

# FINAL BILL REPORT

## ESSB 6266

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C 160 L 96

Synopsis as Enacted

**Brief Description:** Establish lost and uncertain boundaries.

**Sponsors:** Senate Committee on Law & Justice (originally sponsored by Senators Morton, Haugen, McCaslin, Rasmussen, Hargrove and Schow).

**Senate Committee on Law & Justice**

**House Committee on Law & Justice**

**Background:** Whenever there is a dispute as to property boundaries, and the same cannot be ascertained from any legal records or actual use, landowners may hire surveyors to make the necessary surveys. Any party may, in lieu of or in addition to hiring surveyors, bring a quiet title action in superior court to establish lost and uncertain boundaries.

**Summary:** Alternative procedures for fixing boundary disputes are delineated. One way parties may resolve boundary disputes is by creating a formal written agreement which is binding on all subsequent owners of the properties. A second way is to bring a suit in equity. If a suit is brought, the court may order the parties to utilize mediation before the civil action is allowed to proceed.

Any court-appointed surveyor and his or her employees may enter upon any land or waters and remain there while performing their duties without liability for trespass. Where practical, before entering upon private property to perform their duties, surveyors and their employees must announce and identify themselves and their intentions.

Any person who intentionally disturbs survey marks placed by a surveyor in the performance of the surveyor's duties is guilty of a gross misdemeanor.

**Votes on Final Passage:**

Senate	44	1	
House	94	0	(House amended)
Senate	47	0	(Senate concurred)

**Effective:** June 6, 1996