



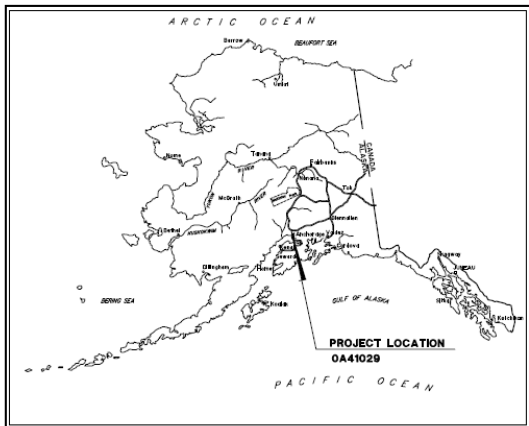
Alaska Department of Transportation & Public Facilities

PARKS HIGHWAY PROJECT – PITTMAN TO BIG LAKE CASE STUDY: Lot 3 Triangle Subdivision

Rachel N. Shoemake, PLS

February 18th, 2016

AKDOT Right of Way Project Parks Highway – Pittman to Big Lake



REVISION DATE DECEMBER 31, 2015

SPECIAL GENERAL NOTE

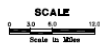
SUBDIVISION NAMES, PLAT NUMBERS AND DEFINITIONS OF PROPERTIES ADJACENT TO THE RIGHT OF WAY SHOWN HEREON WERE GENERATED AT THE TIME OF INITIAL PLAT DEVELOPMENT. THIS PLAN SET DOES NOT NECESSARILY REFLECT THE CURRENT STATUS AT THE TIME OF THE RECORDING OF THIS DOCUMENT.

CONSTRUCTION AND ACQUISITION

ACQUISITION: NOVEMBER 2013 TO JULY 2017
CONSTRUCTION: 2017 TO 2018

**PRELIMINARY
ROW PLAN**

PROJECT LENGTH 3.5 MI

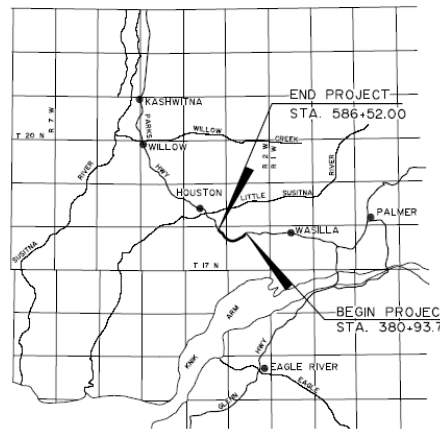


STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
&
PUBLIC FACILITIES

RIGHT OF WAY MAP

ALASKA PROJECT
**PARKS HIGHWAY
MP 48.8 TO 52.3
RECONSTRUCTION**
PITTMAN ROAD TO BIG LAKE ROAD

OA41029
Z543730000



PROJECT DESIGNATION	NET NO.	PLAT NO.
OA41029	R-1	R-50

CERTIFICATE OF APPROVAL BY THE PLATTING AUTHORITY
I HEREBY CERTIFY THAT THE RIGHT OF WAY PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE REGULATIONS OF THE MATANIKSA-BUSHTINA BOROUGH PLATTING AUTHORITY AND THAT SAID PLAT HAS BEEN APPROVED BY THE PLATTING AUTHORITY BY PLAT RESOLUTION NO. _____ DATED _____ AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA, IN WHICH THE PLAT IS LOCATED.

ATTEST:

PLATTING CLERK _____ PLANNING & LAND USE DIRECTOR
MATANIKSA-BUSHTINA BOROUGH
PLATTING AUTHORITY

DEPARTMENT LOCATIONS SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF ALASKA AND THAT ALL RIGHT-OF-WAY CENTERLINE MONUMENT LOCATIONS HAVE BEEN ESTABLISHED AS INDICATED ON THE RIGHT-OF-WAY PLANS. ALL EXISTING FOUND SUBDIVISION MONUMENTS, PROPERTY CORNERS AND SECTION LINE MONUMENTATION AS INDICATED ON THE RIGHT-OF-WAY PLANS HAVE BEEN REFERENCED TO PROJECT SURVEY CONTROLS BY ME OR UNDER MY SUPERVISION.

DATE _____ REGISTRATION NUMBER _____

ROBERT M. KEENER

CONSULTANT RIGHT-OF-WAY SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF ALASKA AND THAT THIS PLAT WAS MADE BY ME OR UNDER MY SUPERVISION. THIS PLAT WAS BASED UPON THE MONUMENTS RECEIVED DURING THE DEPARTMENT'S LOCATIONS SURVEY FOR THIS PROJECT.

DATE _____ REGISTRATION NUMBER _____

JAMES H. SHARP

**DEPARTMENT OF
TRANSPORTATION & PUBLIC FACILITIES**

APPROVED _____ Date _____, 20__

REGIONAL CHIEF R/W AGENT _____

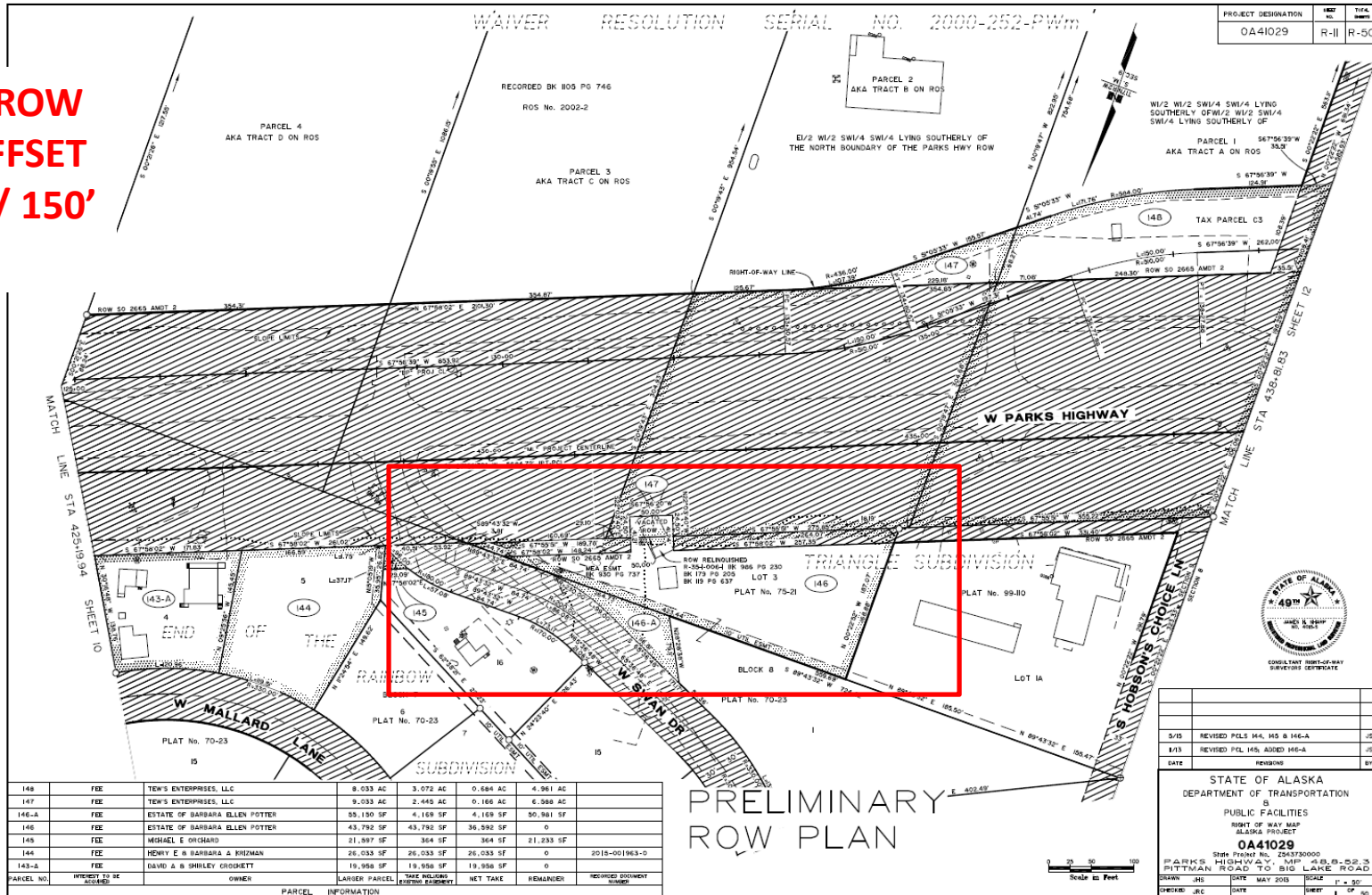
LOCATED WITHIN SECTIONS 7-9 & 17-18, T17N, R2W AND SECTION 12, T17N, R3W, SEWARD MERIDIAN ALASKA

PALMER RECORDING DISTRICT

STATE BUSINESS - NO FEE

AKDOT Right of Way Project Parks Highway – Pittman to Big Lake

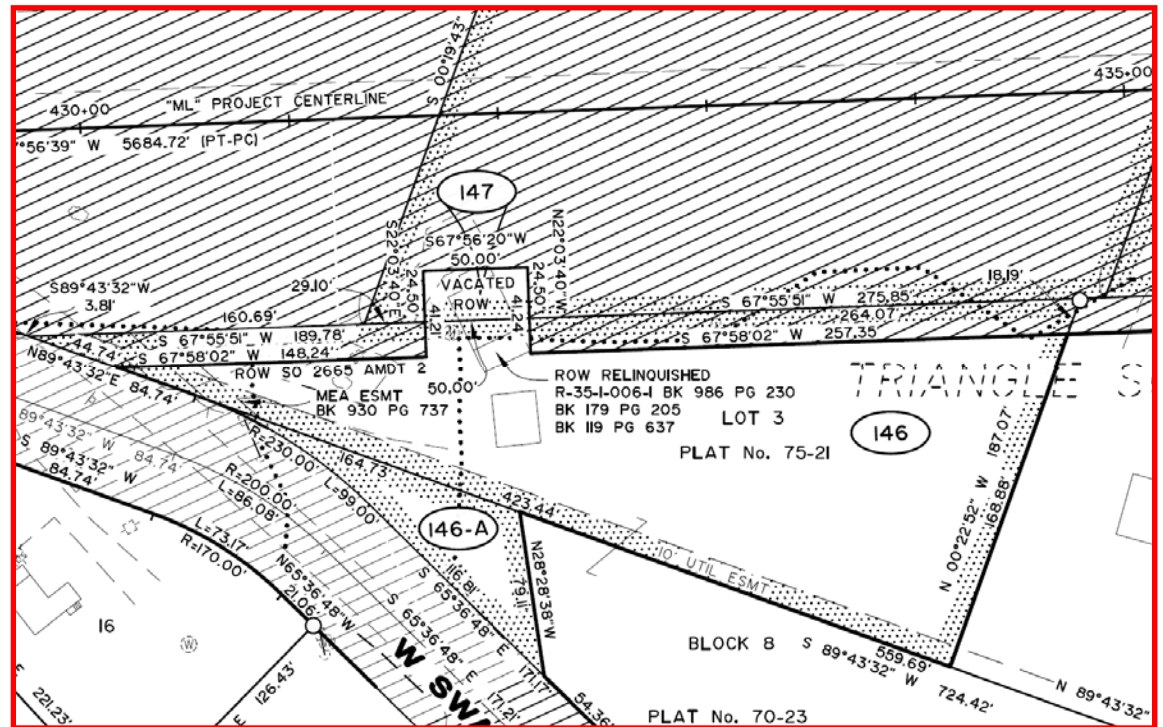
**300' ROW
CL OFFSET
150' / 150'**



AKDOT Right of Way Project Parks Highway – Pittman to Big Lake

THINGS TO INVESTIGATE:

