

ORDINANCE NO. 529

AN ORDINANCE, establishing means of controlling the subdivision of land into four or less lots, tracts or parcels.

THE CITY COUNCIL OF THE CITY OF REDMOND DO ORDAIN AS FOLLOWS:

Section 1. This ordinance shall be known as the "Redmond Short Subdivision Ordinance" and may be cited as such.

Section 2. The Redmond Short Subdivision Ordinance is adopted by authority of Section 6, Substitute Senate Bill No. 169, Chapter 271, Laws of 1969, First Extraordinary Session.

Section 3. Definitions.

Lot: A fractional part of an area subdivided, having fixed boundaries and being of sufficient area and dimensions to meet minimum zoning requirements. The term shall include tract and parcel.

Short plat: A map or pictorial representation of a short subdivision.

Short subdivision: The division of an area into four or less lots, tracts or parcels.

Section 4. It shall be unlawful to divide land in Redmond into four or less lots less than five acres in area except in accordance with the provisions of this ordinance or of the Redmond Subdivision Ordinance.

Section 5. Procedure.

(1) Application. The subdivider shall file a short subdivision form with the Planning Director. Such form shall be supplied by the City and may be prepared by the subdivider or by City personnel from information supplied by the subdivider. Such form shall provide space for owner information, name of short subdivision, legal description of area to be subdivided, use zone, owner's signature and date filed. A map of the area to be subdivided shall be prepared on a separate sheet noted as sheet No. 2, and having the subdivision name thereon. Such map shall show division into lots with dimensions of each lot and of the whole to scale, and showing bearings where required. The map shall be of acceptable quality but need not be prepared by a licensed land surveyor unless, in the discretion of the Public Works Director, circumstances in a specific case dictate the map shall be so prepared.

(2) Approval. The short subdivision map shall require approval of both the Public Works Director and the Planning Director, indicated by their signatures thereon, and dated, to be valid.

Section 6. Design regulations.

(1) Each lot resulting from the subdivision of an area shall conform with zoning regulations.

(2) Each lot shall adjoin a public street provided upon approval of both the Public Works Director and the Planning Director lots may have access to a public street by an access corridor in the same ownership as the lots served, or by recorded easement over an access corridor in other ownership, whichever in the discretion of the approving officials is the best method of access based on existing adjacent development and potential development in as yet undeveloped adjacent properties, and on existing streets and potential future streets, further provided in the event the subdivider disagrees with the decision of the officials, he may take the matter to the City Council for final decision.

(3) If corridor access is permitted the minimum corridor width to serve one or two lots shall be 15 feet and to serve three or four lots shall be 20 feet. Greater width may be required at the discretion of the Public Works Director but not more than ~~30~~ ⁶⁰ feet.

(4) If access by corridor in the same ownership as the lots served is permitted the area of such corridor shall not be included in the lot areas in determining conformance with zoning requirements.

(5) Permitted maximum length of an access corridor shall be 300 feet, except at the discretion of the City Council it may be longer, provided if a lesser length serves the lots in the instant subdivision such shorter length shall be the maximum permitted.

(6) Access corridors may have official city street designations provided the private nature shall also be indicated.

(7) Curb, gutter, pavement and storm drainage facilities may be required at the discretion of the Public Works Director to prevent storm water erosion and damage, unless such requirement is waived by the City Council.

(8) Private property may be dedicated to public use as streets by a deed of dedication acceptable to the City or by preparing a plat in accordance with the Redmond Subdivision Ordinance and recording the plat.

(9) A bond may be required to insure completion of any improvements agreed upon with the City.

Section 7. Time restriction on further subdividing. The area included in an approved short subdivision shall not be further subdivided in any manner within a period of five years from date of approval of such short subdivision except in accordance with the Redmond Subdivision Ordinance.

Section 8. The City shall have the right to require the owner of property subdivided under this ordinance to enter into a covenant with the City agreeing to sell no property within the area subdivided except upon approval by the City as to boundaries of the areas to be sold. Such covenant shall run with the land and shall be recorded with the King County Department of Records and Elections with the recording fee paid by the property owner.

