

**Chapter 54.20 RCW**  
**CONDEMNATION PROCEEDINGS**

**Sections**

54.20.010 Statement of operations—Decree of appropriation—  
Retirement of properties—Accounting—Limitation on new  
proceedings.

**RCW 54.20.010 Statement of operations—Decree of appropriation—  
Retirement of properties—Accounting—Limitation on new proceedings.**  
In any condemnation proceeding heretofore or hereafter instituted or  
conducted by a public utility district for the acquisition of  
properties, the district may serve upon the condemnee's attorneys of  
record and file with the court a notice of its intention to present a  
decree of appropriation together with a demand for a verified  
statement showing in reasonable detail the following information with  
respect to the operation of the properties since the date of verdict,  
if the case was tried by jury, or since the date of the judgment  
fixing compensation, if the case was tried by the court, namely: the  
cost of any improvements and betterments to the properties which were  
reasonably necessary and prudently made; the gross income received  
from the properties, betterments and improvements; the actual  
reasonable expense, exclusive of depreciation, incurred in the  
operation thereof. If the condemnee fails to serve and file the  
statement within fifteen days after service of the demand therefor, it  
may be compelled to do so by contempt proceedings, and the time during  
which such proceedings are pending shall not be considered in  
computing the time within which the district may exercise its right of  
appropriation. After the statement is filed, the district may pay the  
amount of the verdict or judgment plus (1) accrued interest thereon  
less the net income before allowance for depreciation, and (2) the  
cost of such improvements and betterments, all as shown by the sworn  
statement, and concurrently obtain its decree of appropriation. The  
condemnee may retire from use after the verdict or judgment such items  
of the properties as may be reasonably necessary in the ordinary and  
usual course of operation thereof, in which case it shall show in its  
statement the reasonable value of such items retired, and the district  
may deduct such value from the sum otherwise payable by it. If the  
condemnee fails to file the statement within fifteen days after  
service of the demand therefor, the district at its option may pay the  
full amount of the judgment or verdict plus accrued interest thereon  
and concurrently obtain a decree of appropriation.

After payment has been made and the decree of appropriation  
entered as provided in this section, the district or the condemnee  
shall be entitled to an accounting in the condemnation proceedings to  
determine the true amount of each item required to be furnished in the  
above statement, and to payment of any balance found due in such  
accounting.

Whenever any such condemnation proceedings have been, or  
hereafter may be abandoned, no new proceedings for the acquisition of  
the same or substantially similar properties shall be instituted until  
the expiration of one year from the date of such abandonment, but such  
proceedings may be instituted at any time thereafter. [1945 c 130 §  
3; Rem. Supp. 1945 § 10459-13. Formerly RCW 54.20.010 through  
54.20.050.]

**Purpose—Severability—1945 c 130:** See notes following RCW 54.04.100.