
HOUSE BILL 2179

State of Washington

56th Legislature

1999 Regular Session

By Representative Wensman

Read first time 02/17/1999. Referred to Committee on Judiciary.

1 AN ACT Relating to private ways of necessity; and amending RCW
2 8.24.030.

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

4 **Sec. 1.** RCW 8.24.030 and 1988 c 129 s 3 are each amended to read
5 as follows:

6 (1) The procedure for the condemnation of land for a private way of
7 necessity or for drains, flumes or ditches under the provisions of this
8 chapter shall be the same as that provided for the condemnation of
9 private property by railroad companies, but no private property shall
10 be taken or damaged until the compensation to be made therefor shall
11 have been ascertained and paid as provided in the case of condemnation
12 by railroad companies.

13 (2) In any action brought under the provisions of this chapter for
14 the condemnation of land for a private way of necessity, reasonable
15 attorneys' fees and expert witness costs may be allowed by the court to
16 reimburse the condemnee in the event of any of the following:

17 (a) If the condemnor fails to make any written offer in settlement
18 to the condemnee at least thirty days prior to commencement of the
19 action; or

1 (b) If the judgment awarded as a result of the action exceeds by
2 ten percent or more the highest written offer in settlement submitted
3 to those condemnees appearing in the action by the condemnor in effect
4 thirty days before the trial.

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