



Public Land Orders

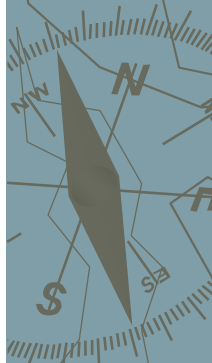


Access Law and Issues Affecting Public and Private Lands In Alaska
February 26, 2016

PLO Case Study #1

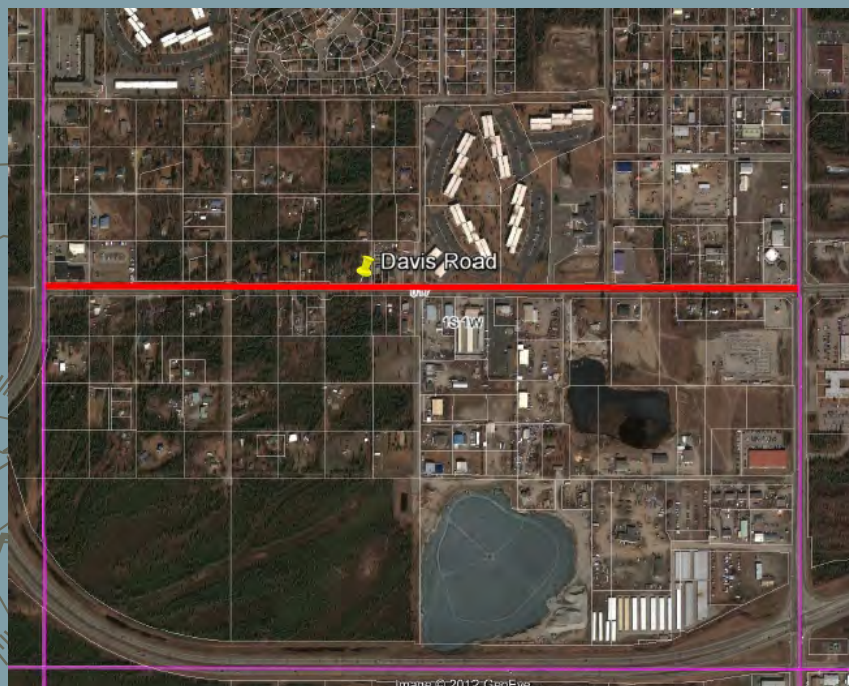
S.O. 2665 and Small Tract Lots

"A Patchwork Quilt of Interests" - An Existing
Right-of-Way Based on Multiple Authorities.



February 26, 2016

Davis Road – Fairbanks



S.O. 2665 and BLM Small Tracts

"Subject to
Valid Existing
Rights..."

~

Date of Small
Tracts Lease
Application?

BLM Small Tracts Subdivision of Section 17

TOWNSHIP 1 SOUTH, RANGE 1 WEST, OF THE FAIRBANKS MERIDIAN, ALASKA
DEPENDENT RESURVEY AND SUBDIVISION OF SECTIONS 7, 17, 19 AND 20.



Resurvey and subdivision of secs. 7, 17, 19 and 20 executed by Hobart B. Hyatt July 3 to August 25, 1951 under Special Instructions for Group 49 Alaska, dated April 27, 1934.

Survey Approved April 13, 1953

BLM Master Title Plat ~ S17, T.1S. R.1W., FM

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS
**MTP
SUPPL SECS 17 - 20**

24-2.50 1146838 R/W All Min	23-2.50 1149164 R/W All Min	22-2.50 1179366 R/W All Min	21-2.50 1159922 R/W All Min	20-2.50 1154452 R/W All Min	19-2.50 1168491 R/W All Min	18-2.50 1179372 R/W All Min	17-2.50
25-2.50 1154350 R/W All Min	26-2.50 1179375 R/W All Min	27-2.50 1157083 R/W All Min	28-2.50 1154839 R/W All Min	29-2.50 1137093 R/W All Min	30-2.50 1181761 R/W All Min	31-2.50 1137095 R/W All Min	32-2.50 1133562 R/W All Min
40-2.50 1155700 R/W All Min	39-2.50 1137094 R/W All Min	38-2.50 1154348 R/W All Min	37-2.50 1150972 R/W All Min	36-2.50 1142156 R/W All Min	35-2.50 1137541 R/W All Min	34-2.50 1195548 R/W All Min	33-2.50 1133565 R/W All Min
41-2.50	42-2.50	43-2.50	44-2.50	45-2.50	46-2.50	47-2.50	48-2.50

17

Govt. Lot 25 ~ Patent No. 1154350

G.L. 25 ~ BLM Patent

WHEREAS, a certificate of the Land Office at **Fairbanks**, Alaska, is now deposited in the Bureau of Land Management, whereby it appears that pursuant to the act of Congress of **June 1, 1938 (52 Stat. 609)**, as amended by the Act of **July 11, 1945 (59 Stat. 467)**, the claim of **Edward U. Branch** has been established and that the requirements of law pertaining to the claim have been met, for the following-described land:

Fairbanks Meridian, Alaska.

T. 1 S., R. 1 W.,

sec. 17, Lot 25.

The area described contains **2.50** acres, according to the official plat of the survey of the said land, on file in the Bureau of Land Management: **Dependent Resurvey officially filed June 3, 1953:**

Excepting and reserving, also, to the United States, all oil, gas, and other mineral deposits, in the land so patented, together with the right to prospect for, mine, and remove the same according to the provisions of said Act of June 1, 1938. This patent is subject to a right of way not exceeding 33 feet in width, for roadway and public utilities purposes, to be located along the south and west boundaries of said land.

