

RCW 64.90.270 Monuments as boundaries. (1) Except as provided in subsection (2) of this section, if the construction, reconstruction, or alteration of a building or the vertical or lateral movement of a building results in an encroachment due to a divergence between the existing physical boundaries of a unit and the boundaries described in the declaration under RCW 64.90.225(1)(d), the existing physical boundaries of the unit are its legal boundaries, rather than the boundaries described in the declaration.

(2) Subsection (1) of this section does not apply if the encroachment:

(a) Extends beyond five feet, as measured from any point on the common boundary along a line perpendicular to the boundary; or

(b) Results from willful misconduct of the unit owner that claims a benefit under subsection (1) of this section.

(3) This section does not relieve a declarant or other person of liability for failure to adhere to the map or a representation in the public offering statement. [2024 c 321 s 308; 2018 c 277 s 215.]