

of a declaration of forfeiture in the records of the commissioner of public lands. The amount of rock, gravel, sand, or silt taken under the contract or lease shall be reported monthly by the purchaser to the commissioner of public lands and payment therefor made on the basis of the royalty provided in the lease or contract.

Declaration of forfeiture.

Monthly report.

SEC. 3. The commissioner of public lands may inspect and audit books, contracts and accounts of each person removing rock, gravel, sand, or silt pursuant to any such lease or contract and make such other investigation and secure or receive any other evidence necessary to determine whether or not the state is being paid the full amount payable to it for the removal of such materials.

Inspection and auditing of records authorized.

Passed the Senate February 24, 1955.

Passed the House March 7, 1955.

Approved by the Governor March 22, 1955.

CHAPTER 387.

[Sub. S. B. 432.]

PUBLIC LANDS—RESERVATION OF TIDELANDS FOR RECREATIONAL USE.

AN ACT relating to public lands; withdrawing certain tidelands of the state from sale or lease; and authorizing the director of fisheries to provide rights of way and docks.

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

SECTION 1. The following described tidelands, being public lands of the state, are withdrawn from sale or lease and reserved as public areas for recreational use and for the taking of fish and shell fish for personal use as defined in RCW 75.04.070:

Tidelands withdrawn from sale or lease—reserved as public areas for recreational use.

Parcel No. 1. (Point Whitney) The tidelands of the second class, owned by the state of Washington, situate in front of, adjacent to or abutting upon lots

Description. Parcel No. 1. Point Whitney.

3, 4, and 5, section 7, township 26 north, range 1 west, W. M., with a frontage of 72.45 lineal chains, more or less.

Excepted from Parcel No. 1.

Excepting, however, those portions of the above described tidelands of the second class conveyed to the state of Washington, department of fisheries and game through deed issued May 14, 1925 under application No. 8136, records of department of public lands.

Parcel No. 2, Point Whitney.

Parcel No. 2. (Point Whitney) The tidelands of the second class lying below the line of mean low tide, owned by the state of Washington, situate in front of lot 1, section 6, township 26 north, range 1 west, W. M., with a frontage of 21.00 lineal chains, more or less; also

The tidelands of the second class, owned by the state of Washington, situate in front of, adjacent to or abutting upon lots 6 and 7, and that portion of lot 5, section 1, township 26 north, range 1 west, W. M., lying south of a line running due west from a point on the government meander line which is S 22° E 1.69 chains from an angle point in said meander line which is S 15° W 1.20 chains, more or less, from the point of intersection of the north line of said lot 5 and said meander line, with a frontage of 40.31 lineal chains, more or less.

Parcel No. 3, Toandos Peninsula.

Parcel No. 3. (Toandos Peninsula) The tidelands of the second class, owned by the state of Washington, situate in front of, adjacent to, or abutting upon lots 1, 2, and 3, section 5, lots 1, 2, and 3, section 4, and lot 1, section 3, all in township 25 north, range 1 west, W. M., with a frontage of 158.41 lineal chains, more or less.

Parcel No. 4, Shine.

Parcel No. 4. (Shine) The tidelands of the second class, owned by the state of Washington, situate in front of, adjacent to, or abutting upon lots 1, 2, 3 and that portion of lot 4 lying north of the south 8.35 chains thereof as measured along the government

meander line, all in section 35, township 28 north, range 1 east, W. M., with a frontage of 76.70 lineal chains, more or less.

Subject to an easement for right of way for county road granted to Jefferson county December 8, 1941 under application No. 1731, records of department of public lands.

Parcel No. 4
subject to
easement.

Parcel No. 5. (Lilliwaup) The tidelands of the second class, owned by the state of Washington, lying easterly of the east line of vacated state oyster reserve plat No. 133 produced southerly and situate in front of, adjacent to or abutting upon lot 9, section 30, lot 8, section 19 and lot 5 and the south 20 acres of lot 4, section 20, all in township 23 north, range 3 west, W. M., with a frontage of 62.46 lineal chains, more or less.

Parcel No. 5,
Lilliwaup.

Subject to easements for rights of way for state road granted through the filing of state road plats No. 374 December 15, 1930, No. 661 March 29, 1949 and No. 666 August 25, 1949, records of department of public lands.