Patent No. 1154350 ~ September 16, 1955

G.L. 25 ~ Abstract

Alaska Case Retrieval Enterprise System (ACRES)

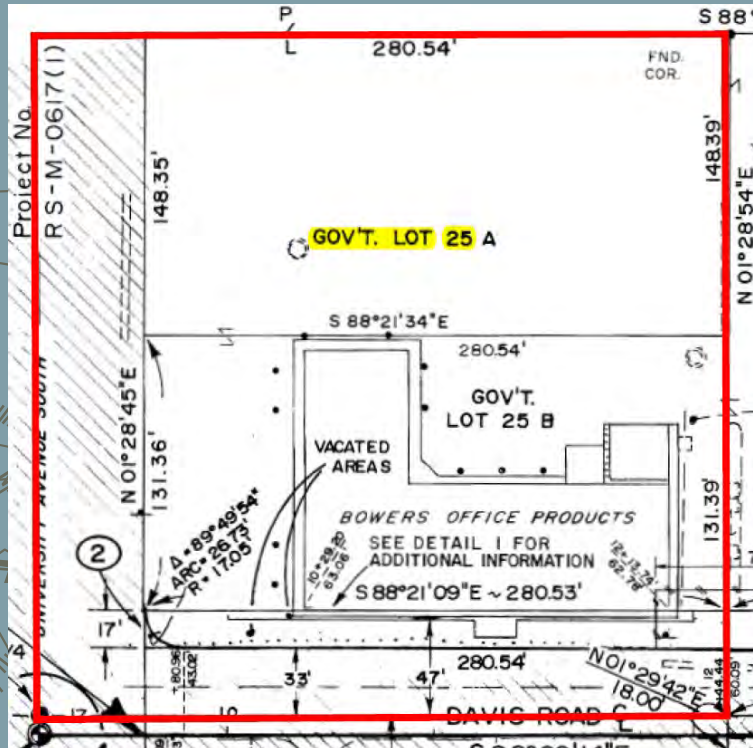
Note: Reports are generated from a replicated database. Information can be one week old.

Case Abstract for: AKF 009503

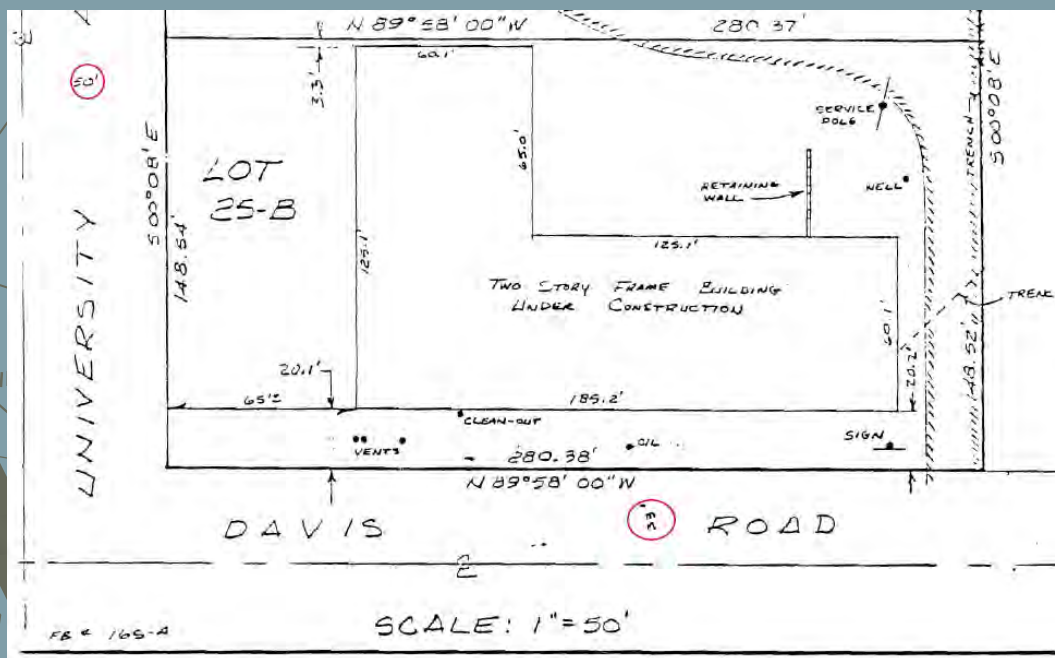
Date	Code Description:	Remarks	Doc ID
14-APR-1952	001 Appln Recd/Case Establi	APPLICATION RECEIVED	--
14-APR-1952	176 Lease Issued	LEASE	--
27-OCT-1954	521 Field Report Received	--	--
01-MAR-1955	523 Purchase Appln Recd	--	--
02-MAY-1955	521 Field Report Received	--	--
12-MAY-1955	087 Purchase Price Request	--	--
16-SEP-1955	879 Patent Issued	--	PA0001154350

Rights Vested as of Date Application Received

G.L. 25 ~ DOT&PF ROW Plans

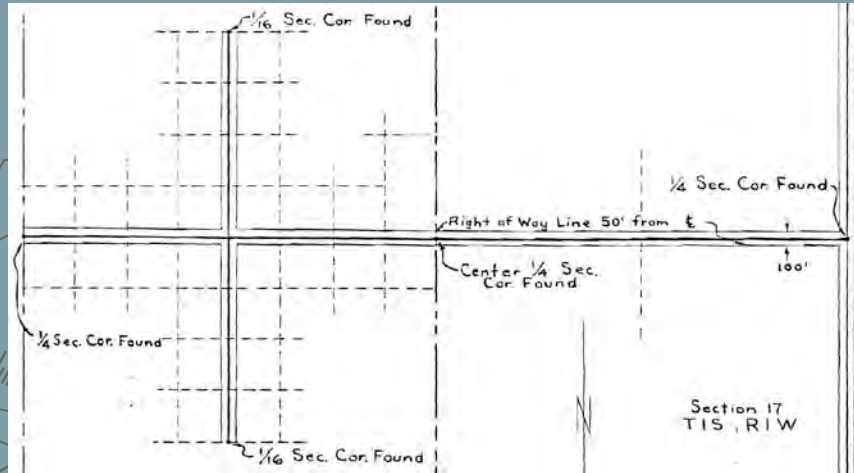


GL 25 at NE Corner of Davis & University Ave.



