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**SUBSTITUTE SENATE BILL 5170**

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**State of Washington 69th Legislature 2025 Regular Session**

**By** Senate Agriculture & Natural Resources (originally sponsored by Senators Short, Chapman, and Dozier)

AN ACT Relating to boundary line surveys on public lands owned or managed by the department of natural resources; amending RCW 58.04.007; and adding new sections to chapter 43.30 RCW.

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

NEW SECTION. **Sec.**  A new section is added to chapter 43.30 RCW to read as follows:

When the department conducts a land survey with the intent of establishing land boundaries on lands other than aquatic lands as defined in RCW 79.02.010, the department must notify in writing any affected landowner within 30 days regarding the current and future location of any proposed section corner or boundary marker. The department must also provide an opportunity for review and comment, including the presentation of historical evidence regarding the location of any boundaries, and involvement regarding the proposed location of the section corner or boundary marker including any changes to any affected landowners' property boundaries.

NEW SECTION. **Sec.**  A new section is added to chapter 43.30 RCW to read as follows:

Before undertaking any survey pursuant to chapter 58.09 or 79.10 RCW on lands other than aquatic lands as defined in RCW 79.02.010, the department must first notify in writing any adjoining landowner. The department must also provide an opportunity for review, comment, the provision of evidence regarding historical boundaries, and involvement regarding any potential boundary line adjustments, including any impacts to any affected landowners.

**Sec.**  RCW 58.04.007 and 1996 c 160 s 3 are each amended to read as follows:

Whenever a point or line determining the boundary between two or more parcels of real property cannot be identified from the existing public record, including deeds of record, monuments, and landmarks, or is in dispute, the landowners affected by the determination of the point or line may resolve any dispute and fix the boundary point or line by one of the following procedures:

(1) If all of the affected landowners agree to a description and marking of a point or line determining a boundary, they shall document the agreement in a written instrument, using appropriate legal descriptions and including a survey map, filed in accordance with chapter 58.09 RCW. The written instrument shall be signed and acknowledged by each party in the manner required for a conveyance of real property. The agreement is binding upon the parties, their successors, assigns, heirs and devisees and runs with the land. The agreement shall be recorded with the real estate records in the county or counties in which the affected parcels of real estate or any portion of them is located;

(2) ((~~If~~)) (a) Except as provided in (b) of this subsection, if all of the affected landowners cannot agree to a point or line determining the boundary between two or more parcels of real estate, any one of them may bring suit for determination as provided in RCW 58.04.020.

(b) Before the department of natural resources may bring suit for determination as provided in RCW 58.04.007 and 58.04.020, the department of natural resources must comply with section 2 of this act.

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