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SHB 1025 - H AMD TO H AMD (1025-S AMH _____ H2626.2)
343 Adopted 3-20-91

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By Representatives Spanel and R. Johnson

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On page 39 of the amendment, after line 20, insert:

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"Sec. 21. RCW 58.17.040 and 1989 c 43 s 4-123 are each amended to read as follows:

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The provisions of this chapter shall not apply to:

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(1) Cemeteries and other burial plots while used for that purpose;

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(2) Divisions of land into lots or tracts each of which is one-one hundred twenty-eighth of a section of land or larger, or five acres or larger if the land is not capable of description as a fraction of a section of land, unless the governing authority of the city, town, or county in which the land is situated shall have adopted a subdivision ordinance requiring plat approval of such divisions: PROVIDED, That for purposes of computing the size of any lot under this item which borders on a street or road, the lot size shall be expanded to include that area which would be bounded by the center line of the road or street and the side lot lines of the lot running perpendicular to such center line;

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(3) (~~Divisions made by testamentary provisions, or the laws of descent;~~

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~~(4))~~ Divisions of land into lots or tracts classified for industrial or commercial use when the city, town, or county has

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1 approved a binding site plan for the use of the land in accordance
2 with local regulations;

3 ~~((+5))~~ (4) A division for the purpose of lease when no
4 residential structure other than mobile homes or travel trailers
5 are permitted to be placed upon the land when the city, town, or
6 county has approved a binding site plan for the use of the land in
7 accordance with local regulations;

8 ~~((+6))~~ (5) A division made for the purpose of alteration by
9 adjusting boundary lines, between platted or unplatted lots or
10 both, which does not create any additional lot, tract, parcel,
11 site, or division nor create any lot, tract, parcel, site, or
12 division which contains insufficient area and dimension to meet
13 minimum requirements for width and area for a building site; and

14 ~~((+7))~~ (6) Divisions of land into lots or tracts if: (a) The
15 improvements constructed or to be constructed thereon will be
16 included in one or more condominiums or owned by an association or
17 other legal entity in which the owners of units therein or their
18 owners' associations have a membership or other legal or beneficial
19 interest; (b) a city, town, or county has approved a binding site
20 plan for all such land; and (c) the binding site plan contains
21 thereon the following statement: "All development of the land
22 described herein shall be in accordance with the binding site plan,
23 as it may be amended. Upon completion, the improvements on the
24 land shall be included in one or more condominiums or owned by an
25 association or other legal entity in which the owners of units
26 therein or their owners' associations have a membership or other

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1 legal or beneficial interest."

2 Renumber remaining sections consecutively and correct internal
3 references accordingly.

4 **SHB 1025** - H AMD TO H AMD (1025-S AMH _____ H2626.2)
5 By Representative Spanel

6 On page 114, line 4 of the title, after "58.17.033" insert
7 "58.17.040,"

8 Effect: Testamentary provisions must comply with subdivision
9 laws.