Section 9. In the event the subdivision and sale of lots in violation of the regulations of this ordinance comes to the attention of the City, the City Council may initiate an action to enjoin any transfer, sale, agreement or option by making application for an injunction in the Superior Court.

Section 10. This ordinance shall take effect and be in force five days after the date of its publication in the manner required by law

PASSED by the Council of the City of Redmond, Washington, at a regular meeting thereof and APPROVED by the Mayor this 5th day of May, 1970.

CITY OF REDMOND

Selwyn L. Young
SELWYN L. YOUNG

MAYOR

ATTEST:

Eleanor J. Hayden
ELEANOR J. HAYDEN

APPROVED AS TO FORM:

John D. Lawson
JOHN D. LAWSON
CITY ATTORNEY

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Ordinance No 579

58.16.070 Boundaries and Plats

58.16.070 Time for determination. [1937 c 186 § 8; RRS § 9304-8.] Repealed by 1969 1st ex.s. c 271 § 36. Later enactment, see chapter 58.17.

58.16.080 Review of determination. [1937 c 186 § 9; RRS § 9304-9.] Repealed by 1969 1st ex.s. c 271 § 36. Later enactment, see chapter 58.17.

58.16.090 Filing without approval—Procedure. [1951 c 195 § 3; 1937 c 186 § 10; RRS § 9304-10.] Repealed by 1969 1st ex.s. c 271 § 36. Later enactment, see chapter 58.17.

58.16.100 Sales before plat approved and filed—Penalty—Exception. [1951 c 224 § 1; 1937 c 186 § 11; RRS § 9304-11.] Repealed by 1969 1st ex.s. c 271 § 36. Later enactment, see chapter 58.17.

58.16.110 Regulations — Approval — Surveys — Notes and sketches. [1937 c 186 § 5; RRS § 9304-5. Formerly RCW 58.16.110, 58.16.120 and 58.16.130.] Repealed by 1969 1st ex.s. c 271 § 36. Later enactment, see chapter 58.17.

Chapter 58.17

PLATS—SUBDIVISIONS—DEDICATIONS

58.17.010 Purpose. The purpose of this chapter is to regulate the subdivision of land and to promote the public health, safety and general welfare in accordance with standards established by the state to prevent the overcrowding of land; to lessen congestion in the streets and highways; to provide for adequate light and air; to facilitate adequate provision for water, sewerage, parks and recreation areas, sites for schools and schoolgrounds and other public requirements; to provide for proper ingress and egress; and to require uniform monumenting of land subdivisions and conveyancing by accurate legal description. [1969 1st ex.s. c 271 § 1.]

Reviser's note: Throughout this amendments to RCW 58.08.040 and chapter the phrase "this act" has been changed to "this chapter", "this act" 58.24.040 and to the repeal of RCW [1969 1st ex.s. c 271] also consists of 58.16.010-58.16.110.

58.17.020 Definitions. As used in this chapter, unless the context or subject matter clearly requires otherwise, the following words or phrases shall have the following meanings:

(1) "Subdivision" is the division of land into five or more lots, tracts, parcels, sites or divisions for the purpose of sale or lease and shall include all resubdivision of land.

(2) "Plat" is a map or representation of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, streets and alleys or other divisions and dedications.

(3) "Dedication" is the deliberate appropriation of land by an owner for any general and public uses, reserving to himself no

Plats—Subdivisions—Dedications 58.17.030

other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentation for filing of a final plat or short plat showing the dedication thereon; and, the acceptance by the public shall be evidenced by the approval of such plat for filing by the appropriate governmental unit.

(4) "Preliminary plat" is a neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, and restrictive covenants to be applicable to the subdivision, and other elements of a plat or subdivision which shall furnish a basis for the approval or disapproval of the general layout of a subdivision.

(5) "Final plat" is the final drawing of the subdivision and dedication prepared for filing for record with the county auditor and containing all elements and requirements set forth in this chapter and in local regulations adopted pursuant to this chapter.