Private Plot Plan shows 33' ROW on South Boundary

Alaska Road Commission Map ~ August, 1951



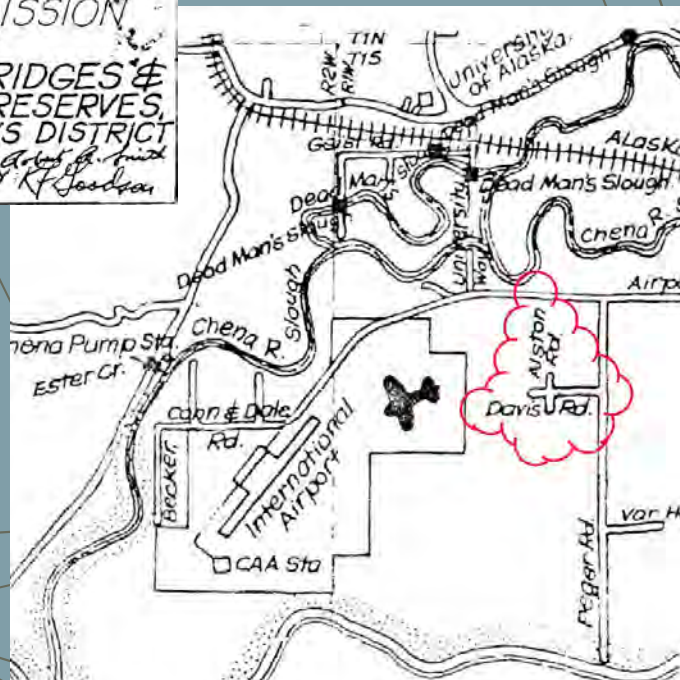
ALASKA ROAD COMMISSION
FAIRBANKS, ALASKA
RIGHT OF WAY MAP
AUGUST 1951

Schematic Map indicates 50-foot wide ROW Along Davis Road

ARC System Map ~ Fairbanks ~ 12/10/51

UNITED STATES DEPARTMENT OF THE INTERIOR
ALASKA ROAD COMMISSION
FAIRBANKS DISTRICT
LOCATION OF ROADS, BRIDGES &
SMALL WOOD TRESTLES, RESERVES,
& LANDMARKS IN FAIRBANKS DISTRICT
COMPILED BY: G.A. Novak, Jr. CHECKED BY: *Robert A. Smith*
DRAWN BY: G.A. Novak, Jr. APPROVED BY: *R. J. Jordan*
P. 9 OF 9 SHEETS. DATE: 12/10/51

Davis &
Alston Roads
Identified As
Part of ARC
System



ARC Order No. 40 ~ August 11, 1952

UNITED STATES
DEPARTMENT OF THE INTERIOR
ALASKA ROAD COMMISSION
Juneau, Alaska



August 11, 1952

ARC ORDER NO. 40, Supplement No. 1

Subject: Numbering System for Alaska Roads

Sheets 4 to 12 inclusive, of ARC Order No. 40 dated February 6, 1951, are revoked in their entirety and the attached sheets are to be substituted therefor.

The revised sheets have been compiled from data received from the various districts and reflect the district changes and recommendations as well as such changes as deemed advisable by Headquarters.

LOCAL ROADS

NO.	NAME	NEW LENGTH
120.1	Valdez-Mineral Creek	10.7
120.2	Robe Lake Branch	0.5
121.1	Chitina-Native School	1.0
121.2	Chitina-Chitina River	1.0
130.1	Cushman St. Extension	1.9
	West Fairbanks	3.4
130.2	Badger Farm Road Loop	12.1
	Brock Road	2.0
	Peede Road	3.6
	Thirty Mile Slough Road	2.2
130.3	Old Richardson Highway	14.5
130.4	Lake Harding Branch-	2.8
	Birch Lake Branch	1.7
130.5	Richardson Highway-Democrat Cr.	4.0
130.6	Big Delta Firing Range Road	17.1
132.1	Alston Road	0.5
	Becker-Dale-Conn Road	2.1
	Davis Road	1.0

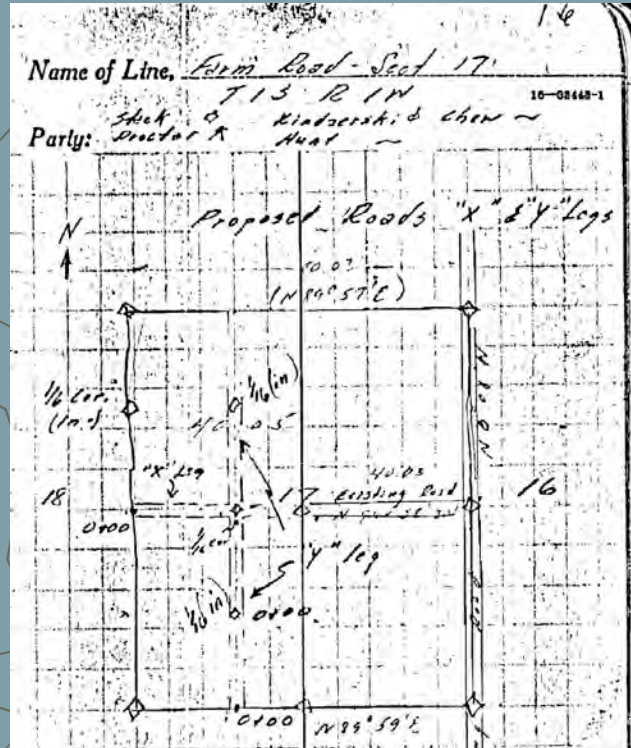
ARC System
Inventory Lists
Davis Road as
a Part of Route
No. 132.1

What Was the Date of
Staking or Posting For
New Road
Construction?