1. RIGHT OF WAY ACROSS SOUTH BOUNDARY OF LOT 3
2. VACATED ROW
3. TWO ACQUISITION PARCELS BEING SHOWN, PCL 146 & 147

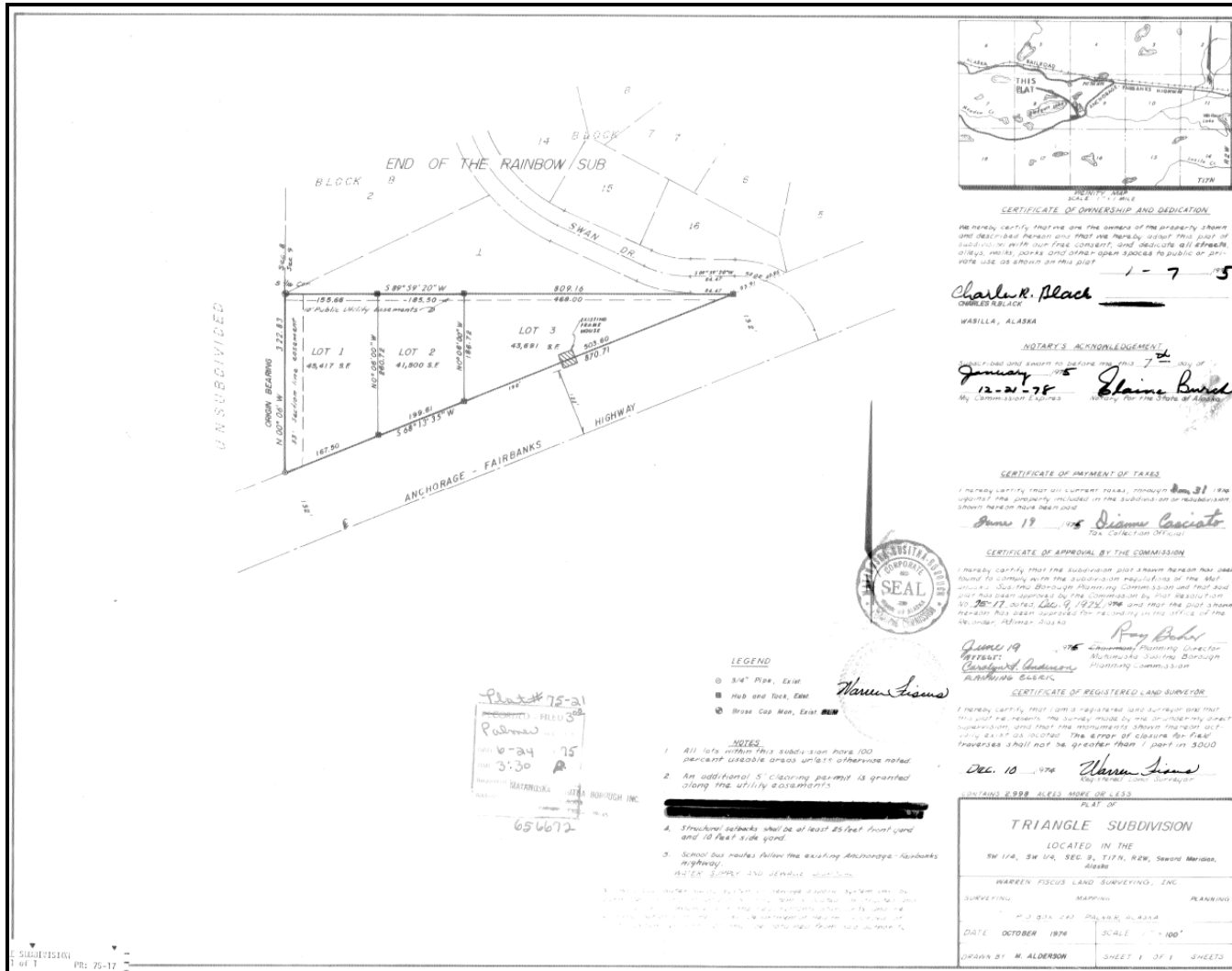


MSB Parcel Viewer

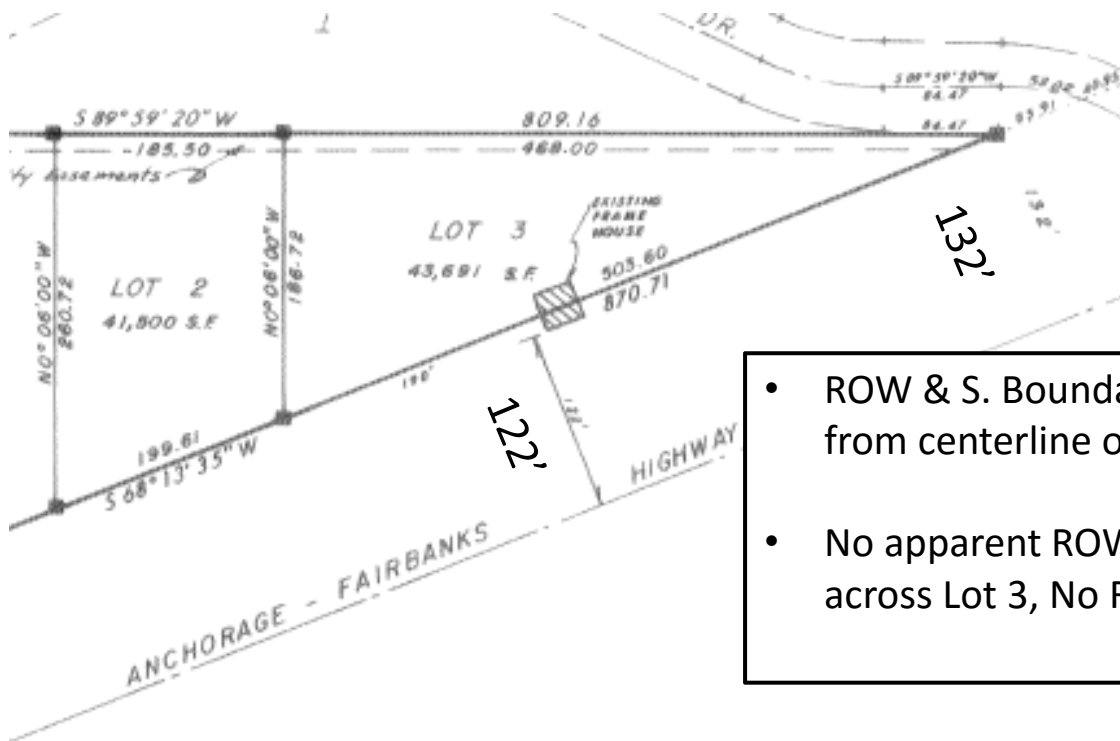
Lot 3 Triangle Subdivision



LOT 3 TRIANGLE SUBD PLAT 75-21



LOT 3 TRIANGLE SUBD PLAT 75-21

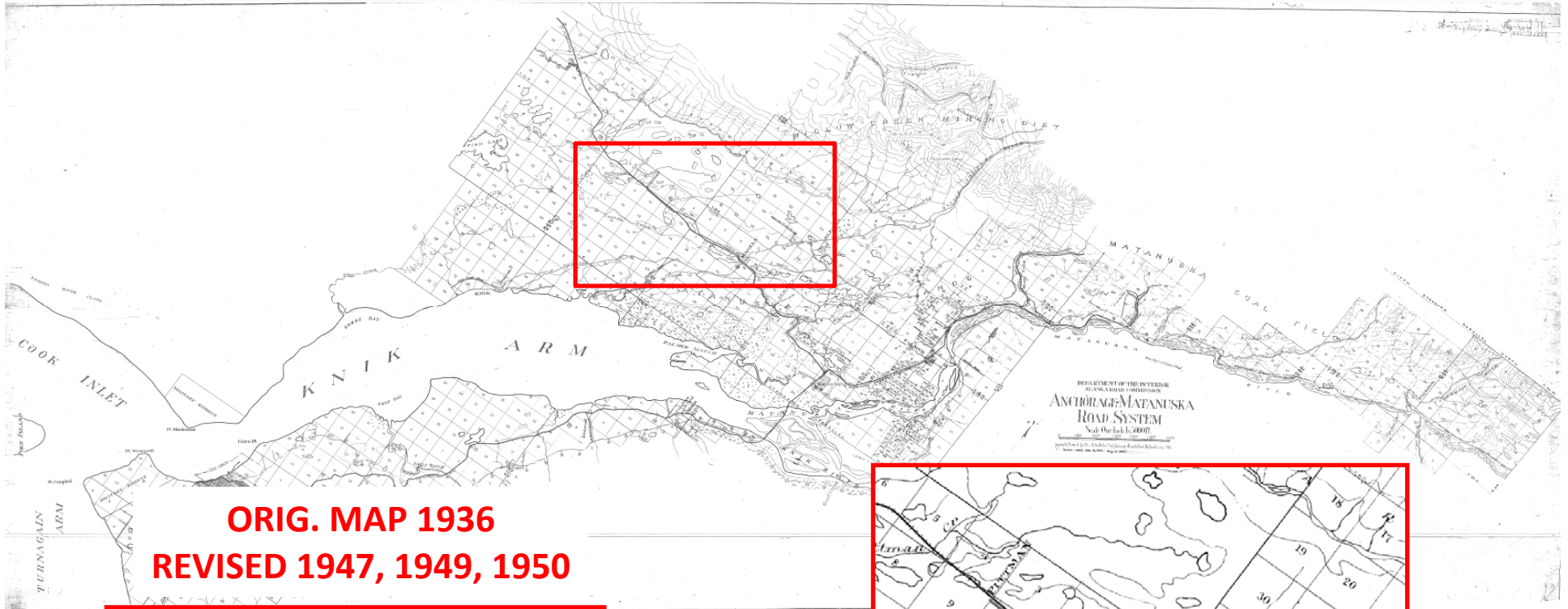


- ROW & S. Boundary of Subdivision shown at 132' from centerline of Anchorage-Fairbanks Highway
- No apparent ROW dedication, No ROW shown across Lot 3, No ROW Relinquishment

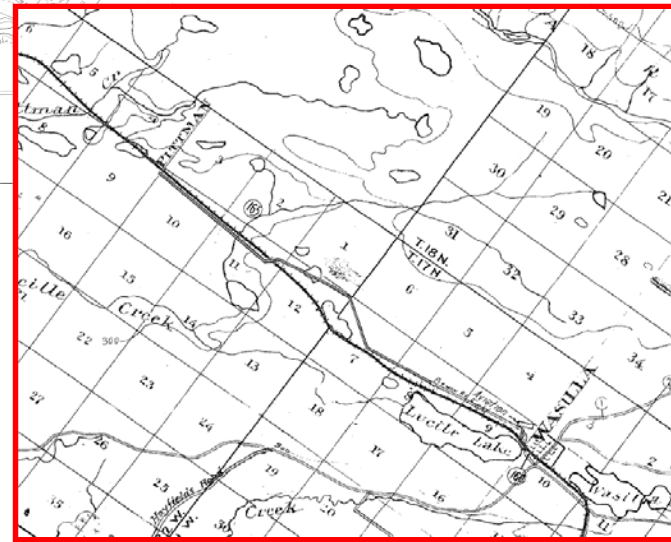
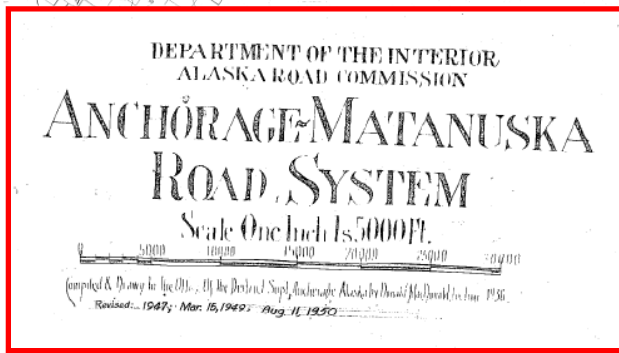
Why the ROW discrepancy of 132' vs. 150' from Centerline?

What is the correct ROW width and How was the width determined?

