

# FINAL BILL REPORT

## SHB 1265

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C 132 L 91  
*Synopsis As Enacted*

**Brief Description:** Restricting subdivision alterations that diminish dedications.

By House Committee on Local Government (originally sponsored by Representatives Valle, Heavey and Scott).

House Committee on Local Government  
Senate Committee on Governmental Operations

**Background:** The Subdivision and Platting Act requires the review and approval of each division of land by the county, city, or town that has planning jurisdiction over the land if the smallest resulting lot is less than five acres. Certain divisions are exempted from review or are subject to a review procedure differing from the normal subdivision review procedures.

The county, city, or town governing body must determine the public use and interest in the proposed alteration as part of its review process. Where the alteration contains a dedication to the general use of persons residing within the subdivision, the dedicated land may be altered and divided equitably between adjacent property owners.

The 1987 law does not describe how, if at all, a common area can be affected if undivided interests in the common area are held by the owners of each lot in a subdivision.

**Summary:** Easements established by a dedication are property rights that cannot be extinguished or altered without the approval of the easement owners, unless the document creating the easement provides otherwise.

***Votes on Final Passage:***

House	97	0
Senate	42	0

**Effective:** July 28, 1991