(6) "Short subdivision" is the division of land into four or less lots, tracts, parcels, sites or subdivisions for the purpose of sale or lease.

(7) "Short plat" is the map or representation of a short subdivision.

(8) "Lot" is a fractional part of subdivided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term shall include tracts or parcels.

(9) "Block" is a group of lots, tracts, or parcels within well defined and fixed boundaries.

(10) "County treasurer" shall be as defined in chapter 36.29 RCW or the office or person assigned such duties under a county charter.

(11) "County auditor" shall be as defined in chapter 36.22 RCW or the office or person assigned such duties under a county charter.

(12) "County road engineer" shall be as defined in chapter 36.40 RCW or the office or person assigned such duties under a county charter.

(13) "Planning commission" means that body as defined in chapters 36.70, 35.63, or 35A.63 RCW as designated by the legislative body to perform a planning function or that body assigned such duties and responsibilities under a city or county charter.

(14) "County commissioner" shall be as defined in chapter 36.32 RCW or the body assigned such duties under a county charter. [1969 1st ex.s. c 271 § 2.]

58.17.030 Subdivisions to comply with chapter, local regulations. Every subdivision shall comply with the provisions of this

chapter. Every short subdivision as defined in this chapter shall comply with the provisions of any local regulation as may be adopted pursuant to RCW 58.17.060. [1969 1st ex.s. c 271 § 3.]

58.17.040 Provisions inapplicable, when. The provisions of this chapter shall not apply to:

- (1) Cemeteries and other burial plots while used for that purpose;
- (2) Divisions of land into lots or tracts where the smallest lot is twenty acres or more and not containing a dedication of a public right-of-way;
- (3) Divisions of land into lots or tracts none of which are smaller than five acres and not containing a dedication unless the governing authority of the city, town or county in which the land is situated shall have by ordinance provided otherwise.
- (4) Divisions made by testamentary provisions, the laws of descent, or upon court order. [1969 1st ex.s. c 271 § 4.]

58.17.050 Assessors plat—Compliance. An assessors plat made in accordance with RCW 58.18.010 need not comply with any of the requirements of this chapter except RCW 58.17.240 and 58.17.250. [1969 1st ex.s. c 271 § 5.]

58.17.060 Short plats and subdivisions—Application of chapter—Regulations—Requirements. Unless the legislative body of a city, town or county adopts regulations and procedures, and appoints administrative personnel for the summary approval of short plats and short subdivisions, the provisions of this chapter shall not apply to short subdivisions. Such regulations may contain wholly different requirements than those governing the approval of preliminary and final plats of subdivisions but shall not require surveys and monumentations and a filing of a short plat for record in the office of the county auditor unless there is a dedication: *Provided*, That such regulations must contain a requirement that land in short subdivisions may not be further divided in any manner within a period of five years without the filing of a final plat: *Provided further*, That such regulations are not required to contain a penalty clause as provided in RCW 36.32.120 and may provide for wholly injunctive relief. [1969 1st ex.s. c 271 § 6.]

58.17.070 Preliminary plat of subdivisions and dedications—Submission for approval. A preliminary plat of proposed subdivisions and dedications of land shall be submitted for approval to the legislative body of the city, town, or county within which the plat is situated. [1969 1st ex.s. c 271 § 7.]

58.17.080 Filing of preliminary plat. Notice of the filing of a preliminary plat of a proposed subdivision adjacent to or within

one mile of the municipal boundaries of a city or town, or which contemplates the use of any city or town utilities shall be given to the appropriate city or town authorities. Any notice required by this chapter shall include the hour and location of the hearing and a description of the property to be platted. Notice of the filing of a preliminary plat of a proposed subdivision located in a city or town and adjoining the municipal boundaries thereof shall be given to appropriate county officials. Notice of the filing of a preliminary plat of a proposed subdivision located adjacent to the right-of-way of a state highway shall be given to the state department of highways. [1969 1st ex.s. c 271 § 8.]