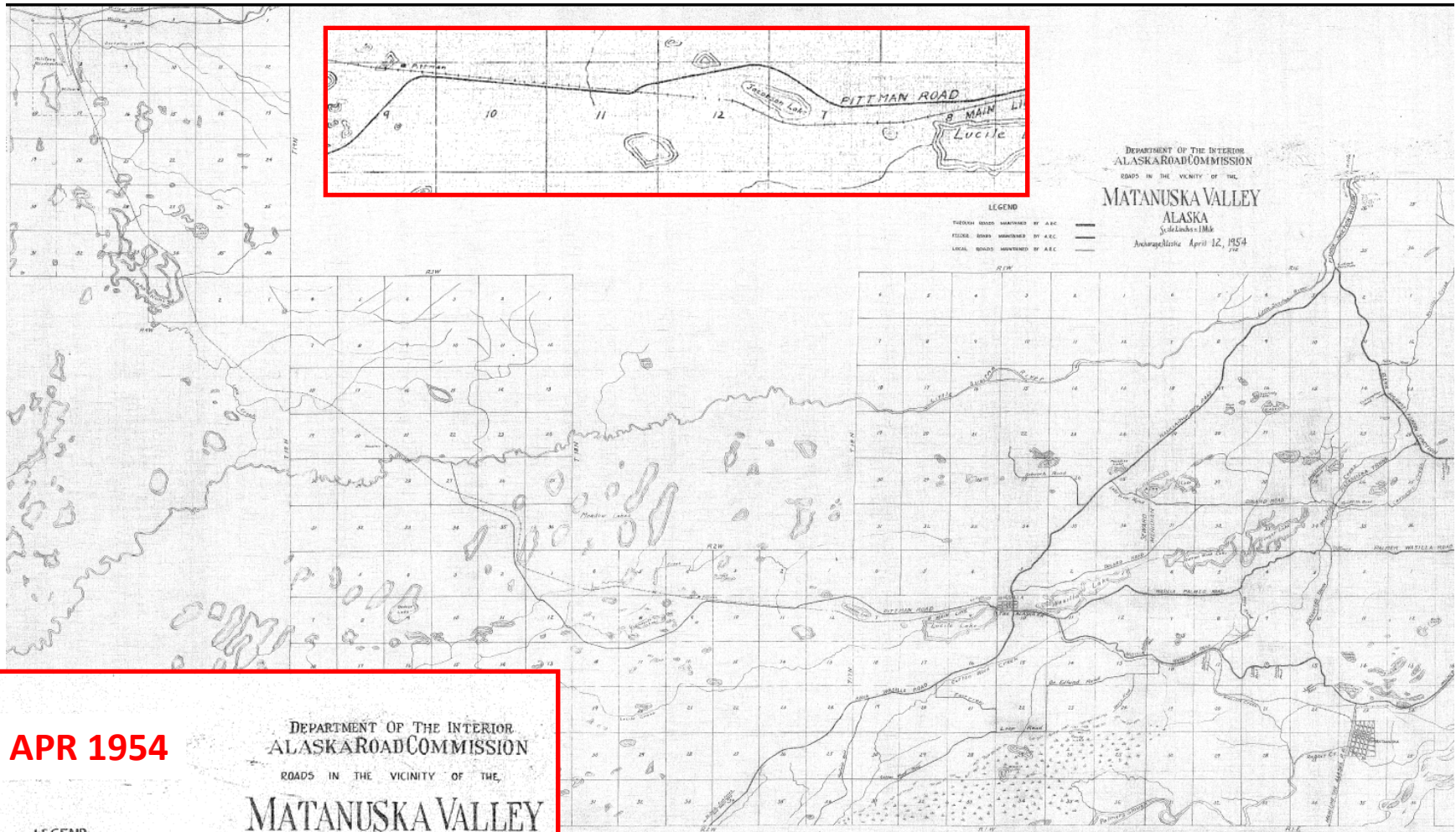
ARC Road System Map



ORIG. MAP 1936
REVISED 1947, 1949, 1950



ARC Road System Map

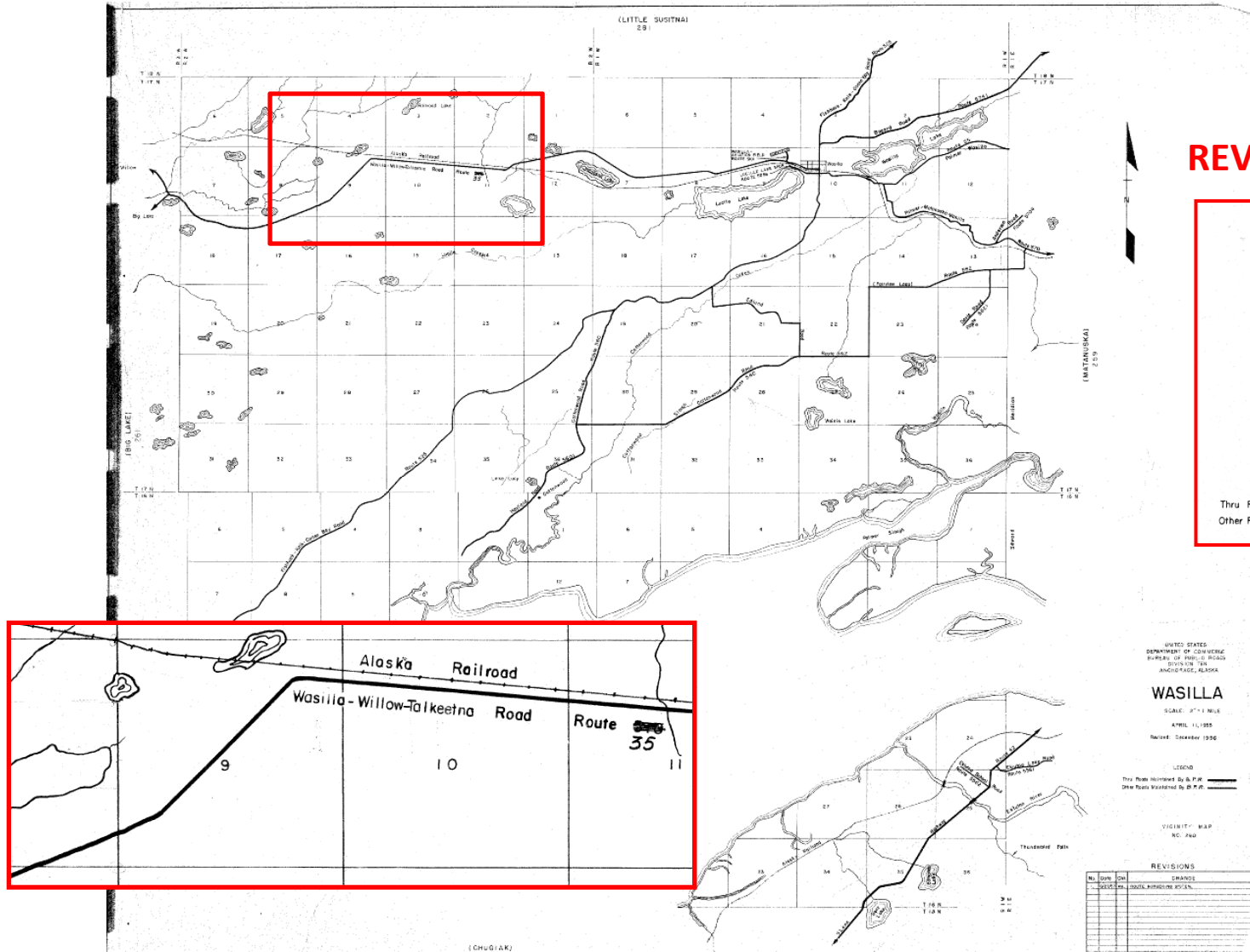


APR 1954

DEPARTMENT OF THE INTERIOR
ALASKA ROAD COMMISSION
ROADS IN THE VICINITY OF THE
MATANUSKA VALLEY
ALASKA
Scale 1 inch = 1 mile
Anchorage, Alaska April 12, 1954

LEGEND
THROUGH ROADS MAINTAINED BY A.R.C. ———
FEEDER ROADS MAINTAINED BY A.R.C. ———
LOCAL ROADS MAINTAINED BY A.R.C. ———

BPR Vicinity Maps





APR 1955
REVISED DEC 1956

UNITED STATES
 DEPARTMENT OF COMMERCE
 BUREAU OF PUBLIC ROADS
 DIVISION TEN
 ANCHORAGE, ALASKA

WASILLA

SCALE: 2" = 1 MILE
 APRIL 11, 1955
 Revised: December 1956

LEGEND

Thru Roads Maintained By B. P. R. 
 Other Roads Maintained By A. P. R. 

UNITED STATES
 DEPARTMENT OF COMMERCE
 BUREAU OF PUBLIC ROADS
 DIVISION TEN
 ANCHORAGE, ALASKA

WASILLA

SCALE: 2" = 1 MILE
 APRIL 11, 1955
 Revised: December 1956

LEGEND

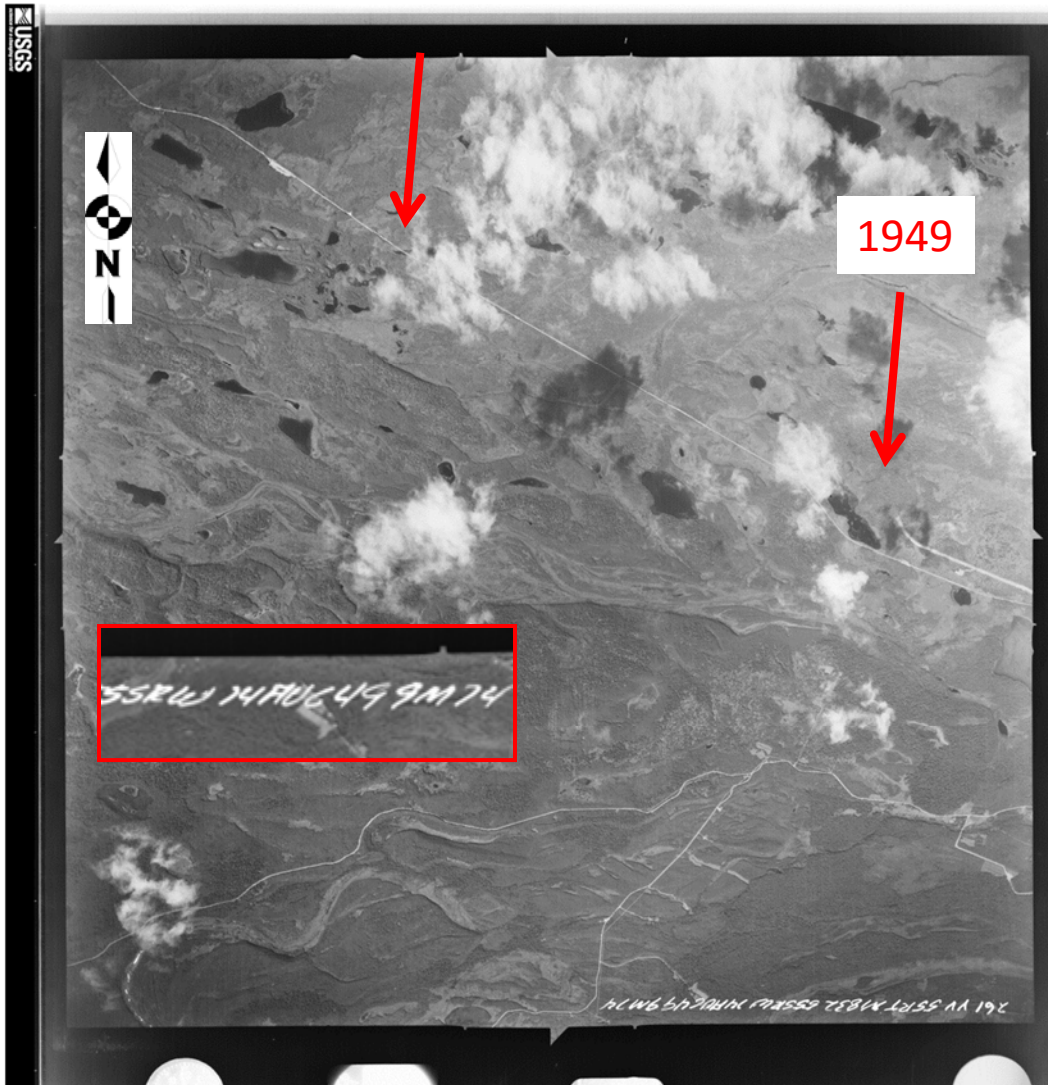
Thru Roads Maintained By B. P. R. 
 Other Roads Maintained By A. P. R. 

VICINITY MAP
 NO. 760

REVISIONS

NO.	DATE	BY	CHANGES
1			
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Parks Highway Construction



USGS Earth Explorer:
Aerial Photo Single Frames
Scale: 50,000
Date: 08/14/1949

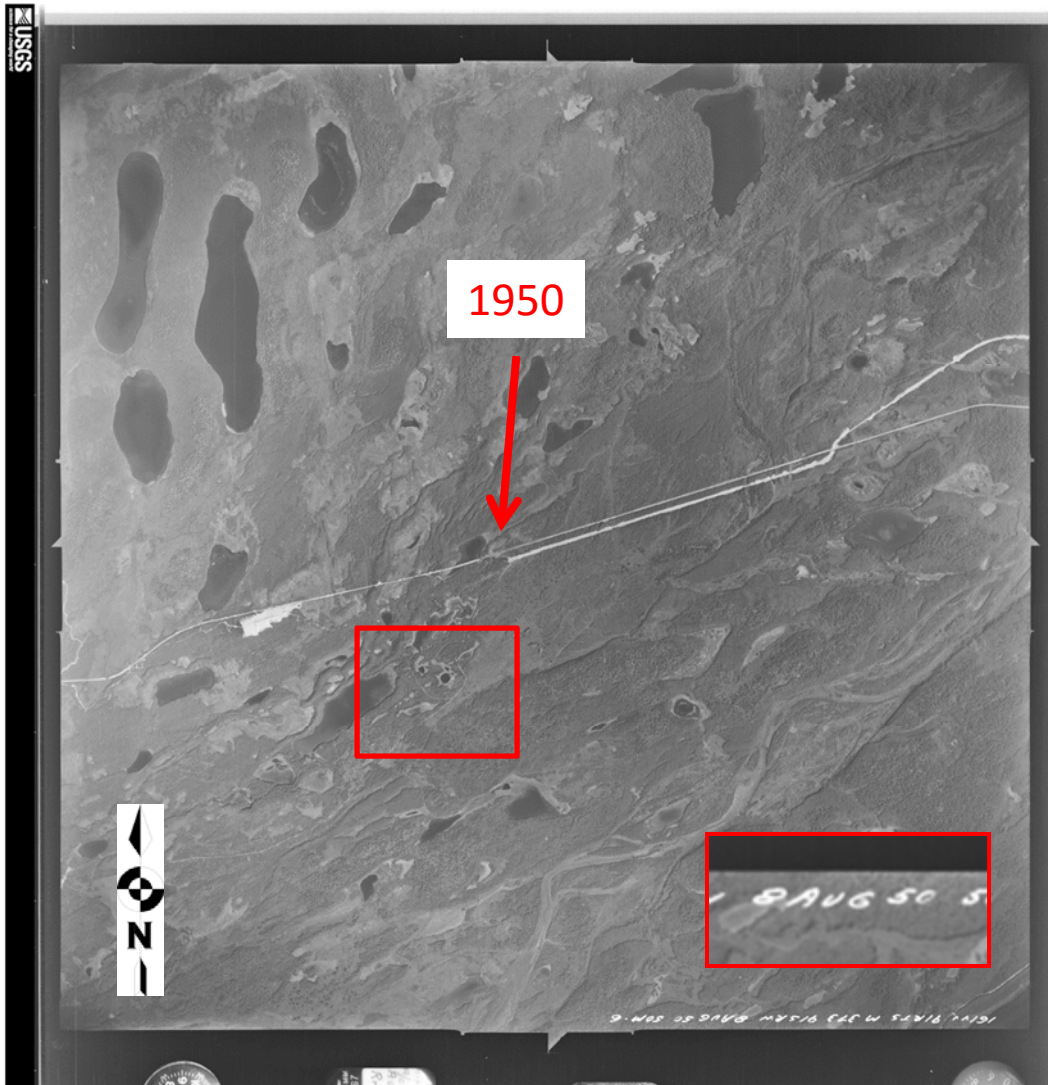
Pittman Road per ARC Anchorage
Matanuska Road System Maps

No formal mapping for this
construction

PLO 601 Aug. 10, 1949 Established

ROW 100' total; local road
designation, subject to prior
existing rights

Parks Highway Construction



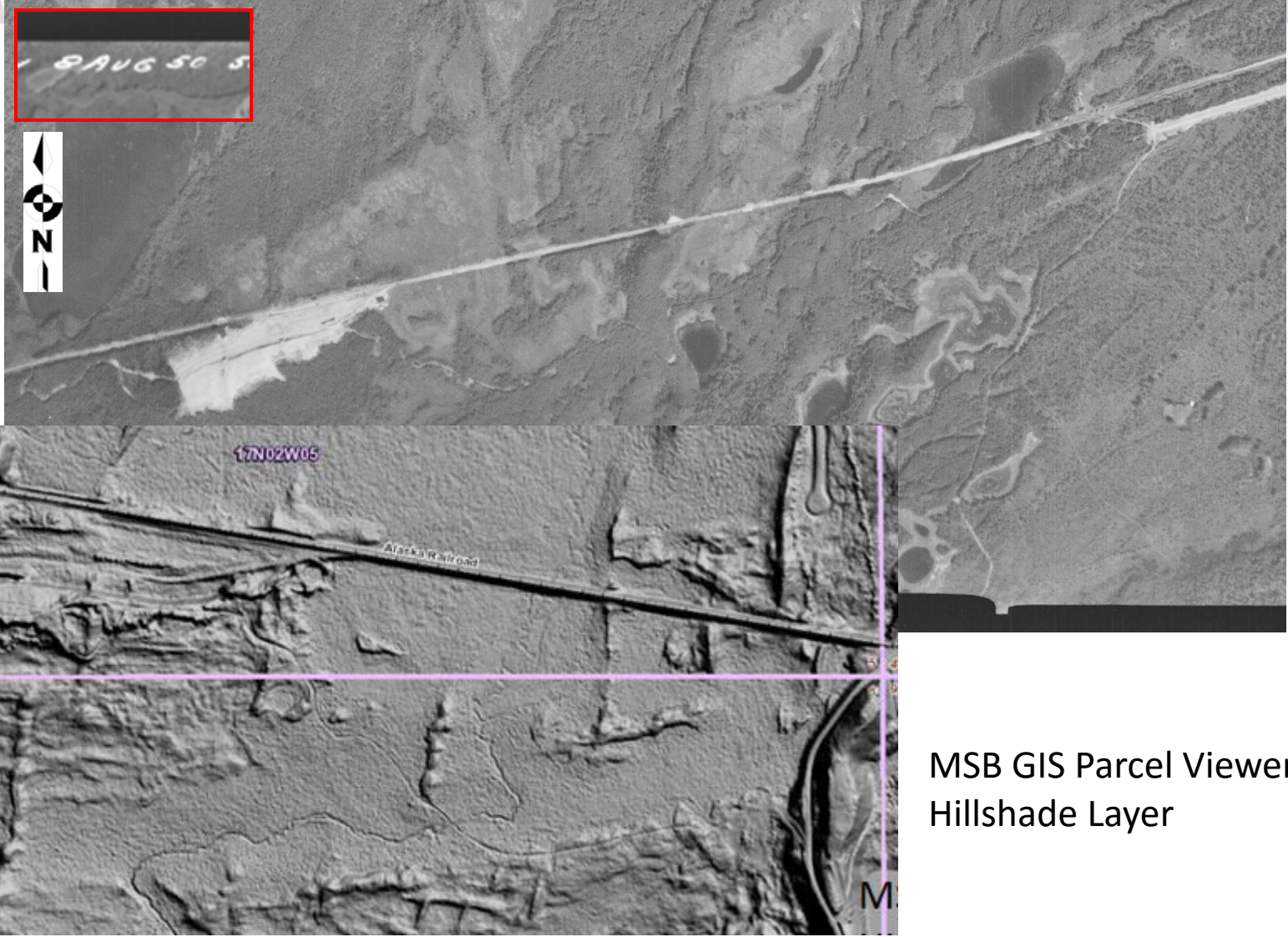
USGS Earth Explorer Image:
Aerial Photo Single Frames
Scale: 40,000
Date: 08/08/1950

