

RCW 64.65.070 Relocation affidavit. (1) If an order under RCW 64.65.040 requires the construction of an improvement as a condition for relocation of an easement, relocation is substantially complete, and the easement holder is able to enter, use, and enjoy the easement in the new location, the servient estate owner shall:

(a) Record, in the land records of each jurisdiction where the servient estate is located, an affidavit certifying that the easement has been relocated; and

(b) Send, by certified mail, a copy of the recorded affidavit to the easement holder and parties to the civil action.

(2) Until an affidavit under subsection (1) of this section is recorded and sent, the easement holder may enter, use, and enjoy the easement in the current location, subject to the court's order under RCW 64.65.040 approving relocation.

(3) If an order under RCW 64.65.040 does not require an improvement to be constructed as a condition of the relocation, recording the order under RCW 64.65.040(4) constitutes relocation.
[2023 c 6 s 209.]