HA1460 Re-1 Hart City of Bremerton - KITSAP

PREFIX 22

BARCODE #E83070903000185
BOX #185
JACKET #HA1460

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TITLE
1460
FILE ID
F898984
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HA1460

Re-Lse APPLICATION No. H.A. 1460

County KITSAP

To Re - Lease Harbor Area Lands

Applicant City of Bremerton

Filed December 14, 1948

Description Front E 30' lot 1 & W 30' lot 2 (High Ave) Bremerton Tide Lands

Sec. 14 Twp. 24 N. R. 1E.

2-10-49 Referred to ....., 19....

Report Inspection Filed ....., 19....

Appraised ....., 19....

Protest Filed ....., 19....

....., 19....

Notice of Leasing Mailed ....., 19....

Date of Lease Fixed ....., 19....

Notice of Leasing with App. No. .....

Report of Leasing Filed ....., 19....

Report of Leasing with App. No. .....

g 345 Lease No. 1421

To .....

OTHER SPECIAL PROCEEDINGS

MISCELLANEOUS MEMORANDA

Port of Bremerton

1723-3

S. F. No. 1590—4-47—2M. 15000

Beg H.A. Lse. No. 1421 noted 6-14-49, M.C.V.

S. F. No. 455—5-47—5M. 15294.

Bremerton

COMMISSIONER OF PUBLIC LANDS
OLYMPIA, WASH.

RECEIVED
APR 25 1949
COMMISSIONER OF PUBLIC LANDS
No.

INSPECTOR'S REPORT

Name of Grant Harbor Area County of Kitsap

The In front of Part Lots 1 & 2 (High Avenue) Sec. 14 Town 24N Range 1E

TOPOGRAPHY

See Sketch Inside Application No. 1460 Re-lease

600
6
$3600

DISTANCE and DIRECTION from corporate limits of any incorporated city or town, navigable lake, stream or body of water.

DISTANCE

DIRECTION In City of Bremerton

BACKGROUND—COLORS

Use dark green to represent green timber; vermillion, burnt-over timber land; blue for water, with appropriate indications of swamp or marsh land; yellow, sand, or very poor soil suitable for grazing only, with appropriate indications of scab rock, etc., burnt sienna, flat tint, to represent land and soil suitable for growing crops and where actually cultivated, use the same color ruled with brown suggestive furrows.

Inspected 4-22-, 1949 M E Bowler
Inspector.

Report written 4-22-, 1949 M E Bowler
Inspector.

SOIL—Examine closely, and make soil tests by ten-acre tracts, and report fully as to the character of soil and subsoil, surface conditions, kinds of crops or products the land will yield, with estimates or amounts per acre. Also whether the land requires irrigation and if so, whether water is available and how or by what method can water be applied.

How many acres agricultural? ✓ *; pastoral?* ✓ *; scab?* ✓

Can the land be irrigated? ✓ *If so, state the source and condition of the water supply*

What is the present market value of the land, exclusive of timber and improvements? (Answer by legal subdivisions and, if necessary, by ten-acre tracts.)

NOTE: Improvements for the purposes of this report include fencing, diking, draining, ditching, houses, barns, shelters, wells, slashings, clearing, orchards, breaking, and everything that has changed the land from its natural state.

Describe all improvements in detail, and state the value of each item separately:

See General remarks

(Read questions carefully before commencing to answer. Full, correct and complete answers to all questions must be made.)

On what government forty-acre tracts are the improvements situated? (Answer by items) ✓

When were the improvements made and by whom? (Answer fully as to each item) ✓

Who is the owner of the several items of improvement? (Answer fully as to each item, giving P. O. address of owner) ✓

Name of nearest railroad and distance therefrom ✓ *miles*

Nearest river or water course and how far distant Port Washington Narrows *miles*

Nearest shipping point Bremerton *miles*

If there is timber on the land, what is its extent, character and value? ✓

(Report fully any indications of the presence of minerals, including coal; also building stone, lime stone, etc.)

Value of stone on land, $ ✓ *; kind, quality and extent* ✓

Present rental value:

Agricultural land, $ ✓ *per acre per annum.*

Grazing land, $ ✓ *per acre per annum.*

What are the number of acres of tillable and arable land ✓ *, and on what government 40-acre tracts situated?* ✓ *Show in topography*

What are the number of acres of grazing land ✓ *, and on what government 40-acre tract situated?* ✓

What are the number of acres of natural hay land ✓ *, and on what government 40-acre tract situated?* ✓

Is any person occupying said land? If so, who? ✓

P. O address ✓ *, what portion?* ✓

and how long has he occupied same? ✓ *and under what claim?* ✓

Can payment for use and occupancy be collected if the land is being used without authority? ✓

How many acres are under cultivation? ✓

How many acres are being used as grazing lands? ✓

What is being raised on the land? ✓

What is the ✓ *annual yield per acre?* ✓

Market price at nearest shipping point? ✓

Does the land contain stock water? ✓

NOTE: Do not omit information reasonably called for by the brief headings, or questions printed herein. Be sure and insert all information, even though you may think it unimportant. Write fully and specifically.

NOTE: INSPECTOR READ AND REMEMBER—Answer every question fully, or if it does not apply to the case check it, thus indicating it has not been overlooked. If you do not find sufficient space following question, number question and complete answer under "General Report." Inspector, remember you do not appraise values. You merely furnish information that will enable the Department to determine values.

GENERAL REMARKS

There has been no change in the improvements or conditions existing under the previous lease.
Recommend issuing the new lease.

H.A. 1460

IF INSPECTOR DOES NOT ANSWER ALL QUESTIONS (or check them, thus indicating they have not been overlooked) THIS REPORT WILL BE RETURNED FOR CORRECTION

S. F. No. 1556—11-47—5M 16990.

STATE OF WASHINGTON
OFFICE OF
COMMISSIONER OF PUBLIC LANDS

REPORT OF ENGINEER

Olympia, February 10, 1949

To the Honorable Commissioner of Public Lands, Olympia, Wash.:

SIR: I herewith submit the following report on Application No. 1460 by City of Bremerton, City Hall, 239 Fourth Street, Bremerton, Washington, to re-lease harbor area in front of the east 30 feet of lot 1 and the west 30 feet of lot 2, section 14, township 24 north, range 1 east, W.M., located on Port Washington Narrows inthe City and Port of Bremerton in Kitsap County.

The desired harbor area was held under lease No. 1140 issued to the applicant August 9, 1938, for a term of 10 years under application No. 1169 at an annual rental of $18.00 for the first 6 years and $24.00 for the last 4 years.

The application states that a lease is desired for a term of 10 years, that the improvements consist of sewer pipe lines, claimed by the applicant.

The exhibits filed under former application No. 1169 have been brought forward to apply to this application.

The Port of Bremerton by resolution dated January 7, 1949, approves the re-leasing of the harbor area to the City of Bremerton.

The County Assessor by letter dated December 20, 1948, placed a full value of $600.00 on the desired harbor area.

The description follows:

All harbor area in front of the east 30 feet of lot 1, section 14 and the west 30 feet of lot 2, (High Avenue), section 14, township 24 north, range 1 east, W.M., and bounded by the inner and the outer harbor lines and the side lines of said portions of lots 1 and 2 produced to and across the harbor area to the outer harbor line, as shown on the official maps

of Bremerton Tide Lands on file in the office of the Commissioner of Public Lands at Olympia, Washington.

