or rejection.

Issuance of revenue bonds.

Each of the three foregoing propositions upon the ballots shall be submitted so as to enable the voters to vote for or against each proposition independently of any vote on the other propositions.

SEC. 9. Section 57.32.090, RCW, as derived from section 9, chapter 267, Laws of 1943, is repealed.

Repealing clause.

SEC. 10. Section 57.32.100, RCW, as derived from section 10, chapter 267, Laws of 1943, is amended to read as follows:

Amendment.

If three-fifths of the voters voting upon proposition No. 2 vote in favor of the adoption thereof, the incurring of general indebtedness as therein specified shall be authorized and the county commissioners shall so declare in their canvass of the returns; and the district commissioners shall proceed forthwith to carry out the comprehensive plan to the extent specified in the proposition to incur the general indebtedness: *Provided, however,* That the total number of persons voting on said proposition No. 2 shall constitute not less than forty per centum of the total num-

Vote required.

ber of votes cast at the last preceding general state election in all of the districts proposed to be consolidated.

Amendment. SEC. 11. Section 57.32.110, RCW, as derived from section 11, chapter 267, Laws of 1943, is amended to read as follows:

Issuance of revenue bonds; when. If a majority of the voters voting upon proposition No. 3 vote in favor of the adoption thereof, the issuance of revenue bonds shall be authorized and the county commissioners shall so declare in their canvass of the returns; and the district commissioners shall proceed forthwith to carry out the comprehensive plan to the extent specified.

Amendment. SEC. 12. Section 57.20.010, RCW, as derived from section 2, chapter 72, Laws of 1931, as last amended by section 3, chapter 25, Laws of 1951, Second Extraordinary Session, is amended to read as follows:

General obligation bonds. When general district indebtedness payable from annual tax levies to be made in excess of the forty-mill limitation has been authorized, the district may issue its general obligation bonds in payment thereof. The bonds shall be serial in form and maturity and numbered from one up consecutively and shall bear interest not to exceed six percent per year payable semiannually, with interest coupons attached. The various annual maturities shall commence with the second year after the date of the issue, and shall as nearly as practicable be in such amounts as will, together with the interest on all outstanding bonds, be met by an equal annual tax levy for the payment of the bonds and interest. Only the bond numbered one of any issue shall be of a denomination other than a multiple of one hundred dollars.

Terms. Bonds shall not be issued to run for a longer period than twenty years from the date of issue and shall as nearly as practicable be issued for a period which will be equivalent to the life of the improvement to be acquired by the issuance of the bonds.

The bonds shall be signed by the president of the board and attested by the secretary, under the seal of the district. The interest coupons shall be signed by the facsimile signature of the president and attested by the facsimile signature of the secretary. Signatures.

There shall be levied by the officers or governing body charged with the duty of levying taxes, an annual levy in excess of the forty-mill tax limitation sufficient to meet the annual or semiannual payments of principal and interest on the bonds upon all taxable property within the district. Tax levy.

The bonds shall be sold in such manner as the commissioners deem for the best interest of the district, and at a price not less than par and accrued interest. Sale.

SEC. 13. Section 57.16.050, RCW, as derived from section 9, chapter 114, Laws of 1929, as amended by section 1, chapter 128, Laws of 1939, is amended to read as follows: Amendment.

A district may establish local improvement districts within its territory; levy special assessments under the mode of annual installments extending over a period not exceeding twenty years, on all property specially benefited by a local improvement, on the basis of special benefits to pay in whole or in part the damage or costs of any improvements ordered in the district; and issue local improvement bonds in the improvement district to be repaid by the collection of local improvement assessments. The levying, collection and enforcement of such assessments and issuance of bonds shall be as provided for the levying, collection, and enforcement of local improvement assessments and the issuance of local improvement bonds by cities of the first class in so far as consistent herewith. The duties devolving upon the city treasurer are hereby imposed upon the county treasurer for the purposes hereof. The mode of assessment shall be determined by the water com- Local improvement districts.
Special assessments.

missioners by resolution. When in the petition or resolution for the establishment of a local improvement district, and in the comprehensive plan or amendment thereto or plan providing for additions and betterments to the original plan, previously adopted, it is provided that the assessments shall be for the sole purpose of payment into the revenue bond fund for the payment of revenue bonds, then the local improvement district shall be designated as a "utility local improvement district." No warrants or bonds shall be issued in a utility local improvement district, but the collection of interest and principal on all assessments in the utility local improvement district shall be paid into the revenue bond fund.

"Utility local improvement district."

Amendment.

SEC. 14. Section 57.16.060, RCW, as derived from section 12, chapter 114, Laws of 1929, is amended to read as follows:

Initiation of districts.