Road constructed to just beyond
Parks / Pittman Intersection today

Aerial Image confirms construction
date shown ARC Anchorage
Matanuska Map 1950

ARC constructed original road
sometime between 1950-1954

Parks Highway Construction



MSB GIS Parcel Viewer:
Hillshade Layer

Highway Plans 1958

Wasilla - Big Lake Junction



U.S. DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS
REGION 10

PLAN AND PROFILE
PROPOSED HIGHWAY PROJECT

DS- 0510(5)

WASILLA-BIG LAKE JUNCTION

GRADING & SURFACING

TERRITORY	ROUTE	SECTION	YEAR	SHEET NO.	TOTAL NO. SHEETS
ALASKA	510		1958	1	27

"AS BUILT"

INDEX OF SHEETS	
SHEET NO.	DESCRIPTION
1	TITLE SHEET
2	TYPICAL SECTION OF IMPROVEMENT ESTIMATE OF QUANTITIES & DESIGN
3-19	PLAN & PROFILE
20-22	CULVERT LIST
23	STANDARD APPROACHES
24	STANDARD CULVERTS
25	STANDARD SIGNS
26	STANDARD BARRICADES
27	STANDARD PROJECT IDENTIFICATION SIGN

TYPE 3210 IMPROVEMENT

RECORDED - FILED
PALMER REG. DIST.
DATE 5-16-58
BY S.M. 1958
PROJECT BY STATE ENGINEER
ADDRESS

PROJECT SUMMARY	
WIDTH SUBGRADE	36.0'
WIDTH ROADWAY	32.0'
WIDTH SURFACING	24.0'
LENGTH GRADING	50755.5'-9.612 MI
LENGTH SURFACING	50755.5'-9.612 MI
LENGTH EXCEPTIONS	17.0'-0.003 MI
TOTAL LENGTH OF PROJECT	50772.5'-9.616 MI

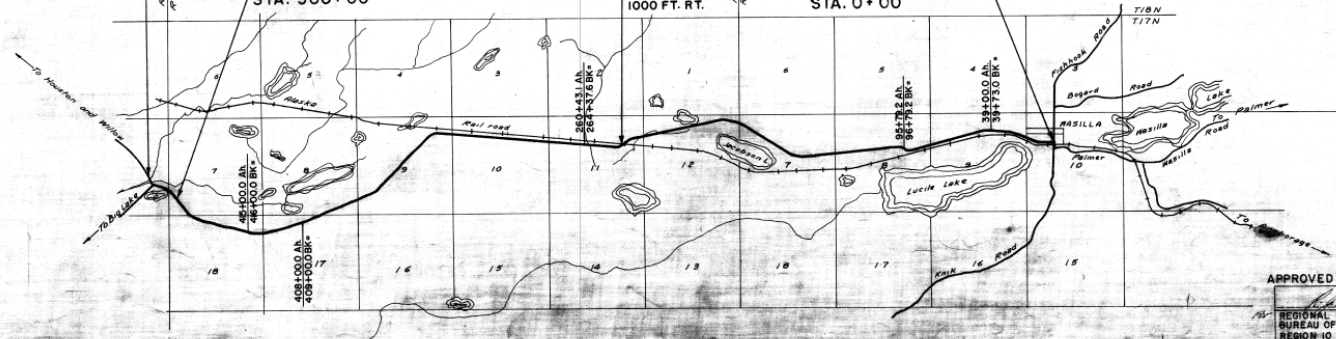
LISTED SOURCES FOR CRUSHER SITES
SATISFACTORY MATERIALS WITHIN THE
R.O.W. LIMITS MAY BE UTILIZED BY THE
CONTRACTOR (Except between sta. 321 & 325
right of centerline)

PIT NO. 4
LISTED SOURCE
BORROW PIT & CRUSHER SITE
STA. 551+90
100 FT. LT.

END OF PROJECT
STA. 500+00

PIT NO. 1
LISTED SOURCE
BORROW PIT
STA. 260+00
1000 FT. RT.

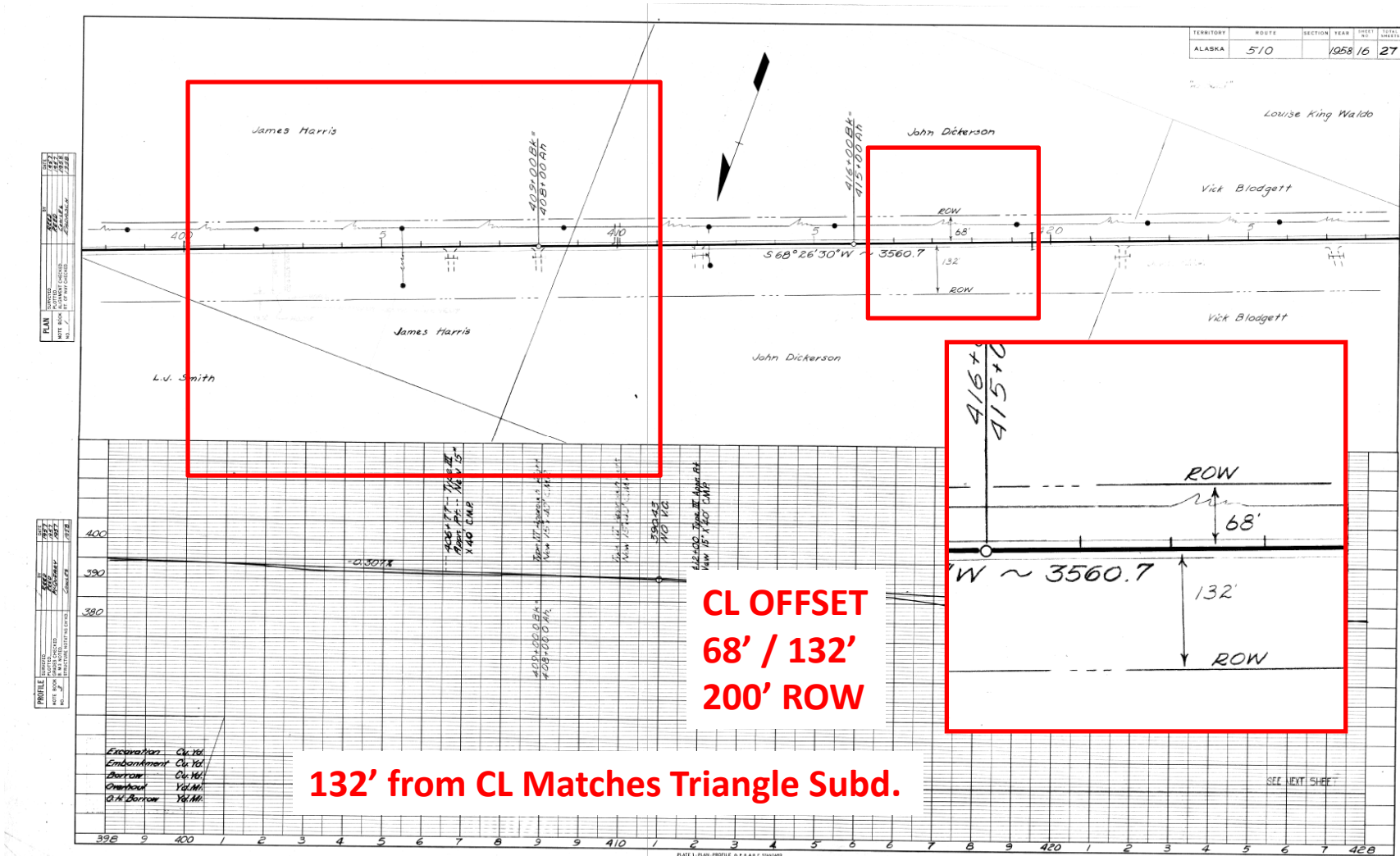
BEGINNING OF PROJECT
STA. 0+00



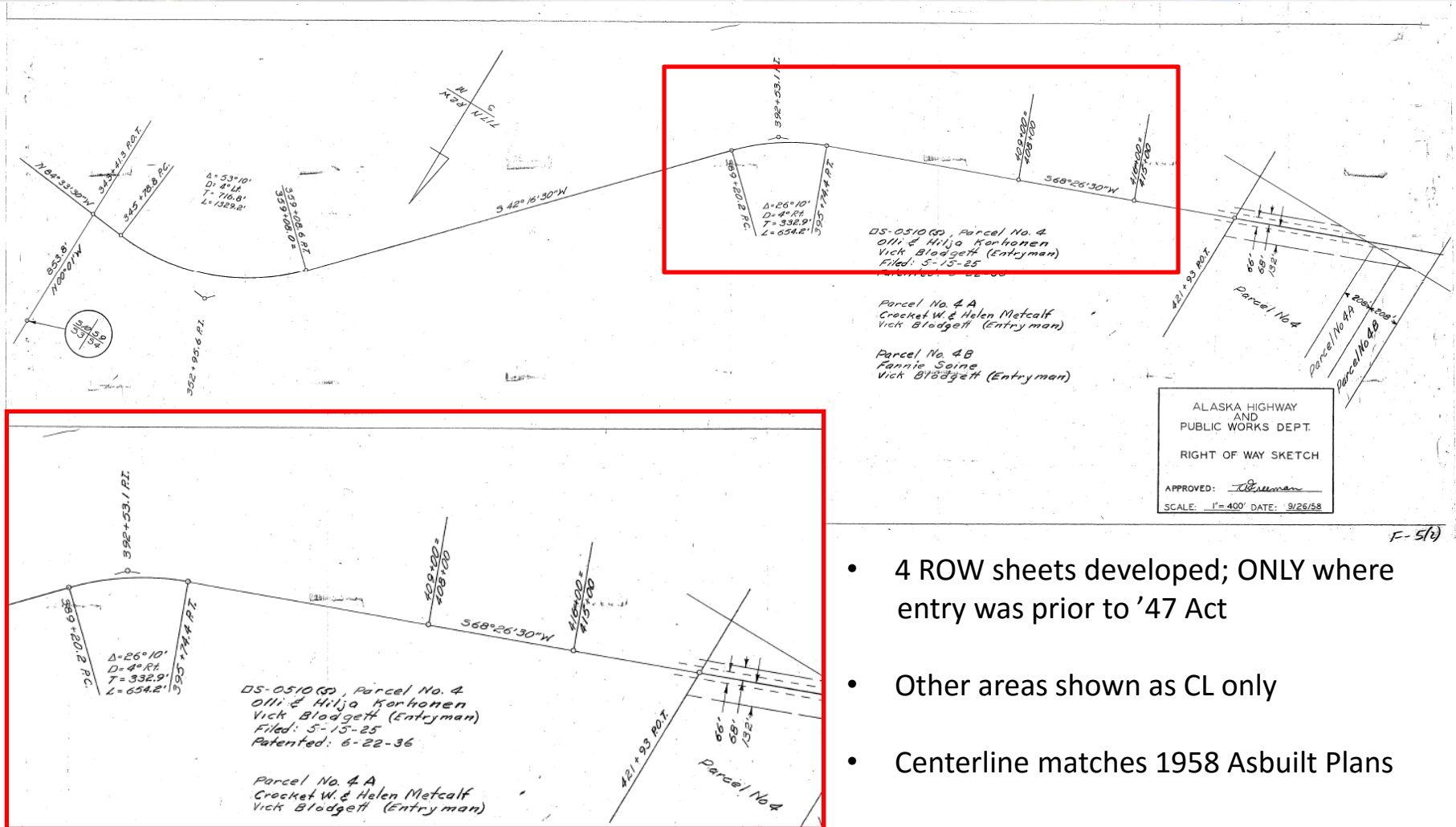
APPROVED
REGIONAL ENGINEER
BUREAU OF PUBLIC ROADS
REGION 10
Date 11-25-58

Highway Plans 1958

Wasilla - Big Lake Junction



Right of Way Plans 1958 Wasilla - Big Lake Junction



- 4 ROW sheets developed; ONLY where entry was prior to '47 Act
- Other areas shown as CL only
- Centerline matches 1958 Asbuilt Plans
- NOTE: 7 parcels "to be" acquired; 4 actual

Right of Way Plans 1958 Wasilla - Big Lake Junction

Parcel No. 3

#6485 WARRANTY DEED Bk 25 Page 195³

THIS INDENTURE, made and entered into this 9th day of July 1959, by and between Neville Hodson and Frances C. Hodson, husband and wife of Seward, hereinafter called the Grantors, and the STATE OF ALASKA, acting by and through its Alaska Highway and Public Works Department, its successors and assigns, hereinafter called the Grantee,

WITNESSETH:

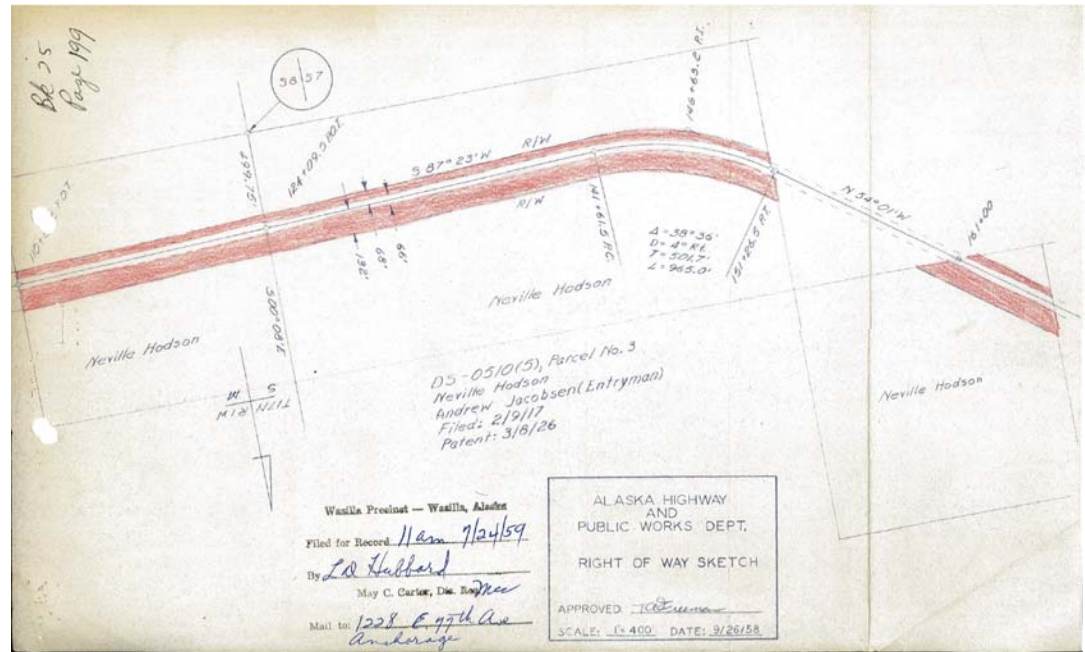
That the Grantors, for and in consideration of the sum of Two Thousand Four Hundred Sixty Six and No/100, lawful money of the United States of America, and other good and valuable consideration to them in hand paid by the Grantee, the receipt of which is hereby acknowledged, have GRANTED, BARGAINED, SOLD, CONVEYED and CONFIRMED, and by these presents do GRANT, BARGAIN, SELL, CONVEY and CONFIRM unto the Grantee, in FEE SIMPLE ABSOLUTE, all of the following described real property located in the Wasilla Recording District, Third Judicial Division, State of Alaska, and more particularly described as follows, to-wit:

See Tract Description and Alaska Highway and Public Works Department Right-of-Way Sketch which is attached hereto and made a part hereof.