58.17.090 Notice of public hearing. Upon receipt of an application for preliminary plat approval the administrative officer charged by ordinance with responsibility for administration of regulations pertaining to platting and subdivision shall set a date for a public hearing. Notice of such hearing shall be given by publication of at least one notice not less than ten days prior to the hearing in a newspaper of general circulation within the county. Additional notice of such hearing may be given by mail, posting on the property or in any manner local authorities deem necessary to notify adjacent landowners and the public. All hearings shall be public. [1969 1st ex.s. c 271 § 9.]

58.17.100 Review of proposed subdivisions by planning commission or agency—Recommendation—Change by legislative body—Procedure—Approval. If a city, town or county has established a planning commission or planning agency in accordance with state law or local charter, such commission or agency shall review all proposed subdivisions and make recommendations thereon to the city, town or county legislative body to assure conformance of the proposed subdivision to the general purposes of the comprehensive plan and to planning standards and specifications as adopted by the city, town or county. Reports of the planning commission or agency shall be advisory only: *Provided*, That the legislative body of the city, town or county may, by ordinance, assign to such commission or agency, or any department official or group of officials, such administrative functions, powers and duties as may be appropriate, including the holding of hearings, and recommendations for approval or disapproval of preliminary plats of proposed subdivisions.

Such recommendation shall be submitted to the legislative body not later than fourteen days following action by the hearing body. Upon receipt of the recommendation on any preliminary plat the legislative body shall at its next public meeting set the date for the public hearing where it may adopt or reject the recommendations of such hearing body. If, after considering the matter at a public meeting, the legislative body deems a change in the planning commission's or planning agency's recommendation approving or disap-

proving any preliminary plat is necessary, the change of the recommendation shall not be made until the legislative body shall conduct a public hearing and thereupon adopt its own recommendations and approve or disapprove the preliminary plat. Such public hearing may be held before a committee constituting a majority of the legislative body. If the hearing is before a committee, the committee shall report its recommendations on the matter to the legislative body for final action.

A record of all public meetings and public hearings shall be kept by the appropriate city, town or county authority and shall be open to public inspection.

Sole authority to approve final plats, and to adopt or amend platting ordinances shall reside in the legislative bodies. [1969 1st ex.s. c 271 § 10.]

58.17.110 Approval of subdivision and dedication—Factors to be considered—Finding—Release from damages. The city, town, or county legislative body shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication. It shall determine if appropriate provisions are made in the subdivision for, but not limited to, drainage ways, streets, alleys, other public ways, water supplies, sanitary wastes, parks, playgrounds, sites for schools and schoolgrounds, and shall consider all other relevant facts and determine whether the public interest will be served by the subdivision and dedication. If it finds that the plat makes appropriate provisions for the public health, safety and general welfare and for such drainage ways, streets, alleys, other public ways, water supplies, sanitary wastes, parks, playgrounds, sites for schools and schoolgrounds and that the public use and interest will be served by the platting of such subdivision, then it shall be approved. Dedication of land to any public body shall be clearly shown on the final plat. The legislative body shall not as a condition to the approval of any plat require a release from damages to be procured from other property owners. [1969 1st ex.s. c 271 § 11.]

58.17.120 Disapproval due to flood, inundation or swamp conditions—Improvements—Approval conditions. The city, town or county legislative body shall consider the physical characteristics of a proposed subdivision site and may disapprove a proposed plat because of flood, inundation, or swamp conditions. Construction of protective improvements may be required as a condition of approval, and such improvements shall be noted on the final plat. No plat shall be approved by any city, town or county legislative authority covering any land situated in a flood control zone as provided in chapter 86.16 RCW without the prior written approval of the department of water resources, state of Washington. [1969 1st ex.s. c 271 § 12.]