Parcel No. 5
subject to
easements.

Parcel No. 6. (Nemah) Those portions of the tidelands of the second class, owned by the state of Washington, situate in front of, adjacent to, or abutting upon lots 5, 6, and 7, section 3 and lots 1, 2, and 3, section 4, township 12 north, range 10 west, W. M., lots 1, 2, 3, and 4, section 34, section 27 and lots 1, 2, 3 and 4, section 28, township 13 north, range 10 west, W. M., lying easterly of the easterly line of the Nemah Oyster reserve and easterly of the easterly line of a tract of tidelands of the second class conveyed through deed issued July 28, 1938 pursuant to the provisions of chapter 24, Laws of 1895 under application No. 9731, with a frontage of 326.22 lineal chains, more or less.

Parcel No. 6,
Nemah.

Parcels No. 7 and 8. (Penn Cove) The unplatted tidelands of the first class, and tidelands of the second class, owned by the state of Washington, sit-

Parcels No. 7
and 8,
Pen Cove.

uate in front of, adjacent to, or abutting upon lots 1 and 2, section 33, lots 1, 2, 3, and 4, section 32, lots 2 and 3 and the B. P. Barstow D.L.C. No. 49, sections 30 and 31 and that portion of the R. H. Lansdale D.L.C. No. 54 in section 30, lying west of the east 3.00 chains thereof as measured along the government meander line, all in township 32 north, range 1 east, W. M., with a frontage of 260.34 lineal chains, more or less.

Excepting from Parcels No. 7 and 8; subject to easement.

Excepting, however, the tidelands above the line of mean low tide in front of said lot 1, section 32 which were conveyed as tidelands of the second class through deed issued December 29, 1908 application No. 4957, records of department of public lands.

Subject to an easement for right of way for transmission cable line granted to the United States of America Army Engineers June 7, 1943 under application No. 17511, records of department of public lands.

Parcel No. 9, south of Penn Cove.

Parcel No. 9. (South of Penn Cove) The tidelands of the second class, owned by the state of Washington, situate in front of, adjacent to, or abutting upon lots 2, 3 and 4, section 17 and lots 1, 2 and 3, section 20, township 31 north, range 2 east, W. M., with a frontage of 129.97 lineal chains, more or less.

Parcel No. 10, Mud Bay—Lopez Island.

Parcel No. 10. (Mud Bay—Lopez Island) The tidelands of the second class, owned by the state of Washington situate in front of, adjacent to, or abutting upon lots 5, 6 and 7, section 18, lot 5, section 7 and lots 3, 4, and 5, section 8, all in township 34 north, range 1 west, W. M., with a frontage of 172.11 lineal chains, more or less.

Excepting from Parcel No. 10.

Excepting, however, any tideland of the second class in front of said lot 3, section 8 conveyed through deeds issued April 14, 1909 pursuant to the provisions of chapter 24, Laws of 1895 under application No. 4985, records of department of public lands.

Parcel No. 11. (Cattle Point) The tidelands of the second class, owned by the state of Washington, situate in front of, adjacent to, or abutting upon lot 1, section 6, lots 1, 3, 4, 5, 6, 7, 8, 9, and 10, section 7, lots 1, 2, 3, 4, 5, 6 and 7, section 8 and lot 1, section 5, all in township 34 north, range 2 west, W. M., with a frontage of 463.88 lineal chains, more or less.

Parcel No. 11,
Cattle Point.

Excepting, however, any tidelands of the second class in front of said lot 10, section 7 conveyed through deed issued June 1, 1912 under application No. 6906, records of department of public lands.

Excepting
from
Parcel No. 11.

Parcel No. 12. (Spencer Spit) The tidelands of the second class, owned by the state of Washington, situate in front of, adjacent to, or abutting upon lots 1, 3, and 4, section 7, and lot 5, section 18 all in township 35 north, range 1 west, W. M., with a frontage of 118.80 lineal chains, more or less.

Parcel No. 12,
Spencer Spit.

SEC. 2. The director of fisheries may take appropriate action to provide public and private access, including roads and docks, to and from the tidelands herein described.

Public and
private access
to be
provided.

Passed the Senate February 28, 1955.

Passed the House March 6, 1955.

Approved by the Governor March 22, 1955.