APPROXIMATE DIMENSIONS

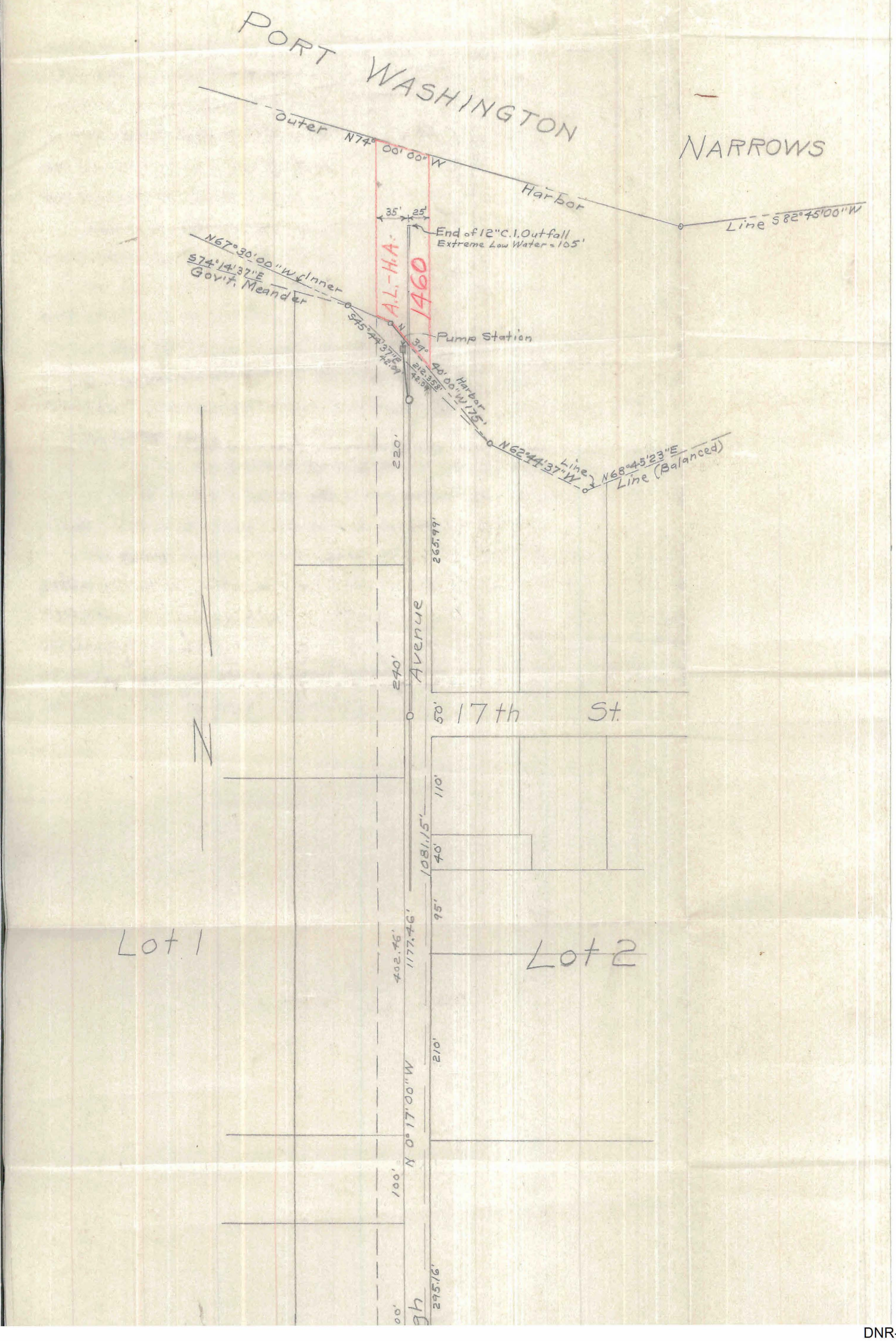
Length along inner harbor line . . . 86 feet
Length along outer harbor line . . . 62 feet
Average width of harbor area . . . .220 feet
Approximate area . . . . . 0.3 acre

Respectfully submitted,

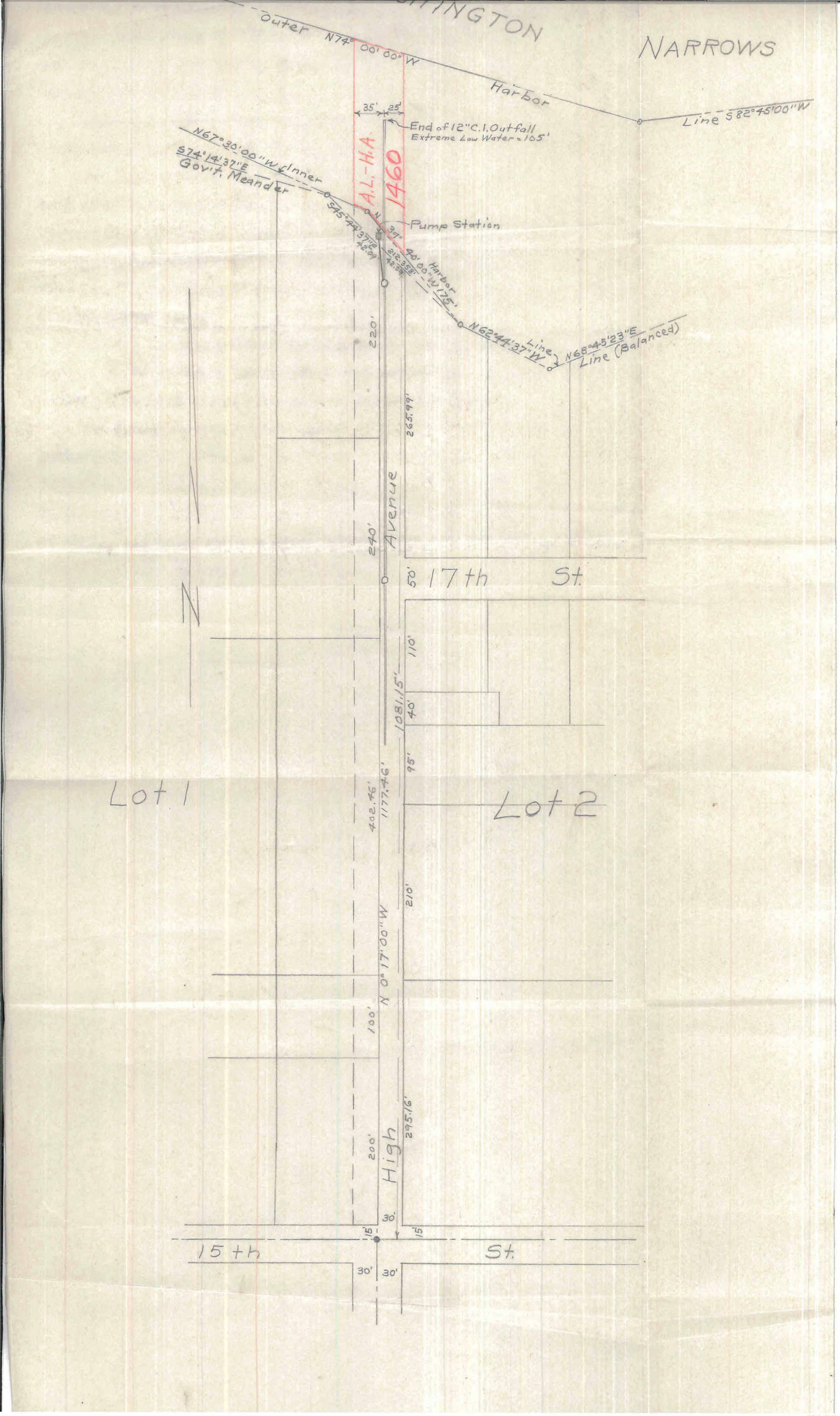
RAYMOND F. REED
Chief Engineer

ATM:jij WM RCC
App. 1460

Sec. 14, Twp. 24N., Rge. 1E., W.M.
Scale: 1 inch = 100 feet



DNR-00020156


NARROWS
Outer N74° 00' 00" W Harbor Line S82°45'00"W
35'
25'
End of 12" C.I. Outfall
Extreme Low Water = 105'
A.L.-H.A.
1460
N67°30'00"W Inner
S74°14'37"E
Govt. Meander
S45°44'37"E
42.09'
Pump Station
39°
212.35'
42.09'
40'00"W 175' Harbor
N62°44'37"W Line
N68°45'23"E Line (Balanced)
220'
265.99'
270'
Avenue
50'
17th St.
110'
1081.15'
40'
95'
402.46'
1177.46'
Lot 1
Lot 2
210'
N 0°17'00"W
100'
295.16'
200'
High
30'
15'
15'
15th St.
30'
30'

August 14, 1958

City of Bremerton
Bremerton,
Washington

Gentlemen:

Your lease No. 1421 will expire August 9, 1958. You must make application within thirty days after the expiration of your present lease.