58.17.130 Bond in lieu of actual construction of improvements prior to approval of final plat. Local regulations may provide that in lieu of the completion of the actual construction of any improvements prior to the approval of a final plat, the city, town or county legislative body may accept a bond, in an amount and with surety and conditions satisfactory to it, or other secure method, providing for and securing to the municipality the actual construction and installation of such improvements within a period specified by the city, town or county legislative body and expressed in the bonds; and the municipality is hereby granted the power to enforce such bonds by all appropriate legal and equitable remedies. Such local regulations may provide that the improvements such as structures, sewers and water systems shall be designed and certified by or under the supervision of a registered civil engineer prior to the acceptance of such improvements. [1969 1st ex.s. c 271 § 13.]

58.17.140 Time limitation for approval or disapproval of plats—Extensions. Preliminary plats of any proposed subdivision and dedication shall be approved, disapproved or returned to the applicant for modification or correction within sixty days from date of filing thereof unless the applicant consents to an extension of such time period. Final plats and short plats shall be approved, disapproved or returned to the applicant within thirty days from the date of filing thereof, unless the applicant consents to an extension of such time period. Ordinances may provide for the expiration of approval given to any preliminary plats. [1969 1st ex.s. c 271 § 14.]

58.17.150 Recommendations of certain agencies to accompany plats submitted for final approval. Each and every preliminary plat submitted for final approval of the legislative body shall be accompanied by the following agencies' recommendations for approval or disapproval:

- (1) Local health department as to the adequacy of the proposed means of sewage disposal and water supply;
- (2) Local planning agency or commission, charged with the responsibility of reviewing plats and subdivisions, as to compliance with all terms of the preliminary approval of the proposed plat subdivision or dedication;
- (3) City, town or county engineer. [1969 1st ex.s. c 271 § 15.]

58.17.160 Requirements for each plat or replat filed for record. Each and every plat, or replat, of any property filed for record shall:

- (1) Contain a statement of approval from the city, town or county licensed road engineer or by a licensed engineer acting on behalf of the city, town or county as to the survey data, the layout of streets, alleys and other rights of way, design of bridges, sewage and water systems, and other structures;

(2) Be accompanied by a complete survey of the section or sections in which the plat or replat is located, or as much thereof as may be necessary to properly orient the plat within such section or sections. The plat and section survey shall be submitted with complete field and computation notes showing the original or reestablished corners with descriptions of the same and the actual traverse showing error of closure and method of balancing. A sketch showing all distances, angles and calculations required to determine corners and distances of the plat shall accompany this data. The allowable error of closure shall not exceed one foot in five thousand feet.

(3) Be acknowledged by the person filing the plat before the auditor of the county in which the land is located, or any other officer who is authorized by law to take acknowledgment of deeds, and a certificate of said acknowledgment shall be enclosed or annexed to such plat and recorded therewith.

(4) Contain a certification from the proper officer or officers in charge of tax collections that all taxes and delinquent assessments for which the property may be liable as of the date of certification have been duly paid, satisfied or discharged.

No engineer who is connected in any way with the subdividing and platting of the land for which subdivision approval is sought, shall examine and approve such plats on behalf of any city, town or county. [1969 1st ex.s. c 271 § 16.]

58.17.165 Certificate giving description and statement of owners must accompany final plat—Dedication, certificate requirements if plat contains—Waiver. Every final plat or short plat of a subdivision or short subdivision filed for record must contain a certificate giving a full and correct description of the lands divided as they appear on the plat or short plat, including a statement that the subdivision or short subdivision has been made with the free consent and in accordance with the desires of the owner or owners. If the plat or short plat includes a dedication, the certificate shall also contain the dedication of all streets and other areas to the public, and individual or individuals, religious society or societies or to any corporation, public or private as shown on the plat or short plat and a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage and maintenance of said road. Said certificate shall be signed and acknowledged before a notary public by all parties having any interest in the lands subdivided.

Every plat and short plat containing a dedication filed for record must be accompanied by a title report confirming that the title of the lands as described and shown on said plat is in the name of the owners signing the certificate.