Local improvement districts or utility local improvement districts to carry out the whole or any portion of the comprehensive plan of improvements or plan providing for additions and betterments to the original plan previously adopted may be initiated either by resolution of the board of water commissioners or by petition signed by the owners according to the records of the office of the county auditor of at least fifty-one percent of the area of the land within the limits of the local improvement district to be created.

Same; by resolution of board of water commissioners.

In case the board of water commissioners shall desire to initiate the formation of a local improvement district or a utility local improvement district by resolution, it shall first pass a resolution declaring its intention to order such improvement, setting forth the nature and territorial extent of such proposed improvement, designating the number of the proposed local improvement district or utility local improvement district, and describing the boundaries thereof, stating the estimated cost and expense of the

improvement and the proportionate amount thereof which will be borne by the property within the proposed district, and fixing a date, time and place for a public hearing on the formation of the proposed local district.

In case any such local improvement district or utility local improvement district shall be initiated by petition, such petition shall set forth the nature and territorial extent of the proposed improvement requested to be ordered and the fact that the signers thereof are the owners according to the records of the county auditor of at least fifty-one percent of the area of land within the limits of the local improvement district or utility local improvement district to be created. Upon the filing of such petition the board shall determine whether the same shall be sufficient, and the board's determination thereof shall be conclusive upon all persons. No person shall withdraw his name from the petition after the same has been filed with the board of water commissioners. If the board shall find the petition to be sufficient, it shall proceed to adopt a resolution declaring its intention to order the improvement petitioned for, setting forth the nature and territorial extent of said improvement, designating the number of the proposed local district and describing the boundaries thereof, stating the estimated cost and expense of the improvement and the proportionate amount thereof which will be borne by the property within the proposed local district, and fixing a date, time and place for a public hearing on the formation of the proposed local district.

Same; by
petition of
owners.

The resolution of intention, whether adopted on the initiative of the board or pursuant to a petition of the property owners, shall be published in at least two consecutive issues of a newspaper of general circulation in the proposed local district, the date of the first publication to be at least fifteen days prior to the

Publication
of resolution
of intention.

Notice.

date fixed by such resolution for hearing before the board of water commissioners. Notice of the adoption of the resolution of intention shall be given each owner or reputed owner of any lot, tract, parcel of land or other property within the proposed improvement district by mailing said notice at least fifteen days before the date fixed for the public hearing to the owner or reputed owner of the property as shown on the tax rolls of the county treasurer at the address shown thereon. The notice shall refer to the resolution of intention and designate the proposed improvement district by number. Said notice shall also set forth the nature of the proposed improvement, the total estimated cost, the proportion of total cost to be borne by assessments, the estimated amount of the cost and expense of such improvement to be borne by the particular lot, tract or parcel, the date, time and place of the hearing before the board of water commissioners; and in the case of improvements initiated by resolution, said notice shall also state that all persons desiring to object to the formation of the proposed district must file their written protests with the secretary of the board of water commissioners before the time fixed for said public hearing.

Public hearing.

Whether the improvement is initiated by petition or resolution, the board shall conduct a public hearing at the time and place designated in the notice to property owners. At this hearing the board shall hear objections from any person affected by the formation of the local district and may make such changes in the boundaries of the district or such modifications in the plans for the proposed improvement as shall be deemed necessary: *Provided*, That the board may not change the boundaries of the district to include property not previously included therein without first passing a new resolution of intention and giving a new notice to property owners

in the manner and form and within the time herein provided for the original notice.

After said hearing the commissioners shall have jurisdiction to overrule protests and proceed with any such improvement initiated by petition or resolution: *Provided*, That the jurisdiction of the commissioners to proceed with any improvement initiated by resolution shall be divested by protests filed with the secretary of the board prior to said public hearing signed by the owners, according to the records of the county auditor, of at least forty percent of the area of land within the proposed local district.

Jurisdiction of commissioners to proceed.

If the commissioners find that the district should be formed, they shall by resolution order the improvement, provide the general funds of the water district to be applied thereto, adopt detailed plans of the local improvement district or utility local improvement district and declare the estimated cost thereof, acquire all necessary land therefor, pay all damages caused thereby, and commence in the name of the water district such eminent domain proceedings as may be necessary to entitle the district to proceed with the work. The board shall thereupon proceed with the work and file with the county treasurer its roll levying special assessments in the amount to be paid by special assessment against the property situated within the improvement district in proportion to the special benefits to be derived by the property therein from the improvement.

Power of commissioners to proceed.

Tax levy roll; filed with county treasurer.

SEC. 15. Section 57.16.070, RCW, as derived from section 12, chapter 114, Laws of 1929, is hereby amended to read as follows:

Amendment.

Before approval of the roll a notice shall be published once a week for two consecutive weeks in a newspaper of general circulation in the local district, stating that the roll is on file and open to inspection in the office of the secretary, and fixing the time, not less than fifteen or more than thirty days from the

Same; publication.