TOGETHER WITH, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

The Grantor excepts and reserves only the following rights and interests in the above described property, namely reserving to the Grantor, his heirs and assigns, all oil, gas and minerals in said land together with the right of exploration, development and removal, including the right to drill, mine, explore and operate under and through said land for the purpose of extracting and producing oil, gas and minerals from other lands; provided, however, that there shall be no right to enter upon or use the surface of the land for any of the foregoing purposes and provided further that the rights and interests so reserved shall not be exercised in any manner as to cause damage to or impair the support of the surface or to interfere with the construction, operation or maintenance of any public highway or its appurtenances in said land.

TO HAVE AND TO HOLD the same and every part thereof unto the Grantee, FOREVER. And the Grantors do hereby COVENANT and AGREE with the Grantee that they are the LAWFUL OWNERS of the above described property and have the LEGAL RIGHT to SELL the same, and that there are NO LIENS or OTHER ENCUMBRANCES against said property. And the Grantors hereby WARRANT and will FOREVER DEFEND the Grantee against any and all persons having or claiming any right, title or interest therein adverse to the Grantee in the QUIET and PEACEABLE POSSESSION thereof. And the Grantors FURTHER ASSURE the Grantee that they will do, execute or cause to be done or executed all such further acts, deeds and things, for the better, more perfectly and absolutely conveying and assuring the lands and premises conveyed unto the Grantee as it may reasonably request.



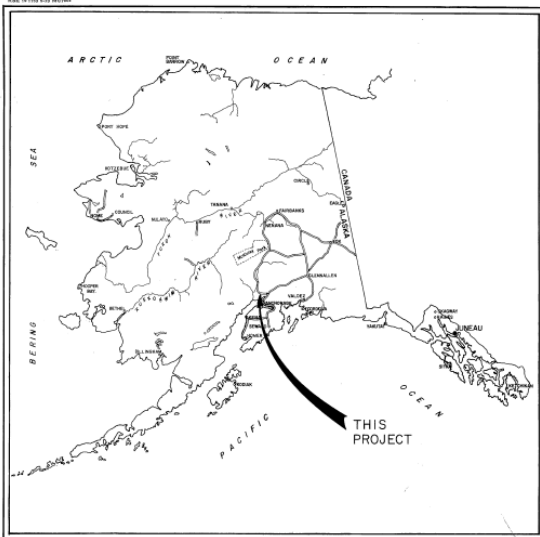
Original Project Files from found Banker Boxes

Wasilla - Big Lake Construction



Right of Way Plans 1976

Parks Highway - Wasilla to Big Lake



STATE OF ALASKA
DEPARTMENT OF HIGHWAYS

RIGHT OF WAY MAP
 ALASKA PROJECT

PARKS HIGHWAY — FAP 35
 WASILLA TO BIG LAKE JUNCTION

PROJECT LENGTH 10.114 MI.

SCALE
 MILES



DEPARTMENT OF HIGHWAYS

APPROVED _____ 19____
 Date

COMMISSIONER

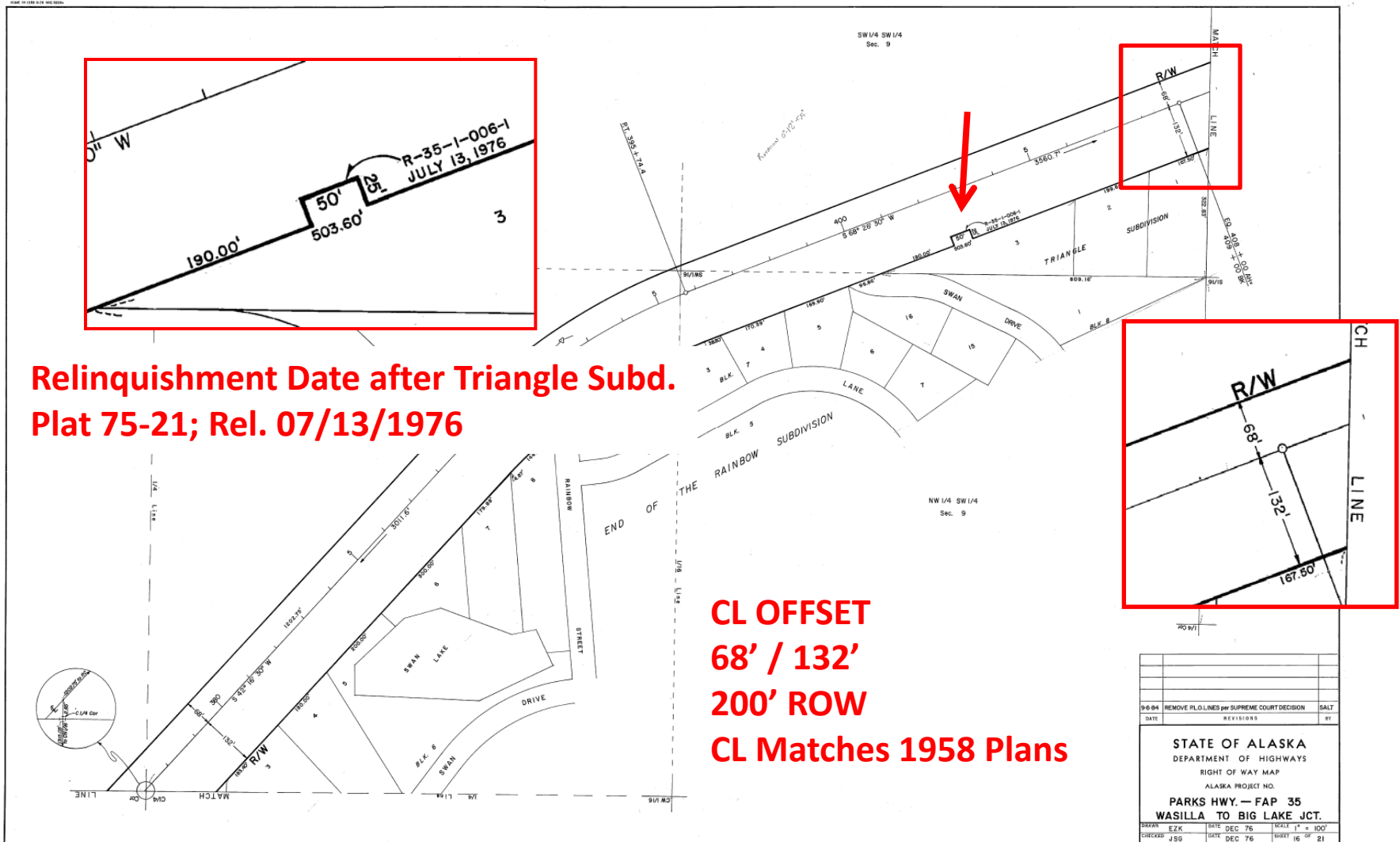
DEPARTMENT OF TRANSPORTATION
 FEDERAL HIGHWAY ADMINISTRATION

APPROVED _____ 19____
 Date

DIVISION ENGINEER

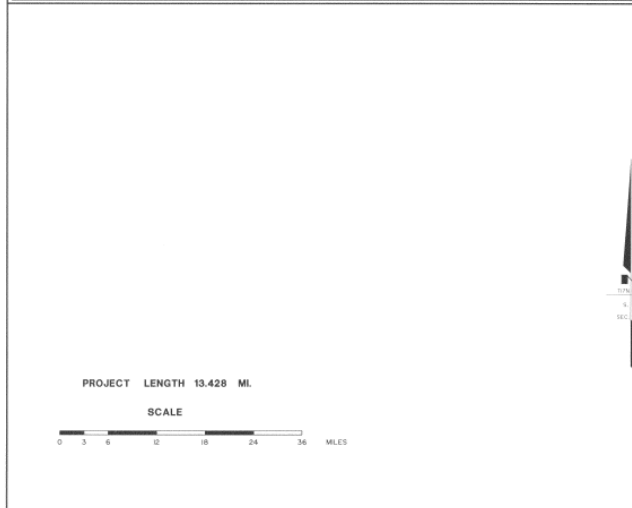
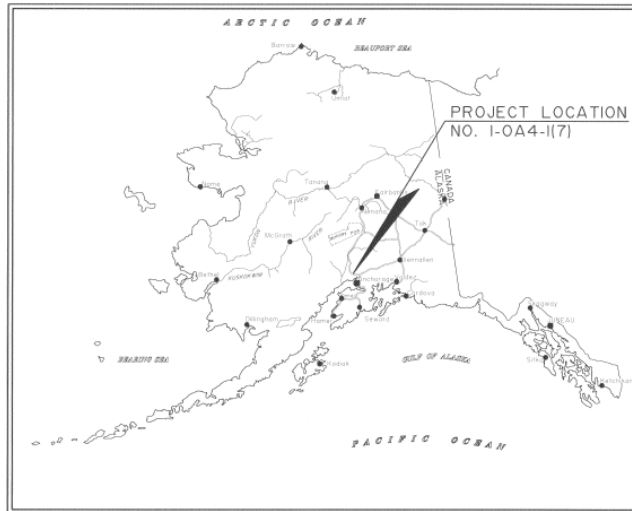
Right of Way Plans 1976

Parks Highway - Wasilla to Big Lake



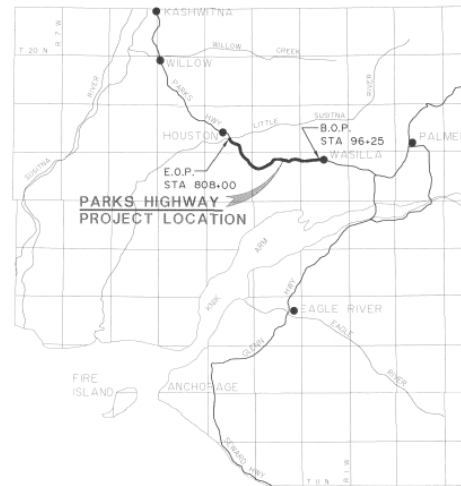
Right of Way Plans 1994

Parks Highway MP 44 - 57



STATE OF ALASKA DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES

RIGHT OF WAY MAP ALASKA PROJECT PARKS HIGHWAY MILE 44-57 LUCUS ROAD TO LITTLE SUSITNA RIVER I-OA4-1(7) 58712



PLAT APPROVAL

I CERTIFY THAT THIS SUBDIVISION PLAT HAS BEEN FOUND TO COMPLY WITH THE LAND SUBDIVISION REGULATIONS OF THE MATANUSKA-SUSITNA BOROUGH AND THAT THE PLAT HAS BEEN APPROVED BY THE PLATTING AUTHORITY BY PLAT RESOLUTION NUMBER 28, DATED _____ AND THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE RECORDER IN THE PALMER RECORDING DISTRICT IN WHICH THE PLAT IS LOCATED. JK 2001-80 - ROW

JUNE 14, 2001

Paul Walker
PLANNING AND LAND USE DIRECTOR

ATTEST:

Marilyn McInnis
PLATTING CLERK



DEPARTMENT LOCATIONS SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF ALASKA AND THAT ALL RIGHT-OF-WAY CENTERLINE MONUMENT LOCATIONS HAVE BEEN ESTABLISHED AS INDICATED ON THE RIGHT-OF-WAY PLANS. ALL EXISTING FOUND SUBDIVISION MONUMENTS, PROPERTY CORNERS AND SECTION LINE MONUMENTATION AS INDICATED ON THE RIGHT-OF-WAY PLANS HAVE BEEN REFERENCED TO PROJECT SURVEY CONTROLS BY ME OR UNDER MY SUPERVISION.

DATE 6/14/01 REGISTRATION NUMBER 4016-S
JAMES H. SHARP

DEPARTMENT RIGHT-OF-WAY SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF ALASKA AND THAT THIS PLAT WAS MADE BY ME OR UNDER MY SUPERVISION. THIS PLAT WAS BASED UPON THE MONUMENTS RECEIVED DURING THE DEPARTMENT'S LOCATIONS SURVEY FOR THIS PROJECT.