An offer of dedication may include a waiver of right of direct

access to any street from any property, and if the dedication is accepted, any such waiver is effective. Such waiver may be required by local authorities as a condition of approval. Roads not dedicated to the public must be clearly marked on the face of the plat. Any dedication, donation or grant as shown on the face of the plat shall be considered to all intents and purposes, as a quitclaim deed to the said donee or donees, grantee or grantees for his, her or their use for the purpose intended by the donors or grantors as aforesaid. [1969 1st ex.s. c 271 § 30.]

58.17.170 Written approval of subdivision—Original of final plat to be filed—Copies. When the legislative body of the city, town or county finds that the public use and interest will be served by the proposed subdivision, and that said subdivision meets the requirements of this chapter and any local regulations adopted pursuant thereto, it shall suitably inscribe and execute its written approval on the face of the plat. The original of said final plat shall be filed for record with the county auditor. One reproducible copy shall be furnished to the city, town or county engineer. One paper copy shall be filed with the county assessor. Paper copies shall be provided to such other agencies as may be required by ordinance. Any lots in a final plat filed for record shall be a valid land use notwithstanding any change in zoning laws for a period of five years from the date of filing. [1969 1st ex.s. c 271 § 17.]

58.17.180 Review of decision. Any decision approving or disapproving any plat shall be reviewable for unlawful, arbitrary, capricious or corrupt action or nonaction by writ of review before the superior court of the county in which such matter is pending. The action may be brought by any property owner in the city, town or county having jurisdiction, who deems himself aggrieved thereby. *Provided,* That application for a writ of review shall be made to the court within thirty days from any decision so to be reviewed. The cost of transcription of all records ordered certified by the court for such review shall be borne by the appellant. [1969 1st ex.s. c 271 § 18.]

58.17.190 Approval of plat required before filing—Procedure when unapproved plat filed. The county auditor shall refuse to accept any plat for filing until approval of the plat has been given by the appropriate legislative body. Should a plat or dedication be filed without such approval, the prosecuting attorney of the county in which the plat is filed shall apply for a writ of mandate in the name of and on behalf of the legislative body required to approve same, directing the auditor and assessor to remove from their files or records the unapproved plat, or dedication of record. [1969 1st ex.s. c 271 § 19.]

58.17.200 Injunctive action to restrain subdivision, sale, transfer of land where final plat not filed. Whenever any parcel of land is divided into five or more lots, tracts, or parcels of land and any person, firm or corporation or any agent of any of them sells or transfers, or offers or advertises for sale or transfer, any such lot, tract, or parcel without having a final plat of such subdivision filed for record, the prosecuting attorney shall commence an action to restrain and enjoin further subdivisions or sales, or transfers, or offers of sale or transfer and compel compliance with all provisions of this chapter. The costs of such action shall be taxed against the person, firm, corporation or agent selling or transferring the property. [1969 1st ex.s. c 271 § 20.]

58.17.210 Building, septic tank or other development permits not to be issued for land divided in violation of chapter or regulations—Exceptions—Damages—Rescission by purchaser. No building permit, septic tank permit, or other development permit, shall be issued for any lot, tract, or parcel of land divided in violation of this chapter or local regulations adopted pursuant thereto unless the authority authorized to issue such permit finds that the public interest will not be adversely affected thereby. The prohibition contained in this section shall not apply to an innocent purchaser for value without actual notice. All other purchasers' or transferees' property shall comply with provisions of this chapter and such purchaser or transferee may recover his damages from any person, firm, corporation or agent including any amount reasonably spent as a result of inability to obtain any development permit and spent to conform to the requirements of this chapter as well as cost of investigation, suit and reasonable attorneys' fees occasioned thereby. Such purchaser or transferee may as an alternative to conforming his property to these requirements, rescind the sale or transfer and recover costs of investigation, suit and reasonable attorneys' fees occasioned thereby. [1969 1st ex.s. c 271 § 21.]

58.17.220 Violation of court order or injunction—Penalty. Any person who violates any court order or injunction issued pursuant to this chapter shall be subject to a fine of not more than five thousand dollars or imprisonment for not more than ninety days or both. [1969 1st ex.s. c 271 § 22.]