Hearing.

New notice.

date of the first publication of the notice within which protests must be filed with the secretary against any assessments shown thereon, and fixing a time when a hearing will be held by the commissioners on the protests. Notice shall also be given by mailing, at least fifteen days before the hearing, a similar notice to the owners or reputed owners of the land in the local district as they appear on the books of the treasurer of the county in which the water district is located. At the hearing, or any adjournment thereof, the commissioners may correct, change or modify the roll, or any part thereof, or set aside the roll and order a new assessment, and may then by resolution approve it. If an assessment is raised a new notice similar to the first shall be given, after which final approval of the roll may be made. When property has been entered originally upon the roll and the assessment thereon is not raised, no objection thereto shall be considered by the commissioners or by any court on appeal unless the objection is made in writing at, or prior, to the date fixed for the original hearing upon the roll.

Refunding
general
obligation
bonds.

Cost.

SEC. 16. The board of water commissioners of any water district may by resolution, without submitting the matter to the voters of the district, provide for the issuance of refunding general obligation bonds to refund any outstanding general obligation bonds, or any part thereof, at maturity thereof, or before the maturity thereof if they are subject to call for prior redemption or all of the holders thereof consent thereto. The total cost to the district over the life of the refunding bonds shall not exceed the total cost to the district which the district would have incurred but for such refunding over the remainder of the life of the bonds to be refunded thereby. The refunding bonds may be exchanged for the bonds to be refunded thereby, or may be sold in such manner as the board of water commissioners deems to be for the

best interest of the district, and the proceeds of such sale used exclusively for the purpose of paying, retiring, and cancelling the bonds to be refunded and interest thereon.

The provisions of RCW 57.20.010, specifying the form and maturities of general obligation bonds and providing for annual tax levies in excess of the forty-mill tax limitation shall apply to the refunding general obligation bonds issued under this act.

SEC. 17. The board of water commissioners of any water district may by resolution, without submitting the matter to the voters of the district, provide for the issuance of refunding revenue bonds to refund outstanding general obligation bonds and/or revenue bonds, or any part thereof, and/or all outstanding local improvement district bonds, at maturity thereof, or before maturity thereof if they are subject to call for prior redemption or all of the holders thereof consent thereto. The total interest cost to the district over the life of the refunding bonds shall not exceed the total cost to the district which the district would have incurred but for such refunding over the remainder of the life of the bonds to be refunded thereby. The refunding bonds may be exchanged for the bonds to be refunded thereby, or may be sold in such manner as the board of water commissioners deems to be for the best interest of the district, and the proceeds used, except as hereinafter provided, exclusively for the purpose of paying, retiring and cancelling the bonds to be refunded and interest thereon. Any refunding revenue bonds issued hereunder shall retain the same lien priority upon the water revenues of the district as that held by the revenue bonds refunded thereby at the time of such refunding.

All unpaid utility local improvement district assessments payable into the revenue bond redemption fund established for payment of the bonds to be

Refunding
revenue
bonds.

Cost.

Lien priority.

Revenue
bond
redemption
fund.

refunded shall thereafter when collected be paid into the revenue bond redemption fund established for payment of the refunding revenue bonds.

Local
improvement
guaranty
fund.

Whenever local improvement district bonds have been refunded as required by RCW 57.16.030, or pursuant to this act, all local improvement district assessments remaining unpaid shall thereafter when collected be paid into the revenue bond redemption fund established for payment of the refunding revenue bonds, and the cash balance, if any, in the local improvement guaranty fund of the district and the proceeds received from any other assets owned by such fund shall be used in whole or in part as a reserve fund for the refunding revenue bonds or be transferred in whole or in part to any other funds of the district as the board of water commissioners may determine. In the event that any warrants are outstanding against the local improvement guaranty fund of the district at the time of the issuance of such refunding revenue bonds, said bonds shall be issued in an amount sufficient also to fund and pay such outstanding warrants.

The provisions of RCW 57.20.020 shall apply to the refunding revenue bonds issued under this act.

Annexation
petition.

SEC. 18. A petition for annexation of an area contiguous to a water district may be made in writing, addressed to and filed with the board of commissioners of the district to which annexation is desired. It must be signed by the owners, according to the records of the county auditor, of not less than sixty percent of the area of land for which annexation is petitioned, shall set forth a description of the property according to government legal subdivisions or legal plats, and shall be accompanied by a plat which outlines the boundaries of the property sought to be annexed.

SEC. 19. If the petition for annexation filed with the board of commissioners complies with the re-

quirements of law, as proved to the satisfaction of the board of commissioners, it may entertain the petition, fix the date for public hearing thereon, and cause notice of the hearing to be published in one issue of a newspaper of general circulation in the area proposed to be annexed and also posted in three public places within the area proposed for annexation. The notice shall specify the time and place of hearing and invite interested persons to appear and voice approval or disapproval of the annexation. The expense of publication and posting of the notice shall be borne by the signers of the petition.