February 26, 2016

Staking Field Notes ~ August 17, 1951

"Farm Road"
Section 17, T.1S.,
R.1W., F.M.



SOA v. Keener Excerpt ~ May 23, 1990

CHRONOLOGY^{4/}

08-17-51 Staking for construction begins
09-10-51 Work Order #349 is 50% completed
10-08-51 Work Order #349 is completed

^{4/}Davis Road is also referred to as Priority #6, Priority #9, Work Order #349, Small Tracts Road, and Route 132.1.

The above chronology is supported by documentary evidence and establishes that construction on Davis Road began in August of 1951 and was completed (except for gravel surfacing) by October 8, 1951.

Keener owned a lot on the South side of Davis Road opposite subject lot. Superior Court decision noted a variety of cross-referenced ARC documents concluding that S.O. 2665 "Staking" occurred prior to lease application.

Priority 6 Petition ~ May 3, 1950

Road Petition
Associates
"Priority 6"
with Section
17, T.1S,
R.1W.

Priority 6

Eielson Air Force Base
Fairbanks, Alaska
May 3, 1950

Alaska Road Commission
Fairbanks, Alaska
Attention: Mr. Frank Nash
District Engineer

Dear Sir:

The U. S. Land Office recently announced that tracts of land for use as homesites and cabin sites were available to interested persons in Section 17, T. 1 S, R. 1 W, F. M. Since the announcement of availability was made claims have been filed on most of the tracts.

At present there are no roads on section 17. There is a road leading to the East side of the section, to the Kenneth Cross Homesite (tract number 3). In order that applicants can build homes or cabins and fulfill the pre-requisites for buying the tract on which they have filed claim it is necessary that some roads be built dividing the section into smaller sub-sections. It is therefore requested by the undersigned that the Alaska Road Commission build roads, so far as is within their means, on section 17. Enclosed is a sketch showing breakdown of section into tracts and the numbers which have been assigned to them. Proposed roads as shown on sketch in U. S. Land Office are shown drawn in red.

Yours truly,
Leonard F. Vix
LEONARD F. VIX
1st Lt., USAF
Tract number, 17
P. H. Hammond

Robert A. Isaacson
ROBERT A. ISAACSON
Eielson A. F. B.
A. I. O.
Fairbanks, Alaska

Omnibus Quitclaim Deed ~ Route 661

Federal-aid Secondary Class "A" Routes -10-

FAS Route No.	Description	Highway District No.	Constructed Mileage	System Mileage
651	From a point on FAP Route 37 approximately 0.6 miles northwest of intersection of FAS Route 645 northwesterly to junction with FAS Route 6491; thence northerly to the junction of Sheep, Moose and Goldstream Creeks	20	5.5	5.5
661	From FAP Route 62 Spur at FAP Route 37 Spur intersection south 0.75 miles; thence east 1 mile to FAS Route 665	20	1.8	1.8

Above: Route 661 runs south from the University Ave./Airport Road Intersection, then along University Ave. to the Davis Intersection, then east along Davis Road for 1 mile to Peger Road. Below: Route 5621 "Davis Road is in Wasilla, not Fairbanks!!! Omnibus QCD Descriptions are obscure...make sure you have referenced the correct route!

ALASKA
FEDERAL-AID SECONDARY HIGHWAY SYSTEM, CLASS "B" ROUTES E-15

FAS Route No.	Name	Description	Highway District No.	Constructed Mileage	System Mileage
5621	Davis Road	From a point on FAS Route 562 approx. 0.9 mile southwest of junction at FAS Route 562 and 570, southwest 0.7 mile.	10	0.7	0.7

Title Conveyed to State of Alaska on June 30, 1959

PLO Case Study #2

PLO 1613 Highway Lots

Why it is good to know what you own and
where your boundaries are before you build!

February 26, 2016

Glenn Highway MP 143



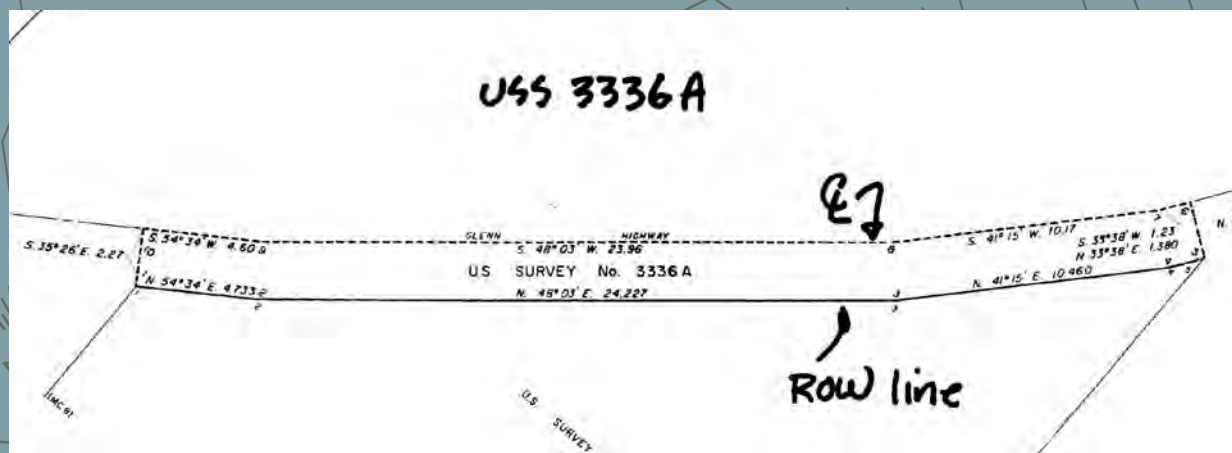
February 26, 2016

PLO 1613 "Preference Rights"