Enclosed herewith you will find a blank application to re-lease. This must be accompanied by the expired lease and a deposit of $10.00.

If the application to re-lease is not filed, the improvements will become the property of the State if not removed within sixty days from the termination of the lease.

Very truly yours,

BERT L. COLE, Commissioner

By_____
James V. Cotton
Office Manager

JVC:r
enc
App. No. H. A. 1460

LEASE NO. 1421 APPLICATION NO. 1460

OLD VALUATION $ 600.00

OLD RENTAL 36.00

1952 NEW VALUATION 600.00

NEW RENTAL 36.00

PERCENTAGE 6%

DUE DATE August 9

DNR-00020159

July 10, 1958

City of Bremerton
Bremerton,
Washington

Gentlemen:

Your lease no. 1421 will expire August 9, 1958, you must make application within thirty days after the expiration of your present lease.

Enclosed herewith you will find a blank application to re-lease. This must be accompanied by the expired lease and a deposit of $10.00.

If the application to re-lease is not filed, the improvements will become the property of the State if not removed within sixty days from the termination of the lease.

Very truly yours,

BERT L. COLE, Commissioner

By_____
James V. Cotton
Office Manager

JVC:r
enc
App. No. H. A. 1460

LEASE NO. 1421

APPLICATION NO. 1460

OLD VALUATION $600.00

OLD RENTAL 36.00

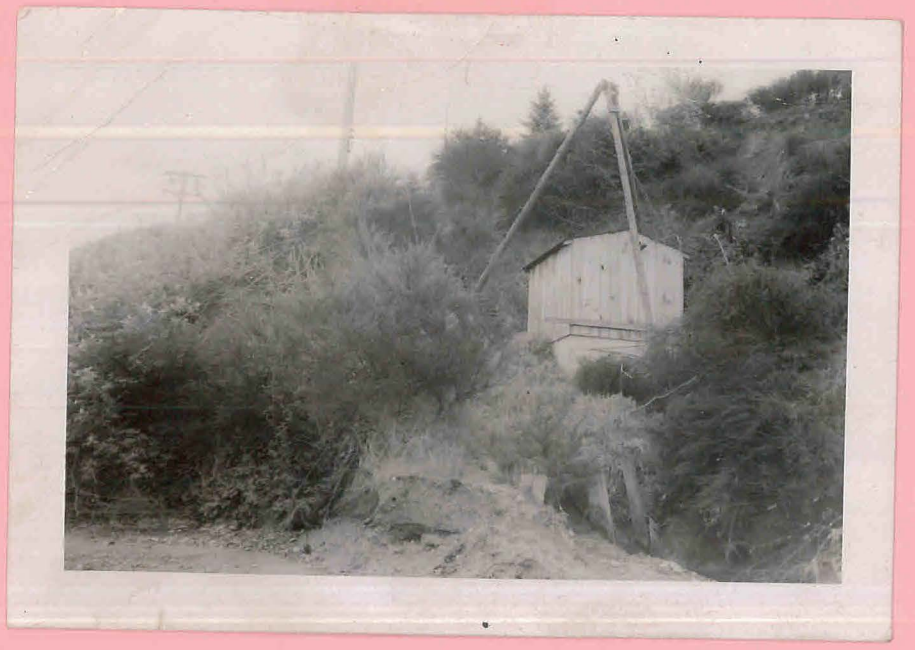
1956 NEW VALUATION 600.00

NEW RENTAL 36.00

PERCENTAGE 6%

DUE DATE August 9

DNR-00020161



LEASE NO. 1421 APPLICATION NO. 1460

OLD VALUATION $600.00

OLD RENTAL 36.00

1954 NEW VALUATION 600.00

NEW RENTAL 36.00

PERCENTAGE 6%

DUE DATE August 9th

S. F. No. 490—1-45—1M. 7782. DUPLICATE

STATE OF WASHINGTON, COUNTY OF THURSTON, ss.

THIS INDENTURE, Made this 26th *day of* May, *A. D. 194*9

by and between the State of Washington, party of the first part, lessor, and

City of Bremerton, *party of the second part, lessee*

WITNESSETH, That the State of Washington, lessor, does hereby lease, demise and let unto said party of the second part the following described property, situate in said State, County of Kitsap, *and being that part of the harbor area in front of the following described property, to-wit:*

Portions of

*Lot*s 1 and 2,

Bremerton Tide *Lands,*

and more particularly described as follows:

All harbor area in front of the east 30 feet of lot 1, section 14 and the west 30 feet of lot 2, (High Avenue), section 14, township 24 north, range 1 east, W.M., and bounded by the inner and the outer harbor lines and the side lines of said portions of lots 1 and 2 produced to and across the harbor area to the outer harbor line, as shown on the official maps of Bremerton Tide Lands on file in the office of the Commissioner of Public Lands at Olympia, Washington.

Annual rental, $ 36.00 first period

Payable August 9th

Application No. 1460

J 3215

C/M

To have and to hold for the term of ten (10) *years from* August 9, 1948 ~~*the date of this instrument*~~, *for the purpose of building and maintaining upon the above described harbor area, wharves, docks and other structures for the convenience of navigation and commerce, as may be determined by legislative enactment or by rule of the Commissioner of Public Lands.*

This indenture is executed in consideration of the covenants and stipulations herein contained, and of the payment annually in advance of rental in the amount 6 *% of the true value, in money, of the harbor area (exclusive of improvements) as fixed by the assessor of* Kitsap *County in accordance with the provisions of Sec. 5, Chap. 171 of the Laws of 1923 as follows:*

"The assessor shall thereupon in accordance with section 11121 of Remington's Compiled Statutes determine the true and fair value in money of such harbor area (exclusive of the improvements thereon) as of March 1st preceding the date of the filing of such application and certify the same to the commissioner. Such value shall be the basis of rental until the assessor's next valuation as herein provided. The assessor shall thereafter in every even numbered year as of March 1st place a valuation on such harbor area (exclusive of improvements) in accordance with said section 11121, Remington's Compiled Statutes, and certify the same to the commissioner and such valuation shall be the basis of rental for the two-year period following such valuation."

The State of Washington shall have the right to regulate, either under rules established by the Commissioner of Public Lands, or by legislative enactment, or by both methods, the rates of wharfage, dockage and other tolls, to be imposed by the lessee..... upon commerce for any of the purposes for which said leased harbor area may be used, and to change such regulations and rates from time to time, and the right to prevent by such means and in such manner as it may adopt, extortion, discrimination, unequal or exclusive privileges, and to cancel this lease for the violation of any law, rule, regulation or order governing the same.

