

RCW 64.90.260 Unit boundaries—Relocation. (1) Subject to the provisions of the declaration, RCW 64.90.255, and other provisions of law, the boundaries between adjoining units may be relocated upon application to the board by the unit owners of those units and upon approval by the board pursuant to this section. The application must include plans showing the relocated boundaries and such other information as the board may require. If the unit owners of the adjoining units have specified a reallocation between their units of their allocated interests, the application must state the proposed reallocations. Unless the board determines, after receipt of all required information, that the reallocations are unreasonable or that the proposed boundary relocation does not comply with the declaration, RCW 64.90.255, or other provisions of law, the board must approve the application and prepare any amendments to the declaration and map in accordance with the requirements of subsection (3) of this section.

(2) (a) The boundary of a unit may be relocated only by an amendment to the declaration. A unit owner may request the board to amend the declaration to include all or part of a common element within the unit owner's unit. The board may prescribe in the amendment a fee or charge payable by the unit owner to the association in connection with the relocation.

(b) The board may approve the amendment only if the unit owners of units to which at least 67 percent of the votes are allocated, including at least 67 percent of the votes that are allocated to units not owned by the declarant, vote under RCW 64.90.455 to approve the amendment.

(3) The association and the owners of the units whose boundaries are relocated must execute an amendment under this section. The amendment must contain words of conveyance between the parties. The association shall record the amendment as provided in RCW 64.90.285. The association:

(a) In a condominium, plat community, or miscellaneous community shall prepare and record an amendment to the map necessary to show the altered boundaries of affected units and their dimensions and identifying numbers; and

(b) In a cooperative shall prepare and record amendments to the declaration, including any amendment to the map necessary to show or describe the altered boundaries of affected units, and their dimensions and identifying numbers.

(4) All costs, including reasonable attorneys' fees, incurred by the association for preparing and recording amendments to the declaration and map under this section must be assessed to the unit, the boundaries of which are being relocated. [2024 c 321 s 307; 2018 c 277 s 213.]