58.17.230 Assurance of discontinuance of violations. In the enforcement of this chapter, the prosecuting attorney may accept an assurance of discontinuance of any act or practice deemed in violation of this chapter from any person engaging in, or who has engaged in such act or practice. Any such assurance shall be in writing and be filed with and subject to the approval of the superior court of the county in which the alleged violation occurs. A violation of such assurance shall constitute prima facie proof of a violation of this chapter. [1969 1st ex.s. c 271 § 23.]

58.17.240 Permanent control monuments. Permanent control monuments shall be established at each and every controlling corner on the boundaries of the parcel of land being subdivided. The local authority shall determine the number and location of permanent control monuments within the plat, if any. [1969 1st ex.s. c 271 § 24.]

58.17.250 Survey of subdivision and preparation of plat. The survey of the proposed subdivision and preparation of the plat shall be made by or under the supervision of a registered land surveyor who shall certify on the plat that it is a true and correct representation of the lands actually surveyed. [1969 1st ex.s. c 271 § 26.]

58.17.260 Joint committee—Members—Recommendations for surveys, monumentation and plat drawings. In order that there be a degree of uniformity of survey monumentation throughout the cities, towns and counties of the state of Washington, there is hereby created a joint committee composed of six members to be appointed as follows: The Washington state association of counties shall appoint two county road engineers; the association of Washington cities shall appoint two city engineers; the land surveyors association of Washington shall appoint one member; and the consulting engineers association of Washington shall appoint one member. The joint committee is directed to cooperate with the department of natural resources to establish recommendations pertaining to requirements of survey, monumentation and plat drawings for subdivisions and dedications throughout the state of Washington. The department of natural resources shall publish such recommendation. [1971 1st ex.s. c 85 § 9; 1969 ex.s. c 271 § 27.]

58.17.270 Submission of local subdivision regulations to planning and community affairs agency. In order that there may be current and readily available information available for the public concerning subdivision regulations, all city, town and county legislative bodies shall submit proposed ordinances and amendments to the state planning and community affairs agency thirty days prior to final adoption for agency review and comparison. [1969 1st ex.s. c 271 § 28.]

58.17.280 Naming and numbering of subdivisions, streets, lots and blocks. Any city, town or county may, by ordinance, regulate the procedure whereby subdivisions, streets, lots and blocks are named and numbered. [1969 1st ex.s. c 271 § 29.]

58.17.290 Copy of plat as evidence. A copy of any plat recorded in the manner provided in this chapter and certified by the county auditor of the county in which the same is recorded to be a true copy of such record and the whole thereof, shall be received in evidence in all the courts of this state, with like effect as the original. [1969 1st ex.s. c 271 § 31.]

58.17.300 Violations—Penalties. Any person, firm, corporation, or association or any agent of any person, firm, corporation, or association who violates any provision of this chapter or any local regulations adopted pursuant thereto relating to the sale, offer for sale, lease, or transfer of any lot, tract or parcel of land, shall be guilty of a gross misdemeanor and each sale, offer for sale, lease or transfer of each separate lot, tract, or parcel of land in violation of any provision of this chapter or any local regulation adopted pursuant thereto, shall be deemed a separate and distinct offense. [1969 1st ex.s. c 271 § 32.]

58.17.900 Validation of existing ordinances and resolutions. All ordinances and resolutions enacted at a time prior to the passage of this chapter by the legislative bodies of cities, towns, and counties and which are in substantial compliance with the provisions of this chapter, shall be construed as valid and may be further amended to include new provisions and standards as are authorized in general law. [1969 1st ex.s. c 271 § 33.]

58.17.910 Severability. If any provision of this chapter, or its application to any person or circumstance is held invalid, the remainder of this chapter, or the application of the provision to other persons or circumstances is not affected. [1969 1st ex.s. c 271 § 35.]