7. The lands released from withdrawal by paragraphs 1 and 2 of this order, which, at the date of this order, adjoin lands in private ownership, shall be offered for sale at not less than their appraised value, as determined by the authorized officer of the Bureau of Land Management, and pursuant to section 2 of the act of August 1, 1956, supra. Owners of such private lands shall have a preference right to purchase at the appraised value so much of the released lands adjoining their private property as the authorized officer of the Bureau of Land Management deems equitable, provided, that ordinarily, owners of private lands adjoining the lands described in paragraph 1 of this order will have a preference right to purchase released lands adjoining their property, only up to the centerline of the highways located therein. Preference right claimants may make application for purchase of released lands at any time after the date of this order by giving notice to the appropriate land office of the Bureau of Land Management. Lands described in

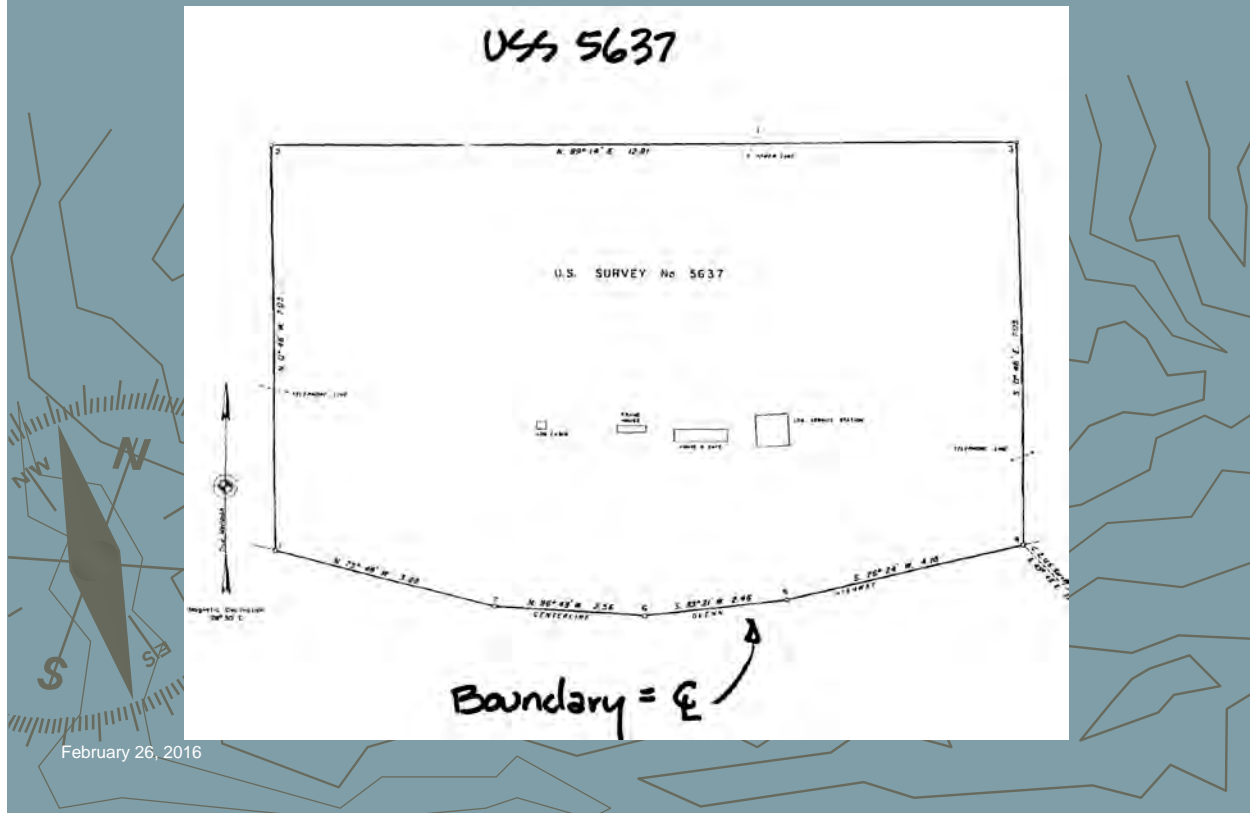
February 26, 2016

USS No. 3336A Highway Lot



February 26, 2016

USS No. 5637 Bounds on Glenn Centerline



Agreement to Vacate Old Glenn – USS 5637

The amounts to be paid, and other considerations to be given in full satisfaction of this Agreement, are as follows:

Right of Way Acquisition	\$ 34,525.00	
Retention Value	25.00	
		TOTAL COMPENSATION \$ 34,500.00