DATE 6/14/01 REGISTRATION NUMBER 4016-S
JAMES H. SHARP

DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES

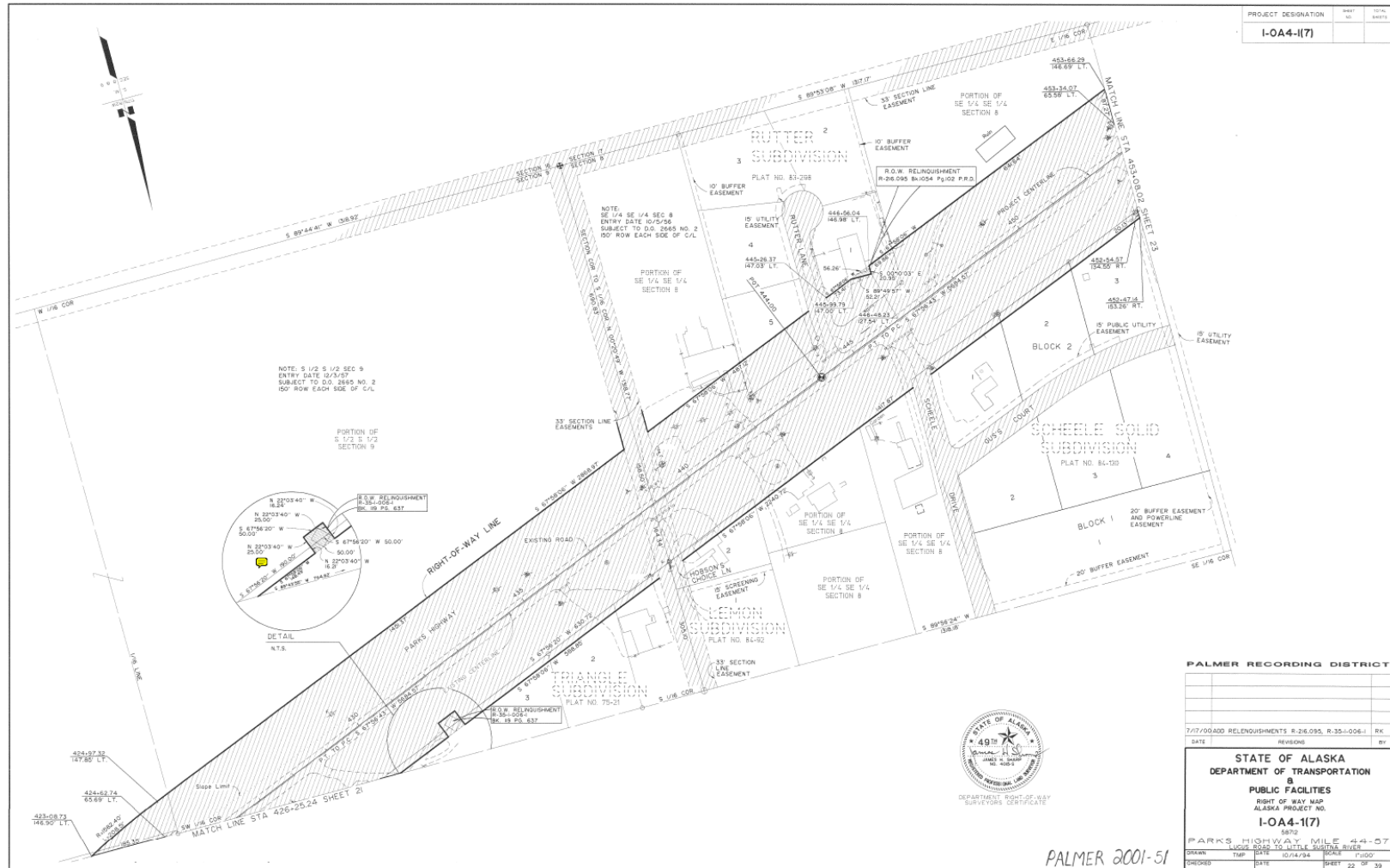
APPROVED June 13, 2001
Date

R. K. Rice
CHIEF RIGHT OF WAY AGENT

PALMER 2001-51

PALMER RECORDING DISTRICT
STATE BUSINESS - NO FEE

Right of Way Plans 1994 Parks Highway MP 44 - 57



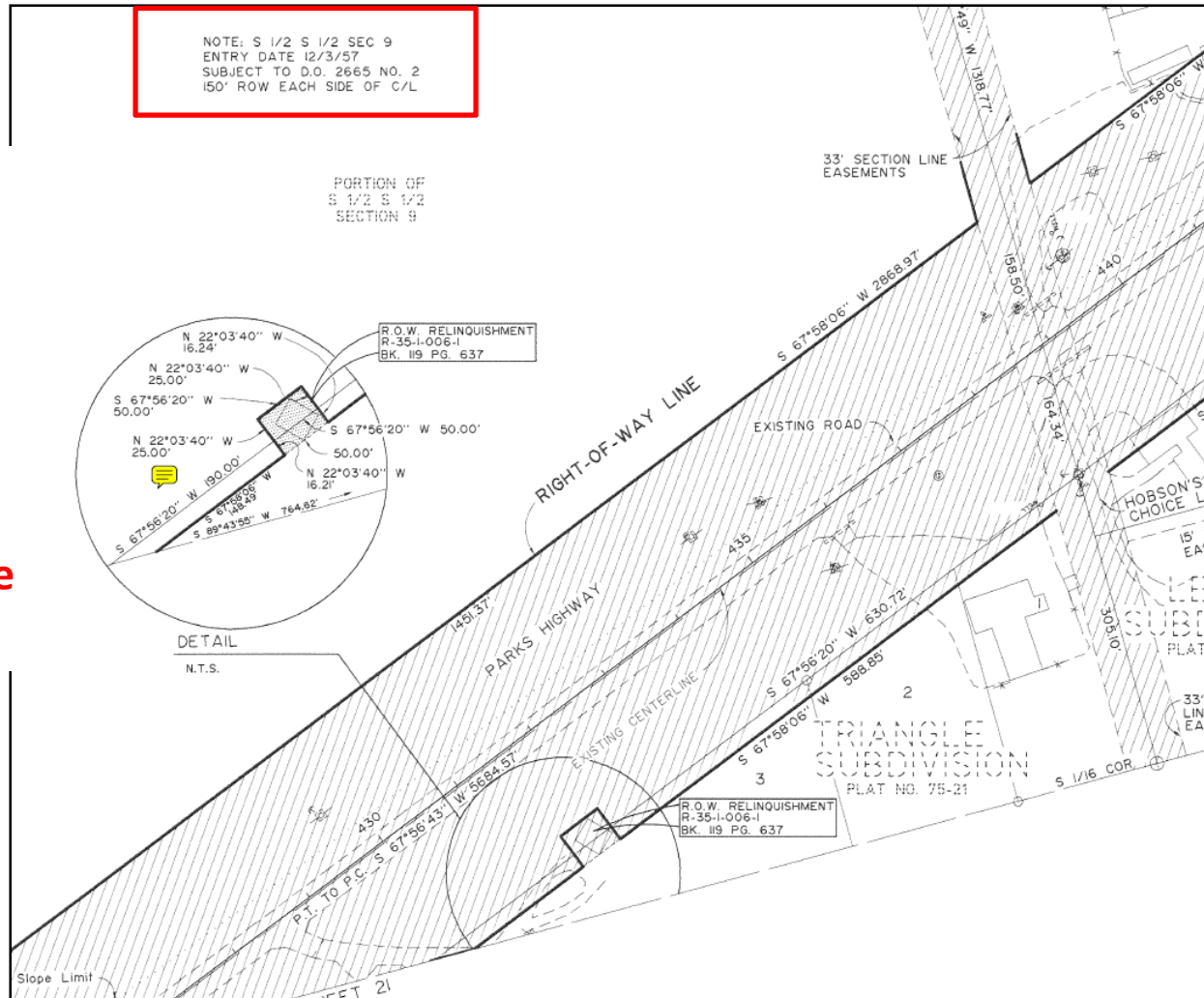
Right of Way Plans 1994

Parks Highway MP 44 - 57

BK 119 PG 637
(BK 179 PG 705)

300' ROW
CL OFFSET
150' / 150'

Verify Entry Date



BLM MTP S017N02W PATENT 1226533

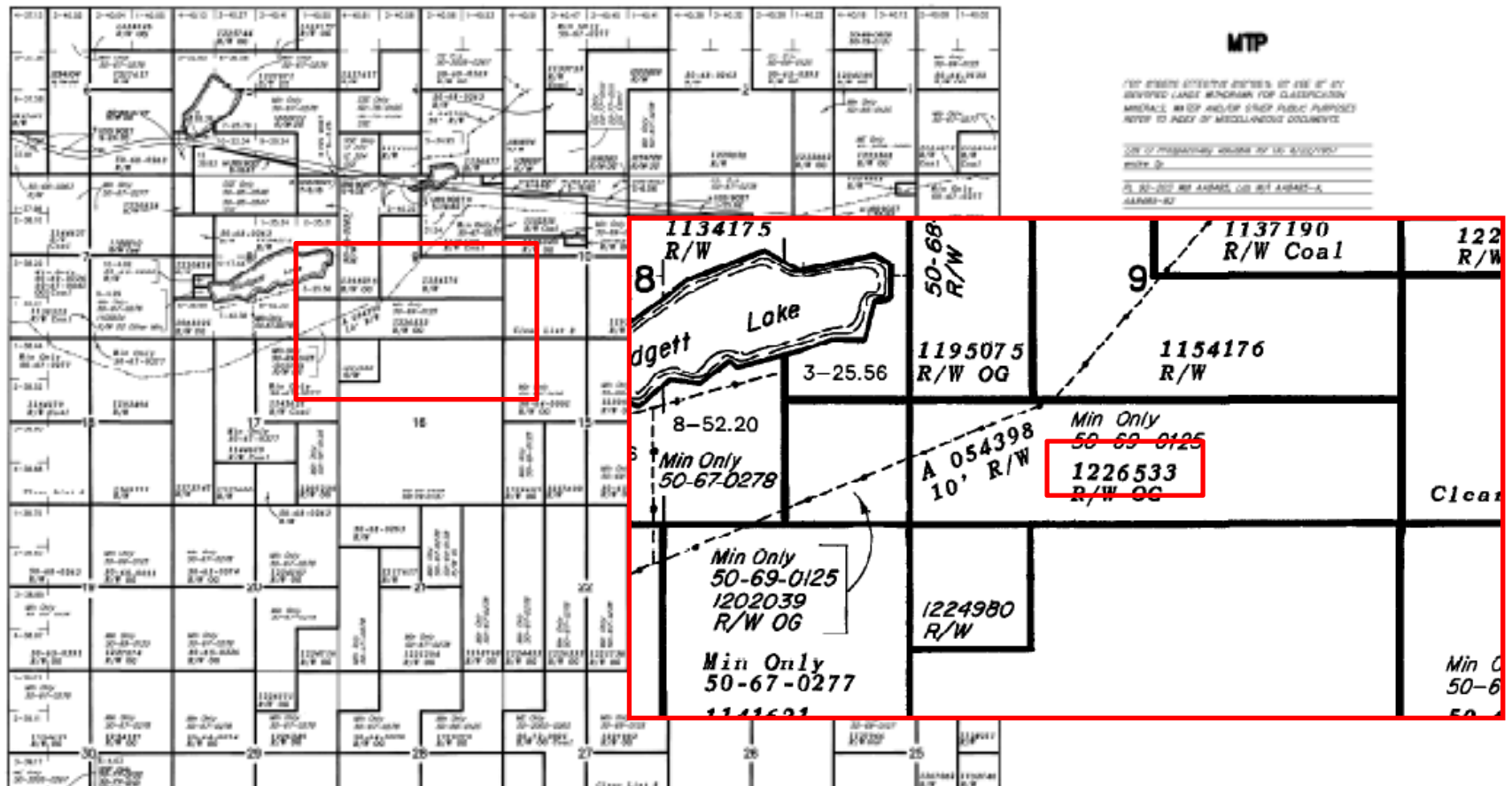
SURVEYED TOWNSHIP 17 NORTH RANGE 2 WEST OF THE SEWARD MERIDIAN, ALASKA

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

FOR FURTHER DETAILS REFER TO THE BLM BY
SURVEYED LAND RECORDS FOR CLASSIFICATION
MINERAL AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS

DATE OF PREPARATION: 08/01/2007
BY: [Redacted]
DATE OF LAST AMENDMENT: 08/01/2007



BLM Land Entry File

PATENT 1226533 / A040434

ENTRY 12/03/1957

ALO 290
June '58

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Land Office
Cordova Building
6th and Cordova
Anchorage, Alaska

FEB 23 1961

Form 1-5712
10-20-57
Anchorage 040434

The United States of America

To all to whom these presents shall come, Greeting:

Case Abstract for: AKA 040434

CASE DATA														
Case Serial Num:	AKA 040434	FRC Site Code:												
Case Type:	251101 He Original	Accession Num:												
Case Status:	Closed	Box Num:												
Case Status Actn:	Case Closed	Disp Date:												
Case Status Date:	28-MAR-1977	Location Code:												
SM Acres:	0.0000	Abnd Yr:												
Claim Name:	--													
CUSTOMER DATA														
Cust ID:	000020551													
Customer Name:	HARRIS JAMES C	Interest Relationship:												
Customer Address:	Withheld	Percent Interest:												
ADMINISTRATIVE/STATUS ACTION DATA														
Date	Code Description	Remarks	Doc ID	Ofc	Emp									
03-DEC-1957	001 Application Filed	APPLICATION RECEIVED	--	PSA	CMC									
25-APR-1962	879 Patent Issued	--	PA0001226533	PSA	CMC									
28-MAR-1977	870 Case Closed	TITLE TRSF	--	PSA	CMC									
27-AUG-1992	896 Converted To Prime	--	--	940	BKM									
FINANCIAL ACTION DATA														
Date	Code/Description	Ofc	Emp	Money Amt	Acct Adv									
NO FINANCIAL ACTIONS FOUND														
GENERAL REMARKS														
No Case Remarks found														
GEOGRAPHIC NAMES														
No Geonames found														
LAND DESCRIPTION														
Mr	Twp	Rng	Sec	Aliquot	Survey ID	Tr	Blk	Lot	Di	Bor	NR	LS	Acres	View
28	017 N	002 W	009	S2S2	--	--	--	04	170	07	PA		160.0000	MIP TWPLAT
Doc ID: PA0001226533 25-Apr-1962 USR: 570 754														
Total Case Acres: 160.0000														
CASE ACRES ANALYSIS														
Conveyed:										160.0000				
Total:										160.0000				

DECISION

James C. Harris : Anchorage 040434
P.O. Box 3044 :
Anchorage, Alaska : Homestead 1.1

Second Entry Allowed

On December 3, 1957, James C. Harris filed an application, Anchorage 040434, for a second homestead entry, pursuant to the Act of September 5, 1914, involving the following described lands:

Sec. 9, T. 17 N., R. 2 W., S.M., containing 160 acres.

