

SUBSTITUTE HOUSE BILL 1572

State of Washington 55th Legislature 1997 Regular Session

By House Committee on Government Reform & Land Use (originally sponsored by Representatives Reams, Romero, Wolfe, Sullivan and Blalock)

Read first time 03/05/97.

1 AN ACT Relating to quieting title; and amending RCW 7.28.090.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

3 Sec. 1. RCW 7.28.090 and 1977 ex.s. c 80 s 7 are each amended to
4 read as follows:

5 (1) Neither RCW 7.28.070 ~~((and))~~, 7.28.080, nor common law adverse
6 possession shall ~~((not))~~ extend to lands or tenements owned by the
7 United States or this state, nor to school lands, nor to lands held for
8 any public purpose. Nor shall ~~((they))~~ RCW 7.28.070 and 7.28.080
9 extend to lands or tenements when there shall be an adverse title to
10 such lands or tenements, and the holder of such adverse title is a
11 person under eighteen years of age, or incompetent within the meaning
12 of RCW 11.88.010~~((: PROVIDED, Such persons as aforesaid))~~. However,
13 incompetent persons and persons under eighteen years of age who hold
14 adverse title to lands or tenements shall commence an action to recover
15 such lands or tenements ~~((so possessed as aforesaid,))~~ within three
16 years after the several disabilities ~~((herein enumerated shall))~~ cease
17 to exist~~((,))~~ and shall prosecute such action to judgment~~((, or))~~. In
18 the case of vacant and unoccupied land, incompetent persons and persons
19 under eighteen years of age shall, within ~~((the time last aforesaid,~~

1 ~~pay to the person or persons who have paid the same for his or her~~
2 ~~betterments, and the taxes, with interest on said taxes at the legal~~
3 ~~rate per annum that have been paid on said))~~ three years after the
4 several disabilities cease to exist, reimburse the person or persons
5 for taxes paid on, plus interest paid on the taxes at the legal rate
6 per annum, and improvements to and costs expended on the vacant and
7 unimproved land.

8 (2) For the purposes of this section, the term "lands held for any
9 public purpose" includes, but is not limited to, plat greenbelts and
10 open space areas dedicated to a public agency or to a bona fide
11 homeowner's association.

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