Fixtures and Improvements ~~Retained~~ Retained: 1 Cabins and 1 Shed

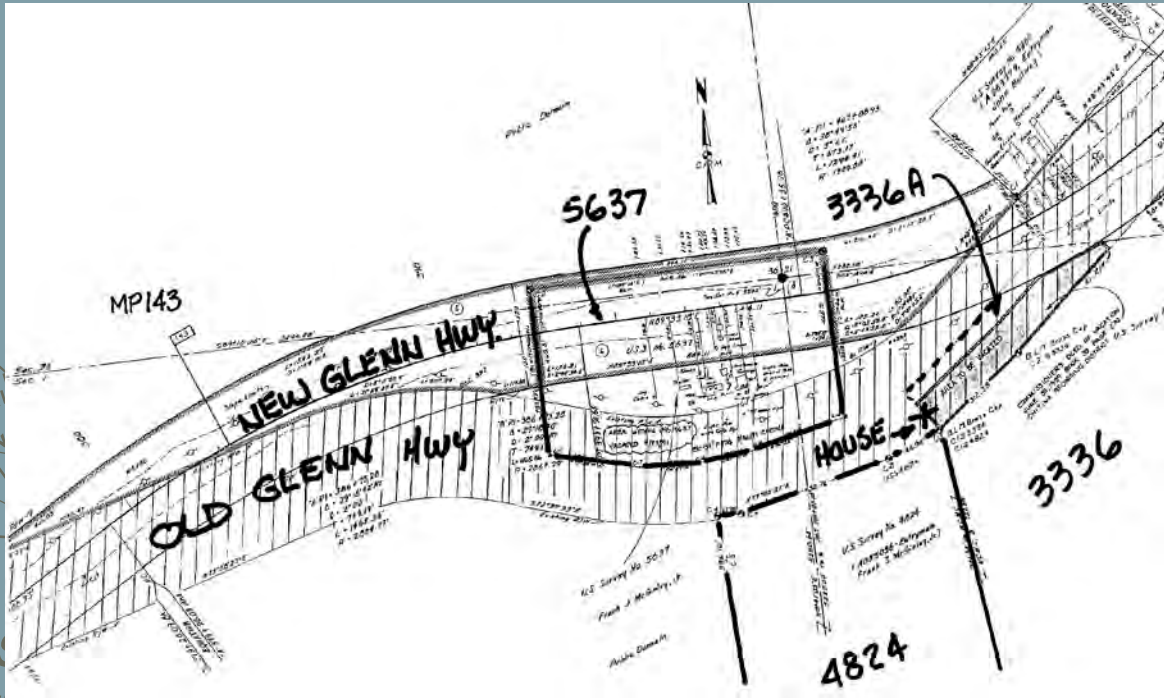
Land Purchased (sq. ft.) 5,131 (acres)

Damages are a consideration: ☒ Yes ☐ No Amount of Damages \$ 29,025.00 (included in total compensation above)

Other Conditions: Owner agrees to remove the retained improvements not later than May 31, 1976. IF not removed within the time herein agreed upon and unless a written extension is granted by the Department of Highways, the withholding in the amount of \$1,500.00 shall be forfeited to the State of Alaska, and the Department of Highways shall have the right to remove and demolish same, in all cases holding the State of Alaska harmless.

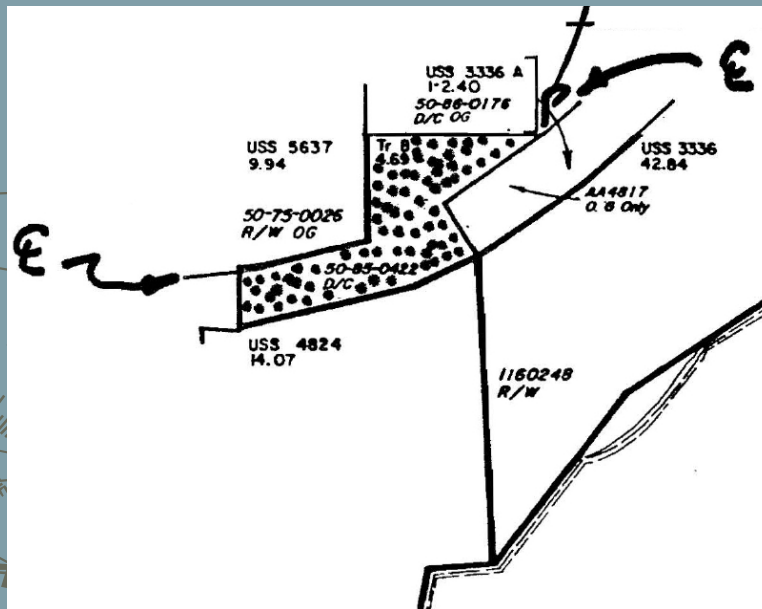
The Department of Highways agrees to vacate and relinquish that portion of the existing R/W of the Old Glenn Highway within U.S. Survey No. 5637 and that portion of said R/W adjacent to U.S. Survey No. 4824 upon completion of construction of the new highway facility.