The State of Washington shall have the power by the Commissioner of Public Lands to cancel this lease upon a breach of any of its conditions by the lessee..... or for the failure or refusal of the said lessee..... to erect, within a reasonable time hereafter, and continuously to operate and maintain in and upon the above described harbor area the wharves, buildings or other structures described and represented in the exhibits of improvements proposed to be erected therein by said lessee....., which have heretofore been filed with the Commissioner of Public Lands, or as altered with the consent and approval of said Commissioner entered upon his records.

The State of Washington reserves unto itself, port district, county, city or other public agency in the territory where the portion of the harbor area described in this lease is located, the right to assume and thereafter hold this lease upon acquirement of the tide lands contiguous thereto and fronting thereon, without any value for said lease except for improvements thereon: Provided, That this covenant shall not be held to apply to any cancellation of this lease ordered by the Commissioner of Public Lands on account of fraud or breach of any of the covenants of this lease, or a failure to file and keep therewith a good and sufficient bond as provided by law, but in such case the improvements upon the said leased area shall become the property of the State.

The lessee..... shall not make or suffer to be made any artificial filling in of said leased area or any deposit of rock, earth, ballast, refuse, garbage or other matter within such area, except as provided by law or as approved in writing by the Commissioner of Public Lands.

If the said lessee..... shall fail to pay to the State the rental hereinbefore provided on the date when the same is due, or within sixty days thereafter, the Commissioner of Public Lands may declare this lease canceled and all rights or claims of the said lessee..... under this lease in and to the said area or in or to any improvement therein or thereon, shall immediately thereupon vest in the State of Washington.

The lessee..... herein shall not sub-let the whole or any part of said leased area except upon the written permission of the Commissioner of Public Lands.

All the conditions and covenants set forth in this indenture are declared to be of the essence of the contract, and a breach of any one is a breach of the whole.

Executed in duplicate this day and year above written.

THE STATE OF WASHINGTON.

By Jack Taylor, *Commissioner of Public Lands.*

CITY OF BREMERTON

BY: L. "Hum" Kean

L. "Hum" Kean, Mayor

ATTEST:

E. H. T. McGowan (Witness)

E. H. T. McGowan, City Clerk

Lessee.....

P. O. Address Bremerton, Washington

Gerald C. Yeadon (Witness)

Gerald C. Yeadon, Chief Deputy City Clerk *County, State of.....*

DNR-00020164

STATE OF WASHINGTON,
County of Kitsap } ss.

We, City of Bremerton
of ....., as principal ....., and we, Lulu D. Haddon and
David B. Wheaton
as sureties, all of the State of Washington, County of Kitsap, do confess ourselves indebted to the State of Washington in the penal sum of Five Hundred ($500) Dollars, and to the payment of which we are held and firmly bound, and do by these presents bind ourselves, our and each of our heirs, executors, administrators or assigns, jointly and severally, firmly by these presents.

Sealed with our seals this 1st day of June, A. D. 1949

The condition of the above obligation is such that, Whereas, the principal ....., in the foregoing bond did enter into a certain lease and contract with the State of Washington (which is hereto attached and made part of this instrument, and all the conditions of which are written into and made part of this instrument), whereby the above bounden principal ..... has ..... leased from the State of Washington the part, lot or parcel of property described in said hereto attached lease and contract, upon all the conditions set up in said lease and contract: Now, therefore, if the said above named lessee ....., the principal ....., herein, shall well and truly perform all the conditions set up and prescribed in the said lease and contract hereto attached, in all and every part thereof, then this bond shall be considered satisfied and discharged; otherwise it shall have full force and effect.

Signed with our hands and sealed with our seals, this day and year first above written.

CITY OF BREMERTON
By: L. "Hum" Kean [SEAL]
L. "Hum" Kean, Mayor

Attest;
E. H. T. McGowan
E. H. T. McGowan, City Clerk

Lulu D. Haddon [SEAL]
Lulu D. Haddon

David B Wheaton [SEAL]
David B. Wheaton

..... [SEAL]

The foregoing bond and the sureties thereon approved this 12th day of July, 1949

/s/ Jack Taylor
PLZ Commissioner of Public Lands.

TO BE EXECUTED BY SURETIES ONLY

STATE OF WASHINGTON,
County of Kitsap } ss.

Lulu D. Haddon and David B. Wheaton,
being first duly sworn, each for himself, and not one for the other, deposes and says: That he is a citizen of the State of Washington and is not barred by any statute of said State from executing bonds or becoming a surety; that he is one of the persons named in and who executed the foregoing obligation as surety, and that the same is his free and voluntary act and deed for the uses and purposes therein mentioned; that he is worth the sum of $500.00, over and above all his just debts and liabilities, in separate property situated in said State, and not exempt from sale on execution.

Lulu D. Haddon
Lulu D. Haddon

David B. Wheaton
David B. Wheaton

Subscribed and sworn to before me this 6th day of June, A. D. 1949

John J. McPherson
Notary Public in and for the State of Washington,
Residing at Bremerton

DNR-00020165

DUPLICATE

No. 1421

LEASE AND BOND

OF

Harbor Areas

STATE OF WASHINGTON

TO

City of Bremerton

Address Bremerton, Wash.

Harbor of Bremerton

Application No. 1460
1723-3

DNR-00020166

CITY OF BREMERTON

WASHINGTON

CITY CLERK AND PURCHASING AGENT

E. H. T. McGOWAN
~~FRED C. WYCKOFF~~
CITY CLERK

June 7, 1949

Mr. Jack Taylor, Commissioner
Department of Public Lands
Olympia, Washington

Dear Sir:

As requested in your letter of May 26, 1949, Harbor Area Re-Lease No. 1723-3 has been signed by the City of Bremerton and the bond form has been filled out and signed by two City Commissioners.

Harbor Area Re-Lease No. 1723-3, in duplicate, is returned herewith for your execution.

Very truly yours,

E. H. T. McGowan, City Clerk

By Gerald C. Yeadon
Chief Deputy

gcy
Encl. 2

RECEIVED
JUN 8 1949
COMMISSIONER OF PUBLIC LANDS
No.

DNR-00020167

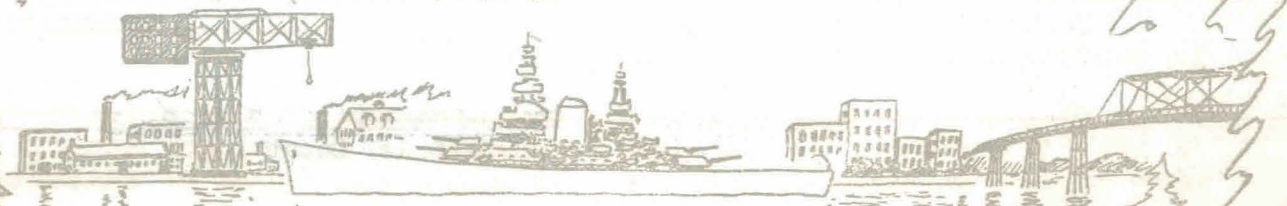
The GATEWAY to VACATIONLAND in the MAJESTIC OLYMPICS

BREMERTON, WASH.

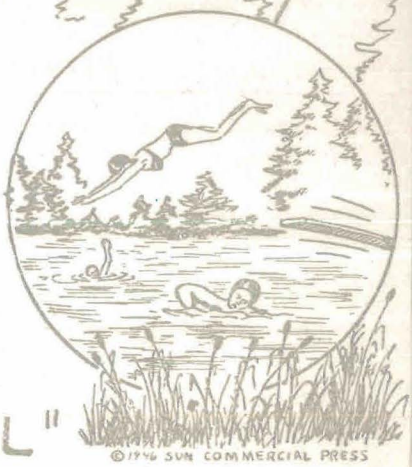
PUGET SOUND NAVAL BASE

The HOME of the

PACIFIC FLEET



The PLAYGROUND of the PACIFIC NORTHWEST



From "SEA LEVEL to SKI LEVEL"

©1946 SUN COMMERCIAL PRESS

DNR-00020168

May 26, 1949

NOTE: The third page of this lease is in bond form which must be properly filled out before the lease is in force. The bond must be executed by a bonding company or two business associates, each of whom are worth not less than $500.00. Please do not faile to properly execute the bond.

