

FINAL BILL REPORT

SSB 5957

C 32 L 95
Synopsis as Enacted

Brief Description: Amending plats.

Sponsors: Senate Committee on Government Operations (originally sponsored by Senator Cantu).

Senate Committee on Government Operations

House Committee on Government Operations

Background: The official record of a subdivision of real property is a plat, filed with county real property records. The alteration of an existing plat requires an application signed by a majority of the property owners in the subdivision and approval by the legislative authority of the city or county in which the subdivision is located. If the alteration will violate a restrictive covenant filed at the time of approval of the subdivision, the application for alteration of the plat must be signed by all of the property owners in the subdivision. In all events, notice of the alteration must be given to all property owners and either a public hearing scheduled or an opportunity to request a hearing afforded. If the legislative authority approves an alteration, a revised plat is filed with the county real property records.

Certain alterations may be considered to have such little substantive impact on the rights of the property owners in the subdivision that they should be exempt from the approval requirements.

Summary: A city, town or county may grant an easement for ingress and egress or utilities over public property that is held as open space pursuant to a subdivision or plat without compliance with the alteration statute if: (1) the open space is already used as a utility right of way or corridor; (2) other access is not feasible; (3) the granting of the easement does not impair public access or authorize construction of physical barriers of any type; and (4) a public hearing is held with notice to the property owners in the affected subdivision.

A donor of a public park of less than two acres by way of dedication in a plat submitted for approval may designate that the park be named in honor of a deceased individual of good character.

Votes on Final Passage:

Senate	49 0
House	97 0

Effective: July 23, 1995