

49741

STATE OF WASHINGTON
OFFICE OF
COMMISSIONER OF PUBLIC LANDS

MINERAL PROSPECTING LEASE

THIS INDENTURE, Made this 14th day of September, 1955, by and between the State of Washington as lessor and JOHN T. MCKITTRICK as lessee.

WITNESSETH, That the State of Washington, for and in consideration of the sum of Five and no/100 (\$5.00) Dollars, which has been paid by the lessee, do hereby lease,

demise, and let unto said lessee, his heirs, successors and assigns, the following described School land, situate in said state, county of Skamania, and particularly

described as follows, to-wit:
NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 16, Township 1 North, Range 5 East, W.M., containing 40 acres or less, according to the government survey thereof.

The above described land has been sold by the State and the lessee herein may not actually enter upon the land until a waiver has been secured from the owner thereof. A legal method is provided in the event the same is refused.

The lessee will be required to perform work or make improvements upon the leased premises to an amount of not less than fifty dollars (\$50.00) for each forty (40) acres included in said lease and will file with the Commissioner of Public Lands an affidavit of the performance of such work when application is made for a renewal of any mineral prospecting lease as provided by law.

TO HAVE AND TO HOLD unto the use of the said party of the second part for the term of two (2) years from the date hereof for the purpose of prospecting for and developing any minerals, except coal, oil and natural gas, that may be found upon said premises, and for no other purpose, and subject to the terms and conditions hereinafter set out.

The lessee may cut and use the timber on said premises necessary to erect and on the construction thereon of buildings required in the operation of any mine or mines on said premises and for drains, tramways and supports for such mine or mines, but for no other purpose. The lessee may during the term of this lease develop any mine or mines upon said premises and may remove not more than five (5) tons of ore therefrom for assaying and testing purposes, and shall remove no ore for any other purpose. Within sixty (60) days prior to the expiration of this lease, if this be the first lease of said premises issued to said lessee or his predecessors in interest, the lessee may apply to the commissioner of public lands of the State of Washington for a new lease thereof, and shall thereby acquire the right to such new lease upon such terms as may be then provided by law. At any time prior to the expiration of this lease or of any lease issued in renewal hereof, the holder thereof shall have the right to apply to the said commissioner of public lands for a contract and to obtain from said commissioner of public lands a contract which shall bind the State of Washington according to the terms of chapter 255 of the Session Laws of 1927.

The State of Washington reserves the right, by and through its proper officer or officers, or otherwise, to grant such easements for rights of way of necessity upon, over, through or across said lands or any part thereof as is now or may hereafter be authorized by law. The said lands are leased subject to all the provisions of chapter 255 of the Session Laws of 1927, which shall be as binding upon the lessee as though set out at length herein.

The lessee shall not sublet the above described premises or transfer possession thereof to any other party without the approval of the commissioner of public lands in writing first had and obtained.

It is agreed by the lessee that a breach of any of the conditions herein contained or the doing of any act hereinabove prohibited shall work a forfeiture of all his rights under this lease, and that the same may thereupon be cancelled by the lessor through its commissioner of public lands.

Executed in duplicate the day and year above written.

Witnesses as to Lessee:

Elizabeth N. Burke
Eugene J. [unclear]

THE STATE OF WASHINGTON
By [Signature]
Commissioner of Public Lands

App. No. 4889
2131-39



TAKE NOTICE: This is merely a prospecting lease and does not convey title to the land.