City of Bremerton
Bremerton,
Washington

Dear Sir:

Enclosed you will find Harbor Area Re-Lease No. 1723-3 in duplicate for your signature.

Please sign BOTH copies in the presence of two witnesses, on the line designated for the purchaser or lessee and return BOTH copies to this office. The original will then be executed by the Commissioner and returned to you.

Be sure that the signature on the line designated is executed exactly the same as the name is written into the body of the document. This is essential because the document will be returned to you if the signature is not correct.

Remember that you are not entitled to possession of this property until you have signed this instrument and returned BOTH copies to the Commissioner of Public Lands and it has been sent to you after being executed by the Commissioner.

Please sign with INK.

Very truly yours,

JACK TAYLOR,
Commissioner of Public Lands

PB
encs.

APPLICATION NO. 1460

ISSUE GRAVEL)
TIMBER)

CERTIFICATE

CONTRACT

DEED

RE-LEASE Harbor Area

TO City of Bremerton
100% Valuation - $600.00

CONSIDERATION $36.00 6% first period

DESCRIPTION See Eng Report

REMARKS Date: August 9, 1948
Term: 10 years

RETURN TO Locke

DNR-00020170

DEPARTMENT OF PUBLIC LANDS
Office of Commissioner

In re: Application No. 1460 by City of Bremerton for the Re-lease of Harbor Area in front of Certain Bremerton Tide Lands.	O R D E R May 23, 1949

It appearing to the Commissioner at this time that Application No. 1460 has been filed in this office by the City of Bremerton for the re-lease of harbor area lying in front of the east 30 feet of lot 1 and the west 30 feet of lot 2, section 14, township 24 north, range 1 east, W.M., Bremerton Tide Lands, Kitsap County, more particularly described as follows:

> All harbor area in front of the east 30 feet of lot 1, section 14 and the west 30 feet of lot 2, (High Avenue), section 14, township 24 north, range 1 east, W.M., and bounded by the inner and the outer harbor lines and the side lines of said portions of lots 1 and 2 produced to and across the harbor area to the outer harbor line, as shown on the official maps of Bremerton Tide Lands on file in the office of the Commissioner of Public Lands at Olympia, Washington.

and

It further appearing that said application was referred to the Assessor of Kitsap County and to the Port Commission of the Port of Bremerton; that from information obtained it appears that the harbor area has a one hundred per cent valuation of $600.00; that from other information secured it appears that the rental value of the harbor area is $36.00 for the first period; that this amount is 6% of the valuation of the harbor area as fixed by the County Assessor; and

It further appearing that no new exhibits have been filed under Application No. 1460, as the applicant desired that the exhibits submitted with the previous lease be advanced for the new lease, and the Commissioner being fully advised and believing that the application to re-lease should be granted, it is therefore

ORDERED and DETERMINED that the rental for a re-lease to be issued under Application No. 1460, as filed by the City of Bremerton, be and the same is hereby fixed at $36.00 per annum for the first period, which is at the rate of 6% of the value as determined by the Assessor of Kitsap County according to the provisions of Section 11121, Remington's Compiled Statutes;and that upon payment of the amount of the first year's rental and the statutory fee a re-lease be issued to the applicant for a period of ten years; and it is further

ORDERED and DIRECTED that the exhibits advanced to apply under said Application No. 1460, be and the same are hereby approved as the exhibits under this application, and that a good and sufficient bond be approved on the re-lease to be issued under said Application No. 1460.

Dated this 23rd day of May, A. D., 1949.

Jack Taylor

Commissioner of Public Lands

PB

DNR-00020172

SALES PENDING MEMO

Name City of Bremerton Address Bremerton, Wash

Lease or contract No. Application No. Harbor Lease ~~1460~~ xApplication 1460

Reasons for placing in sales pending: Balance due on Application 1460

Sales pending $ 31.00

APPLIED
JUN 14 1949
P.M.

ENTERED
MAY 20 1949
COMMISSIONER OF PUBLIC LANDS
OFFICE No. 2300

5294
X

May 10, 1949

L."Hum" Kean, Mayor
Bremerton,
Washington

Dear Mayor Kean:

Reference is made to Application No. 1460 filed by the City of Bremerton for the renewal of the lease on the harbor area in front of certain Bremerton Tide Lands in section 14, township 24 north, range 1 east, W. M.

We will issue the lease at an annual rental of six per cent of the valuation fixed by the County Assessor. For the first year, this will be $36.00 and there will be a $5.00 lease fee, or a total of $41.00. You have $10.00 on deposit and if you will forward an additional remittance of $31.00, the lease will be prepared.

Very truly yours,

JACK TAYLOR
Commissioner

FOS:er
App. 1460

Waiting

5294
X

March 24, 1949

City of Bremerton
Bremerton, Washington

Attention: Gerald C. Yeadon, Chief Deputy

Gentlemen:

We have your letter concerning your application No. 1460 to lease certain harbor area in the vicinity of High Avenue in the City of Bremerton.

This matter is in the hands of our inspection department. As soon as we receive a report from our inspector in that district, we will be in a position to notify you of the rental and the remittance required to obtain the lease.

Very truly yours,

JACK TAYLOR, Commissioner

By:
FRANK YATES
Assistant Commissioner

RFR:jij
1517
H.A.1460 RETURN TO ENGINEERS

CITY OF BREMERTON

WASHINGTON

CITY CLERK AND PURCHASING AGENT

E. H. T. McGOWAN
~~FRED C. WYCKOFF~~
CITY CLERK

March 22, 1949

Mr. Jack Taylor
Commissioner of Public Lands
Olympia, Washington

Re: H.A. 1460

Dear Sir:

On December 16, 1948, your office wrote the City stating that our application to re-lease the harbor area in front of the east 30 feet of lot 1 and the west 30 feet of lot 2, (High Avenue), section 14, township 24 north, range 1 east, W.M., Bremerton Tide Lands, had been filed under serial number H.A. 1460.

Not having heard from you since that date relative to our application, we are now inquiring as to the status of said application. We will appreciate your bringing us up to date on this matter.