ROW Plans – Glenn Highway Realignment



February 26, 2016

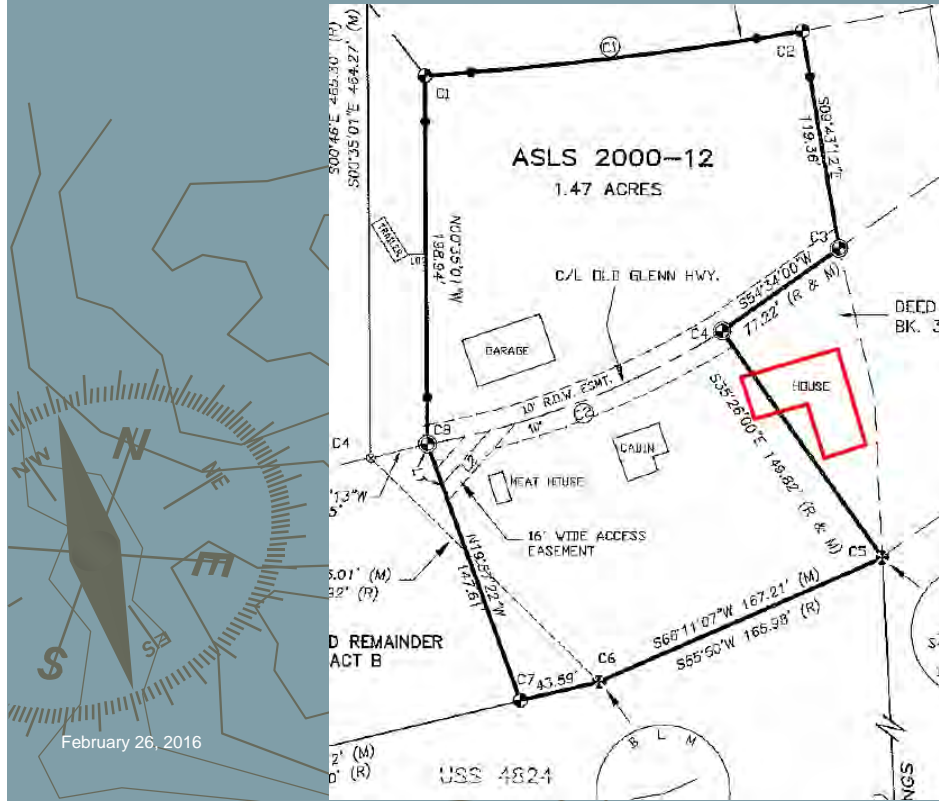
MTP ~ Land Under DNR Ownership



DOT&PF Vacates Old Glenn Highway ROW
to DNR to Allow Preference Rights Disposals

February 26, 2016

ASLS Defines Preference Rights Parcel



PLO Case Study #3

Glenn Highway PLO & BLM Survey Conflict

Highway Right-of-Way Widths That Change
Over Time...



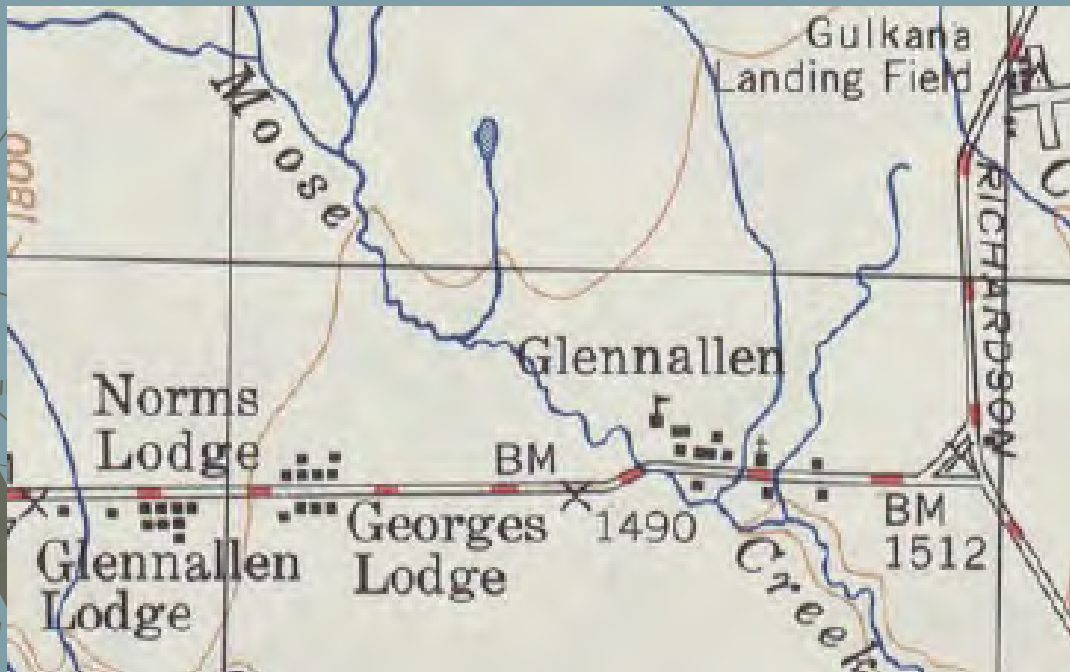
Section 19, T.4N., R.1W., C.R.M.



In 1993, owner of G.L. 43 questioned status of the ROW adjoining his property. Is the ROW 100' or 150' from the highway centerline?

February 26, 2016

1951 Army Map Service – Gulkana Quad



February 26, 2016



EXECUTIVE ORDER 9145

RESERVING PUBLIC LANDS FOR THE USE OF THE ALASKA ROAD COMMISSION IN CONNECTION WITH THE CONSTRUCTION, OPERATION AND MAINTENANCE OF THE PALMER-RICHARDSON HIGHWAY

ALASKA

By virtue of the authority vested in me as President of the United States, it is ordered as follows:

SECTION 1. Executive Orders No. 2319 of February 16, 1916, No. 5582 of March 18, 1931, No. 9035 of January 21, 1942,¹ No. 9085 of March 4, 1942,² withdrawing certain lands for townsite purpose, examination and classification, supply base and repair shop site, administrative and fire patrol station site, and other purposes, are hereby modified to the extent necessary to permit the reservation described in Section 2 of this order.

SECTION 2. Subject to all valid existing rights, there is hereby reserved for the use of the Alaska Road Commission, in connection with the construction, operation and maintenance of the Palmer-Richardson Highway, a right-of-way 200 feet wide, 100 feet on each side of the center line, beginning from terminal point Station 1369-42.8, in the NE¼ Section 36, T. 20 N., R. 5 E., Seward Meridian, and extending easterly and northeasterly over surveyed and unsurveyed lands to its point of connection with the Richardson Highway in the SE¼ Section 19, T. 4 N., R. 1 W., Copper River Meridian, Alaska, a distance of approximately 145 miles, as shown on the map, dated March 14, 1942, No. 1377260, on file in the General Land Office.

FRANKLIN D. ROOSEVELT
THE WHITE HOUSE,
April 23, 1942.

[F. R. Doc. 42-3687; Filed April 24, 1942; 2:59 p. m.]

¹ 7 F.R. 457.
² 7 F.R. 1740.

