

**RCW 36.35.130 Form of deed and reservation.** The county treasurer shall upon payment to the county treasurer of the purchase price for the property and any interest due, make and execute under the county treasurer's hand and seal, and issue to the purchaser, a deed in the following form for any lots or parcels of real property sold under the provisions of RCW 36.35.120.

State of Washington }  
County of..... } ss.

This indenture, made this . . . . day of . . . ., .. (year) . . , between . . . . , as treasurer of . . . . county, state of Washington, the party of the first part, and . . . . , party of the second part.

WITNESSETH, That whereas, at a public sale of real property, held on the . . . day of . . . ., .. (year) . . , pursuant to an order of the county legislative authority of the county of . . . . , state of Washington, duly made and entered, and after having first given due notice of the time and place and terms of the sale, and, whereas, in pursuance of the order of the county legislative authority, and of the laws of the state of Washington, and for and in consideration of the sum of . . . . dollars, lawful money of the United States of America, to me in hand paid, the receipt whereof is hereby acknowledged, I have this day sold to . . . . the following described real property, and which the real property is the property of . . . . county, and which is particularly described as follows, to wit: . . . . , the . . . . being the highest and best bidder at the sale, and the sum being the highest and best sum bid at the sale;

NOW, THEREFORE, Know ye that I, . . . . , county treasurer of the county of . . . . , state of Washington, in consideration of the premises and by virtue of the statutes of the state of Washington, in such cases made and provided, do hereby grant and convey unto . . . . , heirs and assigns, forever, the real property hereinbefore described, as fully and completely as the party of the first part can by virtue of the premises convey the same.

Given under my hand and seal of office this . . . day of . . . ., .. (year) . .

.....  
County Treasurer,  
By .....  
Deputy:

PROVIDED, That when by order of the county legislative authority any of the minerals or other resources enumerated in RCW 36.35.120 are reserved, the deed or contract of purchase shall contain the following reservation:

The party of the first part hereby expressly saves, excepts and reserves out of the grant hereby made, unto itself, its successors, and assigns, forever, all oils, gases, coals, ores, minerals, gravel, timber and fossils of every name, kind or description, and which may be in or upon the lands above described; or any part thereof, and the right to explore the same for such oils, gases, coal, ores, minerals, gravel, timber and fossils; and it also hereby expressly saves reserves out of the grant hereby made, unto itself, its successors and assigns, forever, the right to enter by itself, its agents, attorneys and servants upon the lands, or any part or parts thereof, at any and all times, for the purpose of opening, developing and working mines

thereon, and taking out and removing therefrom all such oils, gases, coal, ores, minerals, gravel, timber and fossils, and to that end it further expressly reserves out of the grant hereby made, unto itself, its successors and assigns, forever, the right by it or its agents, servants and attorneys at any and all times to erect, construct, maintain and use all such buildings, machinery, roads and railroads, sink such shafts, remove such oil, and to remain on the lands or any part thereof, for the business of mining and to occupy as much of the lands as may be necessary or convenient for the successful prosecution of such mining business, hereby expressly reserving to itself, its successors and assigns, as aforesaid, generally, all rights and powers in, to and over, the land, whether herein expressed or not, reasonably necessary or convenient to render beneficial and efficient the complete enjoyment of the property and the rights hereby expressly reserved. No rights shall be exercised under the foregoing reservation, by the county, its successors or assigns, until provision has been made by the county, its successors or assigns, to pay to the owner of the land upon which the rights herein reserved to the county, its successors or assigns, are sought to be exercised, full payment for all damages sustained by the owner, by reason of entering upon the land: PROVIDED, That if the owner from any cause whatever refuses or neglects to settle the damages, then the county, its successors or assigns, or any applicant for a lease or contract from the county for the purpose of prospecting for or mining valuable minerals, or operation contract, or lease, for mining coal, or lease for extracting petroleum or natural gas, shall have the right to institute such legal proceedings in the superior court of the county wherein the land is situated, as may be necessary to determine the damages which the owner of the land may suffer: PROVIDED, The county treasurer shall cross out of such reservation any of the minerals or other resources which were not reserved by order of the county legislative authority. [1998 c 106 § 14; 1961 c 15 § 84.64.300. Prior: 1945 c 172 § 2; 1927 c 263 § 2; 1925 ex.s. c 130 § 134; Rem. Supp. 1945 § 11295; prior: 1903 c 59 § 5; 1890 p 577 § 119; Code 1881 § 2938. Formerly RCW 84.64.300.]