Very truly yours,

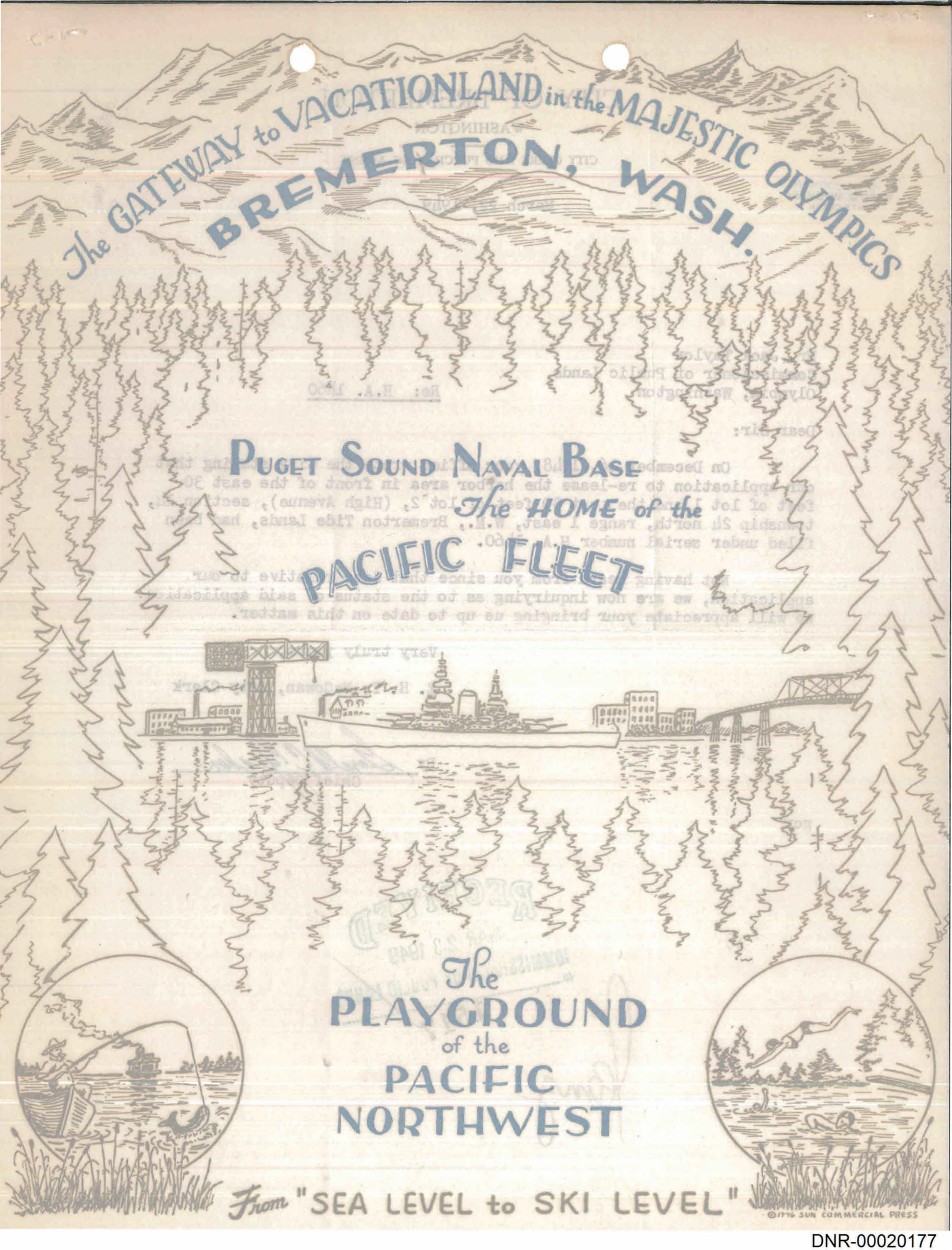
E. H. T. McGowan, City Clerk

By Gerald C. Gleason
Chief Deputy

gcy

RECEIVED
MAR 23 1949
COMMISSIONER OF PUBLIC LANDS
No. 1517

DNR-00020176



DNR-00020177

S. F. No. 1556—11-47—5M 16990.

STATE OF WASHINGTON
OFFICE OF
COMMISSIONER OF PUBLIC LANDS

REPORT OF ENGINEER

Olympia, February 10, 1949

To the Honorable Commissioner of Public Lands, Olympia, Wash.:

SIR: I herewith submit the following report on Application No. 1460 by City of Bremerton, City Hall, 239 Fourth Street, Bremerton, Washington, to re-lease harbor area in front of the east 30 feet of lot 1 and the west 30 feet of lot 2, section 14, township 24 north, range 1 east, W.M., located on Port Washington Narrows inthe City and Port of Bremerton in Kitsap County.

The desired harbor area was held under lease No. 1140 issued to the applicant August 9, 1938, for a term of 10 years under application No. 1169 at an annual rental of $18.00 for the first 6 years and $24.00 for the last 4 years.

The application states that a lease is desired for a term of 10 years, that the improvements consist of sewer pipe lines, claimed by the applicant.

The exhibits filed under former application No. 1169 have been brought forward to apply to this application.

The Port of Bremerton by resolution dated January 7, 1949, approves the re-leasing of the harbor area to the City of Bremerton.

The County Assessor by letter dated December 20, 1948, placed a full value of $600.00 on the desired harbor area.

The description follows:

All harbor area in front of the east 30 feet of lot 1, section 14 and the west 30 feet of lot 2, (High Avenue), section 14, township 24 north, range 1 east, W.M., and bounded by the inner and the outer harbor lines and the side lines of said portions of lots 1 and 2 produced to and across the harbor area to the outer harbor line, as shown on the official maps

of Bremerton Tide Lands on file in the office of the Commissioner of Public Lands at Olympia, Washington.

APPROXIMATE DIMENSIONS

Length along inner harbor line . . . 86 feet
Length along outer harbor line . . . 62 feet
Average width of harbor area . . . .220 feet
Approximate area . . . . . 0.3 acre

Respectfully submitted,

RAYMOND F. REED
Chief Engineer

ATM:jij arm RCC
App. 1460

MERRILL WALLACE
ATTORNEY AT LAW
304 MEDICAL & DENTAL BLDG.
BREMERTON, WASH.
PHONE 1179

January 10, 1949

RECEIVED
JAN 11 1949
COMMISSIONER OF PUBLIC LANDS
No.

166

Commissioner of Public Lands
Olympia, Washington

Dear Sir:

In answer to your letter of December 16, 1948, relative to the City of Bremerton for an application of lease of certain lands therein described, enclosed please find Resolution of the Port Commission of Bremerton approving the application.

It would be appreciated if all further communications with the Port Commission could be addressed to the undersigned as Port Auditor and Attorney.

Very truly yours,

Merrill Wallace

MW:Sp
Encl.

No reply,
A.L. H.A. 1460
Ret Eng

R E S O L U T I O N

BE IT RESOLVED, That the application of the City of Bremerton to release the harbor area in front of the east 30 feet of Government Lot 1 and west 30 feet of Government Lot 2, Section 14, Township 24 North, Range 1 East, W.M., be and the same hereby is approved by the Bremerton Port Commission. And be it further

RESOLVED that a copy of this resolution be forwarded to the Commissioner of Public Lands as required by law.

Adopted at a regular meeting of the Bremerton Port Commission this 7th day of January, 1949.

Harold H. Kemp
President.

ATTEST:

Sam. Fitz
Secretary.

COUNTY ASSESSOR

Kitsap County, Washington

Telephone 5111-8

PORT ORCHARD

VELMA POTERBIN

December 20, 1948

RECEIVED
DEC 22 1948
COMMISSIONER OF PUBLIC LANDS
No. 7153

Department of Public Lands
Olympia, Washington

Gentlemen:

As requested by your letter of December 16, 1948, regarding the East 30 feet of Lot 1 and the West 30 feet of Lot 2 (High Ave.) Sec. 14, Township 24 North, Range 1 East, W.M., Bremerton Tidelands, the full value is $ 600.00

Hazel

Yours very truly,

VELMA POTERBIN
COUNTY ASSESSOR

BY D. Bubar
D. Bubar, Deputy

No reply,
A.L. H.A. #1460,
Ret. Eng.

5294

December 16, 1948

City of Bremerton
Bremerton, Washington

Attention:- Mr. Gerald C. Yeadon, City Clerk

Gentlemen:

Your application to re-lease the harbor area in front of the east 30 feet of lot 1 and the west 30 feet of lot 2 (High Avenue), section 14, township 24 north, range 1 east, W.M., Bremerton Tide Lands, has been filed under serial number H.A.1460.

Please refer to this number in any future correspondence concerning this application.

Receipt number 69434 in the amount of $10.00 showing payment of special deposit thereunder is enclosed.

