

CHAPTER 149.

[S. B. 212.]

SALE OF STATE LANDS.

AN ACT relating to the management, sale, lease and disposition of state lands and amending section 6675 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That section 6675 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 6675. All state lands shall be sold on the following terms: One-tenth to be paid on the date of sale and one-tenth to be paid one year from the date of issuance of the contract of sale and one-tenth annually thereafter until the full purchase price has been paid: *Provided*, That any purchaser may make full payment at any time. All deferred payments shall draw interest at the rate of six per cent (6%) per annum. The first installment of interest shall become due and payable one year after the date of the contract of sale and thereafter all interest shall become due and payable annually on said date. All remittances for payment of either principal or interest must be forwarded to the commissioner of public lands: *Provided, further*, That the board of state land commissioners may, when they deem it for the best interests of the state, sell any of the granted lands of the state in tracts of not more than eighty acres upon the following terms and conditions: One-twentieth of the purchase price to be paid on the date of sale and one-twentieth on the eleventh year thereafter, and one-tenth annually thereafter until the full purchase price has been paid: *Provided, further*, That before any such lands are offered for sale the board of state land commissioners shall prescribe the extent and character of the improvements that shall be placed upon said lands annually during the first ten years of said contract and said contract shall be subject to forfeiture if

Terms of sale.

Interest on deferred payments.

Twenty year sales.

Improvements required.

the holder thereof shall fail each year to make such improvements as shall be prescribed by said board of state land commissioners before said lands are offered for sale, and the making of such improvements by such contract holder shall, in addition to the payments provided for in said contract, be considered as a part consideration therefor. Every such purchaser shall render to said board between the 10th day of December and the 31st day of December of said years a full and complete statement of the character and cost of the improvement placed upon said land during such year. Any such purchaser shall have the right to improve said lands during any one year to any greater extent than that prescribed by the board of state land commissioners, if he so desires, and he may pay the full purchase price upon said lands at any time prior to the dates of payment as above provided for, if the board of state land commissioners are satisfied that the improvements which he has placed upon said lands are such as to insure the *bona fide* cultivation and use thereof for agricultural, horticultural and dairying purposes. All deferred payments upon said contract shall draw interest at the rate of four per cent (4%) per annum for the first ten years after the date of sale and thereafter at the rate of six per cent (6%) per annum until the full purchase price has been paid. The object and purpose of this proviso is to encourage the cultivation and improvement of state lands and the use of such lands for agricultural, horticultural or dairying purposes and it shall be construed to be additional to and concurrent with existing laws so far as necessary to the carrying out of such object and purpose.

When the entire purchase price of any land shall have been fully paid, such fact shall be certified by the commissioner of public lands to the governor, whereupon he shall cause a patent to be issued to the purchaser. Patents shall be signed by the governor and attested by the secretary of state, with the seal of the state attached thereto, and shall be recorded in the office of the commissioner of public lands, and no fee shall be required for any deed or patent

Rate of
interest.

Patents.

of land issued by the governor, other than the fee provided for in this chapter: *Provided, further,* That each and every contract for the sale of any state lands, or deeds or patents to such state lands except deeds or patents issued pursuant to contracts heretofore made shall contain the following saving clause: "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, coal, ores, minerals and fossils of every name, kind or description, and which may be in or upon said lands above described, or any part thereof, and the right to explore the same for such oil, gases, coal, ores, minerals, and fossils; and it also hereby expressly saves and 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 said 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 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 its or their 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 soil, and to remain on said lands or any part thereof for the business of mining and to occupy as much of said 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 said land, whether herein expressed or not, reasonably necessary or convenient to render beneficial and efficient the complete enjoyment of the property and rights hereby expressly reserved:" *Provided, further,* that no rights shall be exercised under this reservation by the state, its successors or assigns, until provision has been made by the state, its successors or assigns to pay

Reservation
of minerals.

Payment of
damages to
owner.

to the owner of the land upon which the rights herein reserved to the state, its successors or assigns are sought to be exercised, full payment for all damages sustained by said owner, by reason of entering upon said land: *And provided further*, That if said owner from any cause whatsoever refuses or neglects to settle said damages, then the state, its successors or assigns, or any applicant for a lease from said state, shall have the right to institute such legal proceedings in the superior court of the county wherein the land is situate, as shall be necessary to determine the damages which said owner of said land may suffer, and upon payment or tender of the amount so ascertained to the owner by said applicant, he shall be entitled to a lease pursuant to the laws of this state and shall have a preferred right to said lease as of the date of the filing of his application with the commissioner of public lands for said lease.

Proceedings where owner refuses to settle damages.

Passed the Senate February 20, 1917.

Passed the House March 7, 1917.

Approved by the Governor March 15, 1917.

CHAPTER 150.

[S. B. 219.]

PLATTING AND DONATION OF SHORELANDS AND HARBOR AREAS FOR PUBLIC USE.

AN ACT providing for the setting apart and donating for public use certain shorelands, providing for the platting of harbor areas and making an appropriation for such purposes.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That as soon as practicable after the taking effect of this act it shall be the duty of the commissioner of public lands to plat for the public use harbor area in front of such portions of the shorelands of Lake Washington heretofore sold as second class shorelands by the State of Washington as in the opinion of said com-

Plat of Lake Washington second class shorelands.