Chapter 58.18

ASSESSOR'S PLATS

58.18.010 Assessor's plat—Requisites, filing, index, etc.—When official plat. In any county where an assessor has and maintains an adequate set of maps drawn from surveys at a scale of not less than two hundred feet to the inch, the assessor may with the permission of the county commissioners, file an assessor's plat of the area, which when filed shall become the official plat for all legal purposes, provided:

- (1) The plat is filed in the offices of the county auditor and the county assessor, together with a list of the existing legal descriptions and a list of the new legal descriptions as assigned by the county assessor;
- (2) The recorded plat is drawn in such a manner that a ready reference can be made to the legal description in existence prior to the time of the filing of the assessor's plat and in conformance with existing statutes;
- (3) The first year the tax roll and tax statement shall contain the prior legal description and the new legal description as assigned and shown on the assessor's plat with a notation that this legal description shall be used for all purposes;
- (4) The county assessor shall maintain an index for reference

to the prior and the existing legal descriptions of the parcels contained in the assessor's plats;

- (5) Each dedicated plat after the effective date of this act shall be submitted to the county assessor of the county wherein the plat is located, for the sole purpose of assignment of parcel, tract, block and or lot numbers and the county auditor shall not accept any such plat for filing unless the said plat carries a signed affidavit from the assessor to this effect, and a statement to the effect that the name of the plat shall be number _____ in the county of _____ [1961 c 262 § 1.]

Reviser's note: "the effective date of this act" was midnight June 7, 1961, see preface 1961 session laws.

Chapter 58.24

STATE AGENCY FOR SURVEYS AND MAPS

58.24.040 Powers—Standards, maps, records, report, temporary removal of boundary marks or monuments. The agency is further authorized to:

- (1) Set up standards of accuracy and methods of procedure.
- (2) Compile and publish maps and records from surveys performed under the provisions of this chapter, and to maintain suitable indexes of surveys to prevent duplication of effort and to cooperate with all agencies of local, state, and federal government to this end;
- (3) Compile and maintain records of all surveys performed under the provisions of this chapter, and assemble and maintain records of all reliable survey monuments and bench marks within the state;
- (4) Supervise the sale of maps and such publications as may come into the possession of the division of surveys and maps. Revenue derived from the sale thereof shall revert to the general fund;
- (5) Submit, as part of the biennial report of the commissioner of public lands, a report of the accomplishments of the agency;
- (6) Permit the temporary removal or destruction of any section, corner or any other land boundary mark or monument by any person, corporation, association, department or subdivision of the state, county or municipality as may be necessary or desirable to accommodate construction upon the mining and other development of any land: *Provided*, That such section, corner or other land boundary mark or monument shall be referenced to the Washington Coordinate System by a registered professional engineer or land surveyor prior to such removal or destruction, and shall be replaced or a suitable reference monument established by a registered professional engineer or land surveyor within a reasonable

time after completion of such construction, mining or other development: *And provided further*, That the department of natural resources shall adopt and promulgate reasonable rules and regulations under which the agency shall authorize such temporary removal or destruction and require the replacement of such section, corner or other land boundary marks or monuments. [1969 1st ex.s. c 271 § 25; 1951 c 224 § 6.]
Severability: See RCW 58.17.910.

Chapter 58.28

TOWNSITES ON U.S. LAND—ACQUISITION OF
LAND BY INHABITANTS THEREOF

58.28.490 Appeals—Procedure. Appeals and writs of review may be prosecuted to the supreme court or the court of appeals from a superior court from the judgment or orders of the superior court in all cases arising under this chapter or said acts of congress as in other cases and the general statutes as to the commencement of actions, bringing the same to trial, making an entry of judgment, the taking and perfecting appeals, and the making up of the records on appeal and relating to writs of review in the superior court, court of appeals, and supreme court, and all other procedure in the superior court, court of appeals, and supreme court shall be applicable to actions under this chapter and under said acts of congress. [1971 c 81 § 127; 1909 c 231 § 49; RRS § 11533. Prior: 1888 c 124 pp 216-220.]