Subject to: Oil and Gas Lease Anchorage 037843, filed August 29, 1957.

A review of the records indicates that the entryman made prior entry in good faith, and was lost, forfeited, or abandoned because of matters beyond his control, and that he has not speculated in his rights, nor committed a fraud or attempted fraud in connection with such prior entry.

Accordingly, the second entry is hereby allowed subject to the further compliance by the entryman with the laws and regulations governing such entries.

aps.
/s/ Alfred P. Steger
Chief, Lands Adjudication Unit

Enclosures:
ALO 235
ALO 334

*cc: Cash file
2-21-61*

WHEREAS, a certificate of the Land Office at Anchorage, Alaska, is now deposited in the Bureau of Land Management, whereby it appears that pursuant to the act of Congress of May 20, 1862 (12 Stat. 392), and the acts supplemental thereto, the claim of James C. Harris has been established and that the requirements of law pertaining to the claim have been met, for the following described land:

Seward Meridian, Alaska.

T. 17 N., R. 2 W.,

Sec. 9, S.M.

The area described contains 160.00 acres, according to the official plat of the survey of the said land, on file in the Bureau of Land Management:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, DOES HEREBY GRANT unto the said claimant and to the heirs of the said claimant the tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to (1) any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and (2) the reservation of a right-of-way for ditches or canals constructed by the authority of the United States, in accordance with the act of August 30, 1890 (26 Stat. 391, 43 U. S. C. sec. 948). There is also reserved to the United States a right-of-way for the construction of railroads, telegraph and telephone lines, in accordance with section 1 of the act of March 12, 1914 (38 Stat. 305, 48 U. S. C. sec. 305).

Excepting and reserving, also, to the United States all the oil and gas in the lands so patented, and to it, or persons authorized by it, the right to prospect for, mine, and remove such deposits from the same upon compliance with the conditions and subject to the provisions and limitations of the Act of March 8, 1922 (42 Stat. 415). This entry is made under Section 29 of the Act of February 25, 1920 (41 Stat. 437), and the Act of March 4, 1933 (47 Stat. 1570), and the patent is issued subject to the rights of prior permittees or lessees to use so much of the surface of said lands as is required for mining operations, without compensation to the patentee for damages resulting from proper mining operations.

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the TWENTY-FIFTH day of APRIL in the year of our Lord one thousand nine hundred and SIXTY-TWO and of the Independence of the United States the one hundred and EIGHTY-SIXTH.

For the Director, Bureau of Land Management.

By *Ruth W. Talley*
Chief, Patents Section.

Patent Number 1226533

S.O. Order 2665 Amdt. 2

09/15/1956

NOTICES

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[Order 2665, Amdt. 2]

ALASKA

RIGHTS-OF-WAY FOR HIGHWAYS

SEPTEMBER 15, 1956.

1. Section 2 (a) (1) is amended by adding to the list of public highways designated as through roads, the Fairbanks-International Airport Road, the Anchorage-Fourth Avenue-Post Road, the Anchorage International Airport Road, the Copper River Highway, the Fairbanks-Nenana Highway, the Denali Highway, the Sterling Highway, the Kenai Spur from Mile 0 to Mile 14, the Palmer-Wasilla-Willow Road, and the Steese Highway from Mile 0 to Fox Junction; by re-designating the Anchorage-Lake Spenard Highway as the Anchorage-Spenard Highway, and by deleting the Fairbanks-College Highway.

2. Section 2 (a) (2) is amended by deleting from the list of feeder roads the Sterling Highway, the University to

¹ This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

Ester Road, the Kenai Junction to Kenai Road, the Palmer to Finger Lake to Wasilla Road, the Paxson to McKinley Park Road, and the Steese Highway, from Mile 0 to Fox Junction, and by adding the Kenai Spur from Mile 14 to Mile 31, the Nome-Kougarok Road, and the Nome-Teller Road.

FRED A. SEATON,
Secretary of the Interior.

[F. R. Doc. 56-7583; Filed, Sept. 20, 1956; 8:45 a. m.]

DEPARTMENT OF THE TREASURY

Bureau of Customs

[303.2]

IMPORTED CARPETING

MARKING OF COUNTRY OF ORIGIN

SEPTEMBER 17, 1956.

The Bureau of Customs has ruled that imported carpeting which is to be cut prior to or at the time of sale to ultimate purchasers, unless otherwise excepted from individual marking pursuant to one or more of the exceptions set forth in section 304 (a) (3) of the Tariff Act of 1930, as amended (19 U. S. C. 1304 (a) (3)), shall be legibly and conspicuously marked with the name of the country of origin by stenciling, labeling, or other reasonable method, such marking to be-

**Palmer-Wasilla-Willow Road
Designated as Through Road
300' ROW**

Date of Application 12/03/1957

Subject to 300' ROW EASEMENT

Why not shown on 1958 Plans as 300' ?

Vol. 21 Fed. Reg. 7192

Correspondence

NO DATE

**WASILLA TO BIG LAKE JUNCTION
HISTORICAL BACKGROUND OF RIGHT-OF-WAY**

Original Survey 1949 and 1950. See: Letter of October 7, 1959 attached with Jack Van Zanten's remarks as to the date the original survey began. Also see: Alaska Road Commission's Field Book No. 620 and No. 622. Road Stripping and clearing began 1949 and road construction was done mainly in 1950.

Public Laws and

Act of July 24,

P.L.O. 601 of 8

E.O. 2665 Amend

P.L.O. 1613 of

All lands along

U. S. DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS
REGION TEN
P. O. Box 160
Anchorage, Alaska

RECEIVED
ALASKA HIGHWAY
DIVISION
October 7, 1959

OCT 1959

Mr. Jack Snell
Alaska Highway & Public Works Dept.
1228 East 7th Ave.,
Anchorage, Alaska

Record Files

FEB 1977

February 2, 1977

Ted Richards
Title Section

Project No. DS-0510(5)
Wasilla-Big Lake Jct.
Project No. F-035-1(22)
Wasilla-Big Lake
A09712-446

When the original Wasilla - Big Lake Road was built starting in

local road designation of 100 feet in width
during the reconstruction of the Wasilla - Big

JUL 1963

July 18, 1963

File Ref: 23-2900

In reply please refer to:
James C. Harris; your letter
of 6/17/63
Executive Order No. 2665

Mr. Bailey E. Bell
133 K Street
Anchorage, Alaska

Dear Mr. Bell:

Please be advised that our taking of land from the above-named person was done under Executive Order No. 2665, Amendment No. 2. In substance, this order provided a right-of-way of three hundred feet. Therefore, the electric fence is definitely an encroachment and must be removed at once.

Sincerely yours,

ROY W. JENNINGS, P.E.
District Highway Engineer

062:WFB:jb

David S. James
Acting District Right of Way Agent

DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES
OFFICE OF THE COMMISSIONER

December 24, 1996

The Honorable Ted Stevens
United States Senate
222 West 7th Avenue, #2
Anchorage AK 99513-7560

DEC 1996

Dear Senator Stevens:

Thank you for your letter of October 28 concerning Mr. and Mrs. Malcolm Morris and their property along the Parks Highway, west of Wasilla. Perhaps the history of the Morris's land title and the various right-of-way assertions will help explain the situation. We have recently conducted in-depth research into the land title issues rights affecting the Morris property and other property under similar circumstances. The following is the result of our research efforts.

In 1949, the federal government constructed the highway between Wasilla and Big Lake Road. On October 5, 1956, John Theodore Dickerson entered upon property along this particular stretch of road and filed for his homestead site. The Morris property is a portion of the Dickerson homestead site.

Prior to the Dickerson entry in 1956, which establishes the date for any private land rights to begin, there were a number of federal actions that provided for a highway right-of-way over the land which subsequently became the Dickerson homestead site. These federal actions include the 47 Act, Public Land Order (PLO) 601, and Departmental Order (DO) 2665, Amendment #2.

While it is unknown why the federal government identified only a 200 feet wide right-of-way for this portion of the road instead of the 300 foot corridor reserved under DO 2665, Amendment #2, there have been several landmark Alaska Supreme Court decisions since that time, the most notable being the State v. Alaska Land Title Association which reaffirmed PLO 601 and DO 2665 and the fact that the state right-of-way is 300 feet wide.

RECEIVED
TONY KNOWLES, GOVERNOR
3122 CHANNEL DRIVE
JUNEAU, ALASKA 99801-7299
TEXT: (907) 462-3052
FAX: (907) 596-8362
PHONE: (907) 462-3052

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

NOV 1978

November 13, 1978

Re: Wasilla - Big Lake Junction
Project No. DS-0510(5)
Wasilla - Big Lake
Project No. F-035-1(22)

Dr. Harold L. Stafford
273 United Treatment Company
Star Route, Box 2092
Wasilla, Alaska 99697

Dear Dr. Stafford:

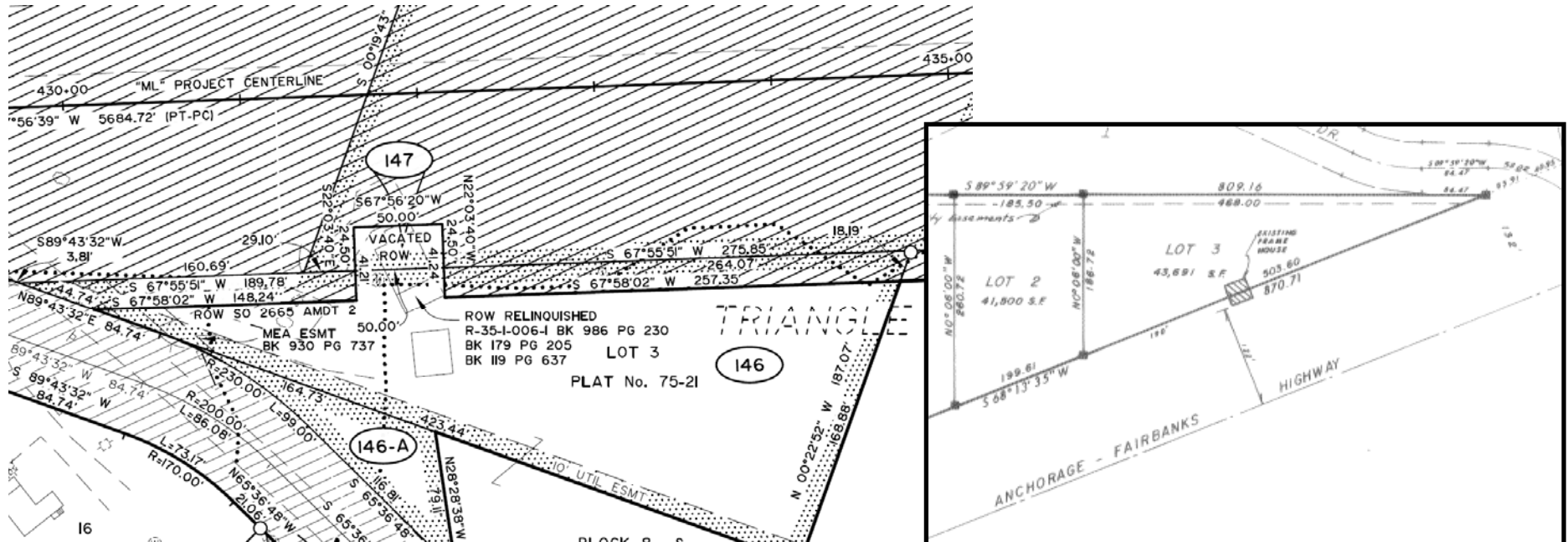
In reference to your letter of October 18, 1978 regarding the right of way fee the Parks Highway at approximately mile 47.5, a brief description of the property hereinafter referred to is attached, see Warranty Deed, recorded Palmer recording District, Book 125, Page 689; also enclosed is a copy of Land Patent No. 113029.

Regarding the right of way width of the highway which affects your property and the State of Alaska, Department of Transportation and Public Facilities' proof of ownership, to the extent of one hundred fifty (150) feet each side of the existing highway centerline, we have enclosed the following documents and maps.

CHRONOLOGICAL SUMMARY

1. Public Land Order (Departmental Order 2665) of the United States, dated October 16, 1956 and Amendment No. 2, dated September 15, 1956, of this order showing the 300-foot Wasilla - Willow Road to be designated a through road with a right of way width of three hundred (300) feet, on all "open unappropriated public lands." This withdrawal for highway use being more specifically stated as being one hundred fifty (150) feet each side of the highway centerline.
2. A copy of Sheet 12 of 27, of highway final plans for Project DS-0510(5), Wasilla to Big Lake Junction, showing a project right of way of two hundred (200) feet being one hundred thirty-two (132) feet northwesterly and sixty-eight (68) feet northwesterly of the final centerline, dated 1958.