Very truly yours,

OTTO A. CASE
Commissioner

RFR:wfm:jij
H.A.1460

Pet. Eng.

8/7

December 16, 1948

Honorable Velma Poterbin
Assessor of Kitsap County
Port Orchard, Washington

Dear Madam:

We have received an application to re-lease the harbor area in front of the east 30 feet of lot 1 and the west 30 feet of lot 2 (High Avenue), section 14, township 24 north, range 1 east, W.M., Bremerton Tide Lands.

Please forward your valuation of this area pursuant to the provisions of Section 130, Chapter 255 of the Laws of 1927 (7797-130 Remington's Revised Statutes).

Very truly yours,

OTTO A. CASE
Commissioner

RFR:wfm:jij
H.A.1460 Jn.
Ret. Eng.

5394 1

December 16, 1948

Port of Bremerton
Bremerton, Washington

Gentlemen:

We have received an application from the City of Bremerton to re-lease the harbor area in front of the east 30 feet of government lot 1 and the west 30 feet of government lot 2 (High Avenue), section 14, township 24 north, range 1 east, W.M.

The applicant states that the area is wanted for a period of 10 years and that there are improvements on the area consisting of sewer pipe lines owned by the City of Bremerton.

Please forward by resolution your recommendations pursuant to the provisions of Section 126, Chapter 255 of the Laws of 1927 (7797-126 Remington's Revised Statutes).

Very truly yours,

OTTO A. CASE
Commissioner

RFR:wfm:jij
H.A.1460 Jm.

Ret. Eng -

CITY OF BREMERTON

WASHINGTON

CITY CLERK AND PURCHASING AGENT

GERALD C. YEADON
~~FRED C. WYCKOFF~~
CITY CLERK

November 10, 1948

Otto A. Case, Commissioner of Public Lands
Department of Public Lands
Olympia, Washington

Attention: Frank O. Sether, Asst. Commissioner

Dear Sir:

In answer to your letter of December 3, 1948, the City Council desires to apply for a continuance of Harbor Area Lease No. 1140. Enclosed herewith is signed Application, and warrant for $10.00 to cover the deposit fee.

Also enclosed herewith is original of expired Lease No. 1140.

Please sign the enclosed claim form and return to this office to cover the payment of the $10.00 deposit fee.

Very truly yours,

Gerald C. Yeadon

Gerald C. Yeadon
City Clerk

gcy
Encl. 4

DNR-00020186

S. F. No. 7342—6-45—2M. 9118.

APPLICATION FOR

APPRAISEMENT AND SALE OR LEASE OF TIDE OR SHORE LANDS

Remittance Received and Credited to Special Deposits $
Land Open on Eng. Plat by Moyer Date 12-13-'48

Entered on—
Application Reg. by Date
Inspection Reg. by Date

Special Deposit Receipt No. 69434 RK
Receipt of App. Acknowledged by Date

Entered on Engineers—
Register by WFM Date 12-15-'48
Index Maps by " Date "
Index Card by " Date "
Jacket Made by " Date "
Engineer's Report by Date
Inspection Blank Made by Date
Appraisal of Comm'r by Date
Instrument Prepared by Date
Engineer's Check by Date

Contract Sent Out for Signature by Date
Contract, Deed or Lease No. 1421
Card Index Made by Date

Contract, Deed or Lease Entered on—
Application Reg. by Date
Transfer Journal by Date
Index Map by Date
Tickler Card by Date

Cross Entry Receipt No.
Instruments Checked by Eng. by Date
Deed, Contract or Lease Mailed on

27428

$ 10 00

No. 1460 County Kitsap

Application for Lease of Harbor Area

Of City of Bremerton

Address City Hall - 239 - Fourth St. Bremerton,

Lots 1, 2
14-24-1E

STATE PRINTING PLANT, OLYMPIA, WASHINGTON

ENTERED
DEC 14 1948

COMMISSIONER OF PUBLIC LANDS
OFFICE No. 27428

APPLIED
JUN 14 1949

Rules Governing the Submission of Plats, Plans and Specifications in the Matter of Leasing Harbor Areas

1. Accompanying each application and made a part thereof shall be: (a) A map marked "Exhibit A," showing the location of the portion of the harbor area desired to be leased; (b) a plat marked "Exhibit B," showing detail plans of improvements to be made or already existing on such area; (c) specifications marked "Exhibit C" to accompany the detail plans in "Exhibit B."

2. "Exhibit A" must be on good quality of mounted paper, 18x24 inches, and must show the location of the area desired to be leased, with the frontage of the adjoining lots or blocks of the shore or tide lands; also the ground plan of docks or wharves to be constructed or existing; also showing buildings located on such wharves. All courses and distances must be clearly marked.

3. "Exhibit B" must be on a good quality of mounted paper, 18x24 inches, and shall show a detail plan of the improvements to be made or already existing, showing distances from center to center of piles, depth of water, height above water, and details of superstructures; also showing methods of bracing, where any is used; also a plan of slips; but no buildings need be shown on the detail plans.

4. "Exhibit C" must give length and dimensions of piling and depth driven, dimensions of caps, dimensions and spacing of stringers, thickness of planking, length and dimensions of drift bolts, size and number of spikes, and details of construction.

5. "Exhibits B and C," here called for, are intended to cover all details of the construction of docks, wharves and other structures, and such plans and specifications must be such as would be used in actual construction, and no detail, whether here called for or not, must be omitted that would be necessary to such construction.

6. Exhibits must be prepared, signed and sealed by a registered professional engineer or land surveyor.

Otto A. Case
JACK TAYLOR

ALBERT C. MARTIN,
Commissioner of Public Lands.

DNR-00020188

#3735 Bremerton, Wash. $10.00 Dec. 8, 1948

S. F. No. 1825—1938—1M. 12927.

Application for Lease of Harbor Area

To the Commissioner of Public Lands, Olympia, Washington:

The undersigned City of Bremerton, Washington, *a* municipal corporation *entitled to acquire and hold lands under the laws of the State of Washington, residing at* Bremerton, Washington, *hereby applies for the lease of the following described harbor area, situate in* Bremerton, Kitsap *county, State of Washington, to-wit, being the area in front of lot* ....., *block* ....., *of* ..... *tide lands, according to the official plat thereof, and more particularly described as follows:*

All harbor area in front of the East 30 feet of Government Lot 1, Section 14 and the West 30 feet of Government Lot 2, Section 14, Township 24 North, Range 1 East, W.M., and bounded by the inner and outer Harbor Lines and the side lines of said portions of Government Lots 1 and 2 produced to and across the harbor area to the outer Harbor Line, as shown on the official maps of the Bremerton Tide Lands on file in the office of the Commissioner of Public Lands at Olympia, Washington.

Located in the City and Port of Bremerton in Kitsap County

The area is shown on exhibits prepared as per instructions on reverse of this application.

For what purpose is the harbor area wanted? .....

For how many years is the lease desired? 10

Are you the owner of the abutting tide lands? No

If not, give name and last known P. O. address of such owner .....

Are there any improvements on the area covered by the application? Yes

If so, state character and value of same Sewer Pipe Lines

By whom are the improvements claimed? City of Bremerton

Are the lands located within a Port District? Yes

Are you a citizen of the United States or have you declared your intention to become such? .....

Dated at Bremerton, *Washington, this* 8th *day of* December, *193*x 48

(Sign here) L. "Hum" Kean

Ten dollars must accompany this application. MAYOR

27428

Otto A Case P. O. Address City Hall, 239 Fourth St. Bremerton, Washington

NOTE—All remittances should be payable to Albert C. Martin, Commissioner of Public Lands.