Public
hearing.

Notice.

SEC. 20. Following the hearing the board of commissioners shall determine by resolution whether annexation shall be made. It may annex all or any portion of the proposed area but may not include in the annexation any property not described in the petition. Upon passage of the resolution a certified copy shall be filed with the board of county commissioners of the county in which the annexed property is located.

Resolution
as to
annexation.

SEC. 21. Upon the date fixed in the resolution the area annexed shall become a part of the district.

Date area
becomes
annexed.

No property within the limits of the territory so annexed shall ever be taxed or assessed to pay any portion of the indebtedness of the district to which it is annexed contracted prior to or existing at the date of annexation; nor shall any such property be released from any taxes or assessments levied against it or from liability for payment of outstanding bonds or warrants issued prior to such annexation.

Prior
indebtedness.

SEC. 22. The method of annexation provided for in this act shall be an alternative method to that specified in chapter 57.24, RCW.

Method of
annexation.

SEC. 23. Whenever any land against which there has been levied any special assessment by any water

Segregation
of
assessment.

district shall have been sold in part or subdivided, the board of water commissioners of such district shall have the power to order a segregation of the assessment.

Application
for
segregation.

Resolution
to make
segregation.

Same;
contents.

Same; fee.

Engineering
and clerical
costs.

Petition
signatures;
rules
governing.

Any person desiring to have such a special assessment against a tract of land segregated to apply to smaller parts thereof shall apply to the board of commissioners of the water district which levied the assessment. If the water commissioners determine that a segregation should be made, they shall by resolution order the county treasurer to make segregation on the original assessment roll as directed in the resolution. The segregation shall be made as nearly as possible on the same basis as the original assessment was levied, and the total of the segregated parts of the assessment shall equal the assessment before segregation. The resolution shall describe the original tract, the amount and date of the original assessment, and shall define the boundaries of the divided parts and the amount of the assessment chargeable to each part. A certified copy of the resolution shall be delivered to the county treasurer who shall proceed to make the segregation ordered upon being tendered a fee of three dollars for each tract of land for which a segregation is to be made. In addition to such charge the board of water commissioners may require as a condition to the order of segregation that the person seeking it pay the district the reasonable engineering and clerical costs incident to making the segregation.

SEC. 24. Wherever in Title 57, RCW, petitions are required to be signed by the owners of property, the following rules shall govern the sufficiency thereof:

(1) The signature of a record owner, as determined by the records of the county auditor, shall be sufficient without the signature of his or her spouse.

(2) In the case of mortgaged property, the signature of the mortgagor shall be sufficient.

(3) In the case of property purchased on contract, the signature of the contract purchaser, as shown by the records of the county auditor, shall be deemed sufficient.

(4) Any officer of a corporation owning land in the district duly authorized to execute deeds or encumbrances on behalf of the corporation may sign on behalf of such corporation: *Provided*, That there shall be attached to the petition a certified excerpt from the bylaws showing such authority.

(5) If any property in the district stands in the name of a deceased person or any person for whom a guardian has been appointed, the signature of the executor, administrator or guardian, as the case may be, shall be equivalent to the signature of the owner of the property.

SEC. 25. Each and all of the respective areas of land heretofore attempted to be organized into water districts, including all areas attempted to be annexed thereto, or into local improvement districts or utility local improvement districts, under the provisions of chapter 114, Laws of 1929, and amendments thereto, are hereby validated and declared to be duly existing water districts, or local improvement districts, or utility local improvement districts, as the case may be, having the respective boundaries set forth in their organization and annexation proceedings as shown by the files in the office of the board of county commissioners of the county in question and of such water districts.

Validation
of prior
organizing
attempts.

SEC. 26. All debts, contracts, and obligations heretofore made or incurred by or in favor of any such water district, local improvement district, or utility local improvement district, and all bonds or other obligations executed by such districts in connection with or in pursuance of such attempted organization,

Validation
of prior
obligations,
etc., and
proceedings,
etc.

and any and all assessments or levies, and all other things and proceedings done or taken by such districts or by their respective officers acting under or in pursuance of such attempted organization, are hereby declared legal and valid and of full force and effect.

Application
of chapter.

SEC. 27. The provisions of this act shall apply only to such districts attempted to be organized under chapter 114, Laws of 1929, and amendments thereto, which have maintained their organization as such since the date of such attempted organization, establishment, or creation.

Emergency.

SEC. 28. This act is necessary for the immediate preservation of the public peace, health, and safety, and support of the state government and its existing public institutions and shall take effect immediately.

Passed the Senate March 6, 1953.

Passed the House March 10, 1953.

Approved by the Governor March 20, 1953, with the exception of Section 2, which is vetoed.