ROW Relinquishments



THINGS TO INVESTIGATE:

1. **RIGHT OF WAY ACROSS SOUTH BOUNDARY OF LOT 3**
 - **Property subject to 300' ROW per SO 2665 Amdt. 2, 150' from CL**
 - **Title transferred from ROW line north, mistakenly 132'**
2. **VACATED ROW – 3 Documents Referenced**
3. **TWO ACQUISITION PARCELS BEING SHOWN, PCL 146 & 147**

ROW Relinquishments

NOV 1975

BOOK 129 PAGE 386
Palmer Recording District

DEED CREATING TENANCY BY THE ENTIRETY

THIS INDENTURE, made this ___ day of November, 1975, by and between GRANTORS DELROE OWEN MARINE and SUS C MARINE husband and wife of Wasilla Alaska, and GRANTEE, BOBBY J SMITH and STEPHANIE Y SMITH, husband and wife, of Anchorage, Alaska, 1200 West Dundas Blvd Space 536 Anchorage Ak 99502

That the GRANTORS for and in consideration of the sum of TEN DOLLARS (\$10 00), lawful money of the United States of America, and other good and valuable considerations to them in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, have granted, bargained, sold, conveyed and confirmed, and by these presents do grant, bargain, sell, convey and confirm unto the said GRANTEE, as tenants by the entirety, with the rights of survivorship, and to the heirs and assigns of the survivor, that certain real property situated in the Palmer Recording District, Third Judicial District, State of Alaska, more particularly described as follows, to-wit

Lot 3, TRIANGLE SUBDIVISION, located in the Southwest one-quarter (SW 1/4), of the Southwest one-quarter (SW 1/4), of Section 9, Township 17 North, Range 2 West, S M, Alaska

TOGETHER WITH ALL AND SINGULAR, the tenements hereditaments and appurtenances thereto belonging or in anywise appertaining

THIS DEED IS SUBJECT to a deed of trust executed by DELROE OWEN MARINE and SUS C MARINE as trustors, in favor of CHARLES R BLACK beneficiary, dated July 18, 1975 securing a note in the sum of \$38,500 00 which the grantee assumes and agrees to pay

TO HAVE AND TO HOLD the said premises, all and singular together with the appurtenances and privileges thereto incident unto the said GRANTEE, as tenants by the entirety, with the rights of survivorship, and to the heirs and assigns of the survivor, forever and the said GRANTORS covenant and agree with the said

JOHN E. RATE
Lawyer
Palmer, Alaska 99588
Telephone 7-6444

JUL 1976

BOOK 119 PAGE 637
Palmer Recording District
R-35-1-006-1

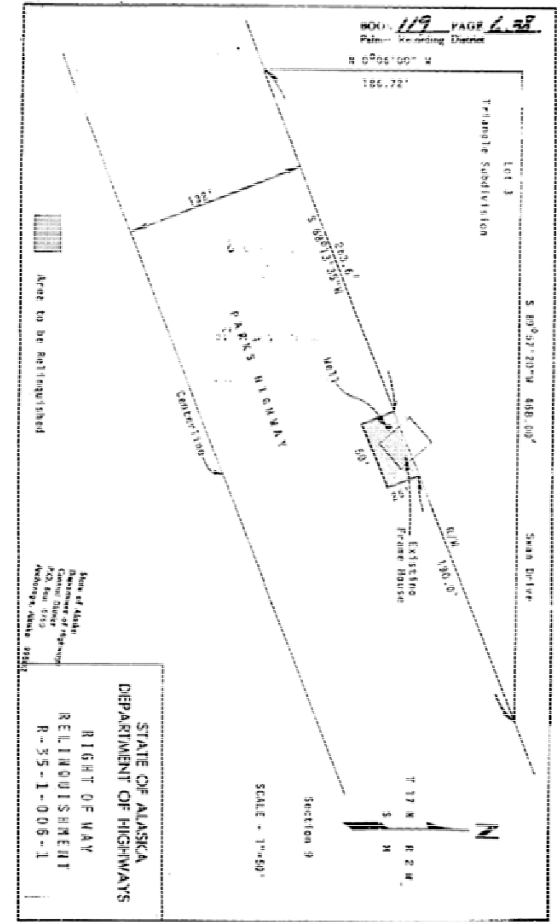
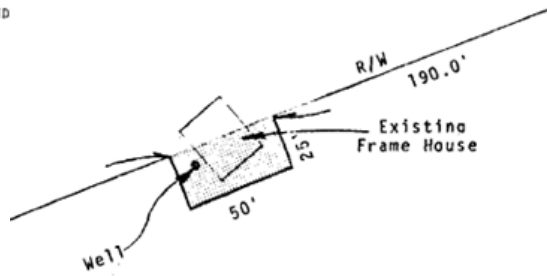
COMMISSIONER'S DEED OF VACATION

The Grantor, State of Alaska, acting by and through its Department of Highways acting under the authority of the Alaska Statutes, Section 19.050.70 for and in consideration of the sum of one and no/100 dollars (\$1.00) and other valuable considerations the receipt of which is hereby acknowledged, conveys, quitclaims and otherwise vacates unto those persons or their heirs, successors or assigns in whom the following described property was vested at the time of acquisition by the State of Alaska or its predecessors in interest, all interest of whatsoever nature which it has, in the following described real property situated in the State of Alaska, to wit:

Beginning at a point on the southerly line of Lot 3, Triangle Subdivision in Section 9, T. 17 N., R. 2 W., Seward Meridian, said point being S.68°13'35"W. 190.0 feet from the easterly corner of said Lot 3, said point also being on the northerly Right of Way line of the Parks Highway; thence continuing S.68°13'35"W. along said Right of Way line and lot line 50 feet, thence southeasterly at right angles to said lot line a distance of 25 feet; thence N.68°13'35"E., 50 feet; thence northwesterly at right angles to said lot line a distance of 25 feet to the Point of Beginning.

This conveyance is made in accordance with AS 19.05.070.
Dated this 13th day of July 1976.

RECOMMEND



ROW Relinquishments

OCT 1978

3084

WARRANTY DEED

BOOK 178 PAGE 266

THIS INDENTURE, made this 19th day of October, 1978, by and between, GRANTORS: BOBBY J. SMITH and STEPHANIE Y. SMITH, husband and wife, for and in consideration of TEN DOLLARS (\$10) and other good and valuable consideration to them in hand paid, CONVEYS and WARRANTS unto, GRANTEES: ERIC POETZSCH and BARBARA A. POETZSCH, husband and wife, AS TENANTS BY THE ENTIRETY, with rights of survivorship, whose address is 1545 S. Hoyt #43, Anchorage, Alaska 99504 and to the heirs and assigns of the survivor, the following described real property situated in the Palmer Recording District, Third Judicial District, to-wit:

PARCEL 1: Lot Three (3), TRIANGLE SUB-DIVISION, according to Plat No. 75-21, Palmer Recording District, Third Judicial District, State of Alaska;

PARCEL 2: A tract of land lying in Section 9, Township 17 North, Range 2 West, Seward Meridian, said tract described as follows:

Beginning at a point on the southerly line of Lot Three (3), TRIANGLE SUB-DIVISION in Section 9, Township 17 North, Range 2 West, Seward Meridian, said point being S.68°13'35"W. 190.0 feet from the easterly corner of said Lot Three (3), said point also being on the Northerly Right of Way line of the Parks Highway; thence continuing S.68°13'35"W. along said Right of Way line and lot line 50 feet, thence southeasterly at right angles to said lot line a distance of 25 feet; thence N.68°13'35"E., 50 feet; thence northwesterly at right angles to said lot line a distance of 25 feet to the Point of Beginning. Said tract as vacated by Commissioner's Deed of Vacation recorded July 16, 1976 in Book 119 at Page 637.

Subject to any covenants, restrictions, easements, conditions and reservations of record.

TOGETHER WITH ALL AND SINGULAR, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

FURTHER SUBJECT TO: Deed of Trust including terms and conditions thereof to

NOV 1978

3084

CORRECTION
COMMISSIONER'S DEED OF VACATION

BOOK 179 PAGE 705

R-35-1-006-1

The Grantor, State of Alaska, acting by and through its Department of Transportation and Public Facilities, acting under the authority of the Alaska Statutes, Section 19.050.70 for an in consideration of the sum of One and no/100 dollars (\$1.00) and other valuable considerations the receipt of which is hereby acknowledged, conveys, quitclaims and otherwise vacates unto Bobby J. Smith and Stephanie Y. Smith, all interest of whatsoever nature which it has in the following described real property situated in the State of Alaska, to wit:

Beginning at a point on the southerly line of Lot 3, TRIANGLE SUBDIVISION in Section 9, T.17 N., R.2 W., Seward Meridian, said point being S.68°13'35"W. 190.0 feet from the easterly corner of said Lot 3, said point also being on the northerly Right-of-Way line of the Parks Highway; thence continuing S.68°13'35"W. along said Right-of-Way line and lot line 50 feet, thence southeasterly at right angles to said lot line a distance of 25 feet; thence N.68°13'35"E., 50 feet; thence northwesterly at right angles to said lot line a distance of 25 feet to the point of beginning.

Uh oh

This Deed is to correct that certain Commissioner's Deed of Vacation recorded in the Palmer Recording District, Book 119, Page 637, to clarify the intent of quitclaiming interest in the described land to the owner of Lot 3, Triangle Subdivision.

Dated this 26th day of Oct 1978.

78-15200
RECORDED - FILED *NG*
Palmer REC. DIST.
DATE 11/15 78
TIME 3:37 P.M.
Prepared by *Mar-Su Title*

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
and PUBLIC FACILITIES

By *David Shanks*
Commissioner

Fee cannot be transferred if you do not possess FEE interest

ROW Relinquishments

NOV 1998

BOOK 0986 PAGE 230

CORRECTED COMMISSIONER'S DEED OF VACATION

THE GRANTOR, STATE OF ALASKA, acting by and through its Commissioner of Transportation and Public Facilities, whose mailing address is P.O. Box 196900, Anchorage, Alaska 99519-6900. Acting under the authority of the Alaska Statutes 19.05.070, and Executive Order No. 39, hereby conveys, quitclaims, and otherwise vacates unto those persons or their heirs, successors, or assigns in whom the following described property was vested at the time of acquisition by the State of Alaska or its predecessors in interest.

THAT WHEREAS, the GRANTOR conveyed to the grantee by Commissioner's Deed of Vacation dated July 13, 1976 and recorded July 16, 1976 in book 119 at page 637 in the Palmer Recording District, State of Alaska whereas it has been discovered that an error was made in the description of the premises conveyed.

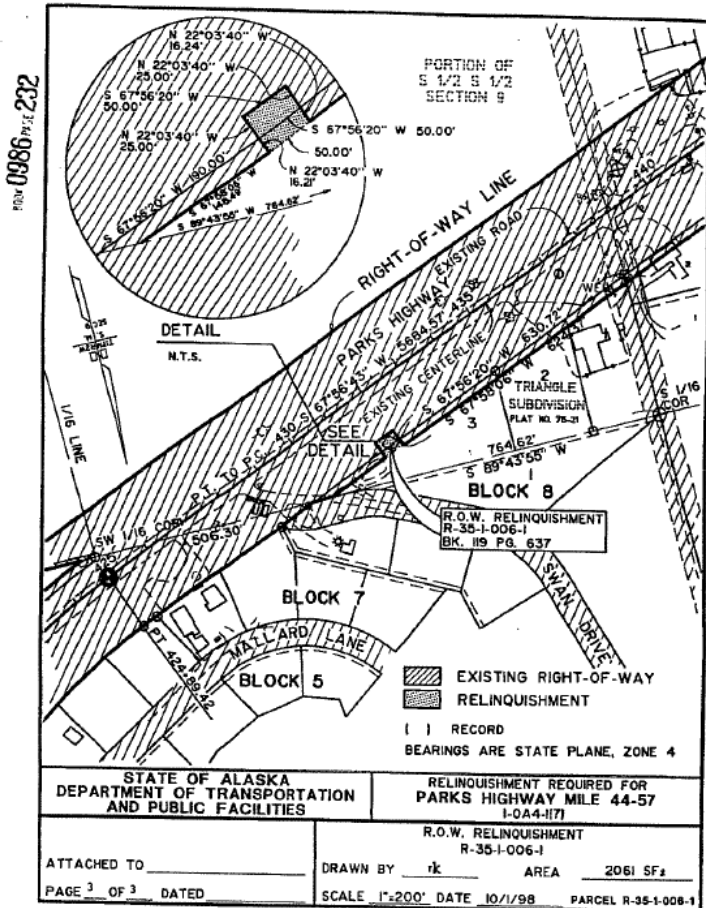
To prevent further difficulties hereafter and to reflect the true agreement of the parties, the parties desire to correct the error and amend the description as follows;

That portion of the South one-half of the South one-half (S1/2 S1/2) Section 9 Township 17 North Range 2 West Seward Meridian and that portion of Lot 3 Triangle Subdivision according to plat No. 75-21. All in the Palmer Recording District, State of Alaska. As delineated on the plat attached hereto and made a part as page 3 of this instrument and designated as R.O.W. RELINQUISHMENT R-35-1-006-1.

THEREFORE the GRANTOR the State of Alaska, Department of Transportation and Public Facilities, for and in consideration of correcting the description, conveys and quitclaims to the grantees the above described real property. It being the intent that the original Commissioner's Deed of Vacation is to remain in full force and effect in every other respect, and the State of Alaska, Department of Transportation and Public Facilities ratifies and confirms the same.

John D. Horn
John D. Horn, P.E.
Regional Director

Dated November 20, 1998.



ROW Relinquishments

THINGS TO INVESTIGATE:

1. RIGHT OF WAY ACROSS SOUTH BOUNDARY OF LOT 3

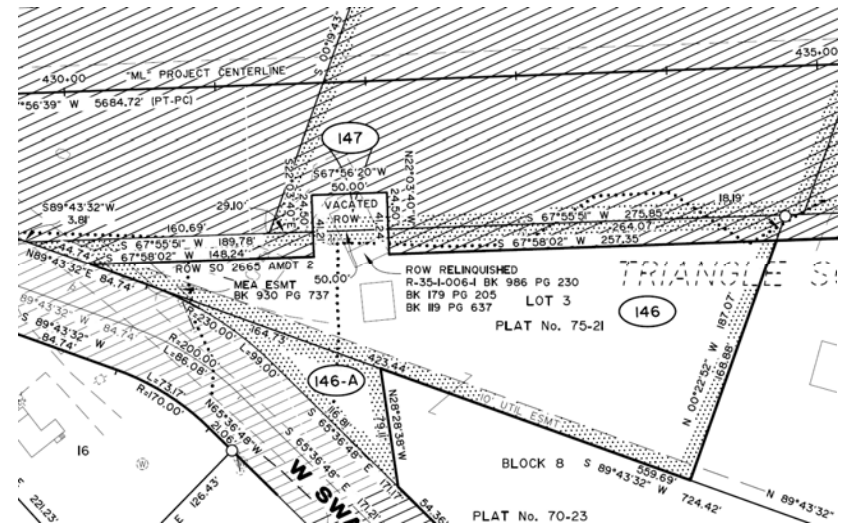
- Property subject to 300' ROW per SO 2665 Amdt. 2, 150' from CL
- Title transferred from ROW line north, mistakenly 132'

2. VACATED ROW – 3 Documents Referenced

- Misinterpretation of interest transferred

3. TWO ACQUISITION PARCELS BEING SHOWN, PCL 146 & 147

- Parcel 146 title includes the 25'x50' “vacated area”
- Parcel 147 title has always been full aliquot part
- Fee interest will be purchased from Parcel 147;
- Home will be purchased from Parcel 146



Conclusion



- ROW widths are not always shown correctly
- Take caution with legal descriptions and relinquishments
- Fee Interest cannot be transferred if FEE is not owned

Road Name Change Over Time:

- Pittman Road
- Wasilla to Big Lake Road
- Wasilla-Willow-Talkeetna Road
- Palmer-Wasilla-Willow Road
- Palmer-Cantwell Highway
- Anchorage-Fairbanks Highway
- Parks Highway (1975)

Wasilla - Big Lake Construction



Highway Plans 1958

Wasilla - Big Lake Junction