DNR-00020189

To have and to hold for the term of Ten *years from the date of this instrument, for the purpose of building and maintaining upon the above described harbor area, wharves, docks and other structures for the convenience of navigation and commerce, as may be determined by legislative enactment or by rule of the Commissioner of Public Lands.*

This indenture is executed in consideration of the covenants and stipulations herein contained, and of the payment annually in advance of rental in the amount Six *% of the true value, in money, of the harbor area (exclusive of improvements) as fixed by the assessor of* Kitsap *County in accordance with the provisions of Sec. 5, Chap. 171 of the Laws of 1923 as follows:*

"The assessor shall thereupon in accordance with section 11121 of Remington's Compiled Statutes determine the true and fair value in money of such harbor area (exclusive of the improvements thereon) as of March 1st preceding the date of the filing of such application and certify the same to the commissioner. Such value shall be the basis of rental until the assessor's next valuation as herein provided. The assessor shall thereafter in every even numbered year as of March 1st place a valuation on such harbor area (exclusive of improvements) in accordance with said section 11121, Remington's Compiled Statutes, and certify the same to the commissioner and such valuation shall be the basis of rental for the two-year period following such valuation."

The State of Washington shall have the right to regulate, either under rules established by the Commissioner of Public Lands, or by legislative enactment, or by both methods, the rates of wharfage, dockage and other tolls, to be imposed by the lessee upon commerce for any of the purposes for which said leased harbor area may be used, and to change such regulations and rates from time to time, and the right to prevent by such means and in such manner as it may adopt, extortion, discrimination, unequal or exclusive privileges, and to cancel this lease for the violation of any law, rule, regulation or order governing the same.

The State of Washington shall have the power by the Commissioner of Public Lands to cancel this lease upon a breach of any of its conditions by the lessee or for the failure or refusal of the said lessee to erect, within a reasonable time hereafter, and continuously to operate and maintain in and upon the above described harbor area the wharves, buildings or other structures described and represented in the exhibits of improvements proposed to be erected therein by said lessee, which have heretofore been filed with the Commissioner of Public Lands, or as altered with the consent and approval of said Commissioner entered upon his records.

The State of Washington reserves unto itself, port district, county, city or other public agency in the territory where the portion of the harbor area described in this lease is located, the right to assume and thereafter hold this lease upon acquirement of the tide lands contiguous thereto and fronting thereon, without any value for said lease except for improvements thereon: Provided, That this covenant shall not be held to apply to any cancellation of this lease ordered by the Commissioner of Public Lands on account of fraud or breach of any of the covenants of this lease, or a failure to file and keep therewith a good and sufficient bond as provided by law, but in such case the improvements upon the said leased area shall become the property of the State.

The lessee shall not make or suffer to be made any artificial filling in of said leased area or any deposit of rock, earth, ballast, refuse, garbage or other matter within such area, except as provided by law or as approved in writing by the Commissioner of Public Lands.

If the said lessee shall fail to pay to the State the rental hereinbefore provided on the date when the same is due, or within sixty days thereafter, the Commissioner of Public Lands may declare this lease canceled and all rights or claims of the said lessee under this lease in and to the said area or in or to any improvement therein or thereon, shall immediately thereupon vest in the State of Washington.

The lessee herein shall not sub-let the whole or any part of said leased area except upon the written permission of the Commissioner of Public Lands.

All the conditions and covenants set forth in this indenture are declared to be of the essence of the contract, and a breach of any one is a breach of the whole.

Executed in duplicate this day and year above written.

THE STATE OF WASHINGTON.

By Albert C Martin
Commissioner of Public Lands.

City of Bremerton
by
Jesse A. Knabb
Mayor. *Lessee*

P. O. Address Bremerton

Kitsap *County, State of* Washington

DNR-00020190

ORIGINAL

State of Washington, County of Thurston, ss.

THIS INDENTURE, Made this 9th *day of* August, *A. D. 19*~~6~~38

by and between the State of Washington, party of the first part, lessor, and

City of Bremerton, *part* y *of the second part, lessee*

WITNESSETH, That the State of Washington, lessor, does hereby lease, demise and let unto said party of the second part the following described property, situate in said State, County of Kitsap, *and being that part of the harbor area in front of the following described property, to-wit:*

~~Lot~~ Parts of Lots 1 and 2, Section 14, Township 24 North, Range 1 East, W. M. ~~Lands~~

and more particularly described as follows:

All harbor area in front of the east 30 feet of Lot 1, section 14 and the west 30 feet of Lot 2, (High Avenue) section 14, township 24 north, range 1 east, W. M., and bounded by the inner and the outer harbor lines and the side lines of said portions of Lots 1 and 2 produced to and across the harbor area to the outer harbor line, as shown on the official maps of Bremerton Tide Lands on file in the office of the Commissioner of Public Lands at Olympia, Washington.

Annual rental, $ 18.00 - first period

Payable August 9th annually

Application No. 1169

98

DNR-00020191

STATE OF WASHINGTON, }
County of KING } ss.

We, CITY OF BREMERTON

of Bremerton, Washington, *as principal*, *and* ~~we~~ AMERICAN SURETY COMPANY OF NEW YORK, a corporation organized under the laws of the State of New York and authorized to transact business in the State of Washington *as sureties*, ~~*all of the State of Washington, County of*~~, *do confess ourselves indebted to the State of Washington in the penal sum of Five Hundred ($500) Dollars, and to the payment of which we are held and firmly bound, and do by these presents bind ourselves, our and each of our heirs, executors, administrators or assigns, jointly and severally, firmly by these presents.*

Sealed with our seals this 8th *day of* October, *A. D. 19*38

The condition of the above obligation is such that, Whereas, the principal, *in the foregoing bond did enter into a certain lease and contract with the State of Washington (which is hereto attached and made part of this instrument, and all the conditions of which are written into and made part of this instrument), whereby the above bounden principal* ha *leased from the State of Washington the part, lot or parcel of property described in said hereto attached lease and contract, upon all the conditions set up in said lease and contract: Now, therefore, if the said above named lessee*, *the principal*, *herein, shall well and truly perform all the conditions set up and prescribed in the said lease and contract hereto attached, in all and every part thereof, then this bond shall be considered satisfied and discharged; otherwise it shall have full force and effect.*

Signed with our hands and sealed with our seals, this day and year first above written.

Witness
E. J. McCaee
City Clerk

CITY OF BREMERTON
By Jesse A. Knabb [SEAL]
mayor
[SEAL]
AMERICAN SURETY COMPANY OF NEW YORK
By S. H. Melrose [SEAL]
S.H.Melrose-Resident Vice President
Attest: B. L. Jolly [SEAL]
B.L.Jolly-Resident Asst Secretary

The foregoing bond and the sureties thereon approved this OCT 24 1938 *day of*, *192*

Albert C. Martin
Commissioner of Public Lands.

TO BE EXECUTED BY SURETIES ONLY

STATE OF WASHINGTON, }
County of } ss.

, *being first duly sworn, each for himself, and not one for the other, deposes and says: That he is a citizen of the State of Washington and is not barred by any statute of said State from executing bonds or becoming a surety; that he is one of the persons named in and who executed the foregoing obligation as surety, and that the same is his free and voluntary act and deed for the uses and purposes therein mentioned; that he is worth the sum of $500.00, over and above all his just debts and liabilities, in separate property situated in said State, and not exempt from sale on execution.*

Subscribed and sworn to before me this *day of*, *A. D. 192*

Notary Public in and for the State of Washington,

Residing at

DNR-00020192

1221-38

ORIGINAL

No. 1140

LEASE AND BOND

—OF—

Harbor Areas

STATE OF WASHINGTON

—TO—

City of Bremerton

Address Bremerton, Wash.

Harbor of Bremerton

Application No. 1169

DNR-00020193