Executive
Order No.
9145
Palmer-
Richardson
Highway
(Glenn)
200-Foot ROW

~
April 23, 1942



[Public Land Order 46]

ALASKA

WITHDRAWING PUBLIC LANDS FOR CLASSIFICATION AND IN AID OF LEGISLATION

By virtue of the authority contained in the act of June 25, 1910, C. 421, 36 Stat. 847, as amended by the act of August 24, 1912, C. 369, 37 Stat. 497 (U.S.C. title 43, secs. 141-143), and pursuant to Executive Order No. 9146 of April 24, 1942, it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby temporarily withdrawn from settlement, location, sale, or entry, for classification and in aid of legislation:

COPPER RIVER MERIDIAN

T. 4 N., R. 1 W.,
Secs. 7, 18 and 19, W¼ sec. 29, E½ sec. 30,
and N½ sec. 32.

T. 4 N., R. 2 W.,
Secs. 19 to 24, inclusive, unsurveyed.

The areas described aggregate 6720 acres.

So far as any of the above described lands are affected, this order shall be subject to (1) the withdrawal for a supply and repair shop for the Alaska Road Commission by Executive Order No. 9035 of January 21, 1942, (2) the withdrawal for a patrol station for the Alaska Fire Control Service by Executive Order No. 9085 of March 4, 1942, (3) the withdrawal for the Alaska Road Commission of a 200 foot right of way by Executive Order No. 9145 of April 23, 1942, and (4) the withdrawal for the location and construction of the Canadian-Alaska Military Highway by Public Land Order No. 12 of July 20, 1942.

HAROLD L. ICKES,
Secretary of the Interior.

OCTOBER 8, 1942.

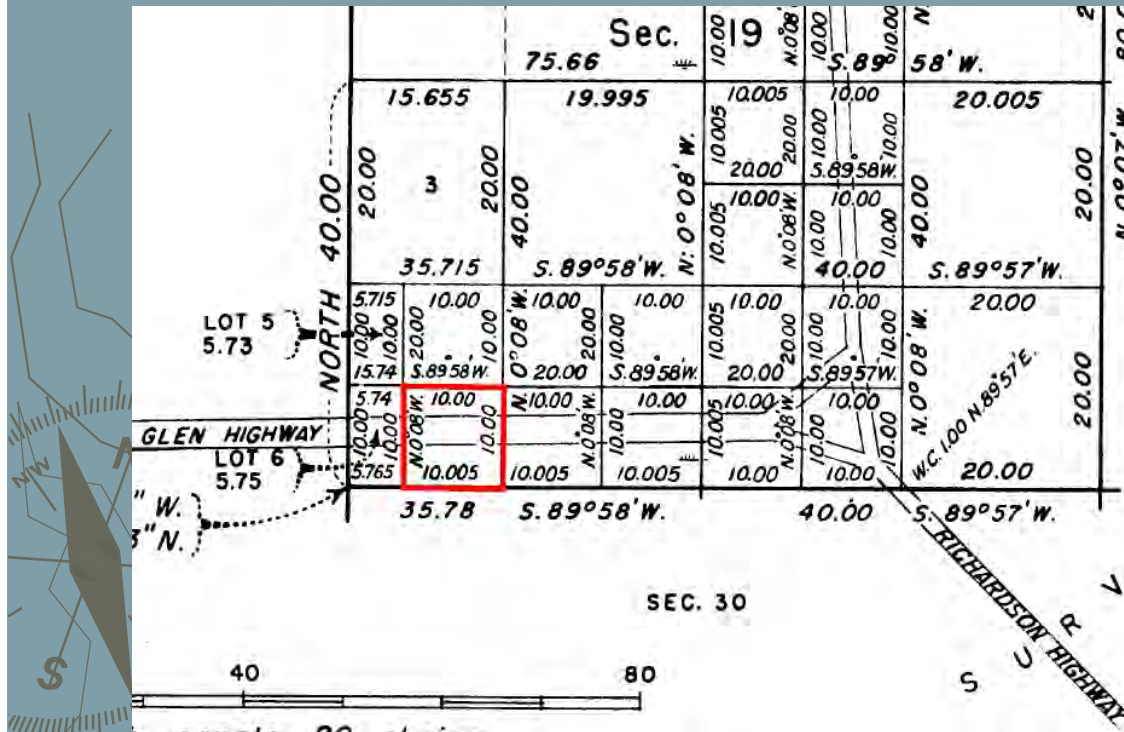
[F. R. Doc. 42-10713; Filed, October 23, 1942; 9:52 a. m.]

PLO 46
Public Land
Withdrawal

~
Including
Section 19

~
10/23/42

Subdivision of Section 19 – Approved 7/22/47



Plat creates 10 acre tracts straddling the Glenn Highway

BLM to ARC – January 6, 1949

January 6, 1949

Colonel John Noyes,
Commissioner of Roads,
Alaska Road Commission
Juneau, Alaska

Dear Colonel Noyes:

In connection with our efforts to make available small tracts at Glenallen, some of which will no doubt be obtained by employees of the Alaska Road Commission, I have suggested to my Washington office the advisability of retaining the 200-foot right-of-way for a short distance along the Glenn Highway.

Small tracts have already been surveyed, and it was my thought that perhaps less confusion and more land would result if the width was not disturbed there.

Alaska Road Commission
January 7 1949

In anticipation of PLO 601....

ARC to BLM – January 14, 1949

Mr. Lowell M. Puckett,
Regional Administrator,
Bureau of Land Management,
Department of the Interior,
Anchorage, Alaska.

Dear Mr. Puckett:

Receipt is acknowledged of your letter dated January 6, 1949, in which you discuss the advisability of retaining a 200 foot right-of-way for a short distance (about seven sections) along the Glenn Highway near its junction with the Richardson Highway and for about three sections along the Richardson Highway north of the junction.

In general, I dislike to recommend an exception to a ruling so recently made. However, in this instance I cannot deny the logic of your conclusion and must reluctantly concur in the suggestion you have made. Thank you for bringing this matter to my attention.

Very truly yours,

John R. Noyes,
Commissioner of Roads for Alaska.

February 26, 2016

PLO 601 ~ August 10, 1949

{Public Land Order 601}

ALASKA

RESERVING PUBLIC LANDS FOR HIGHWAY PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

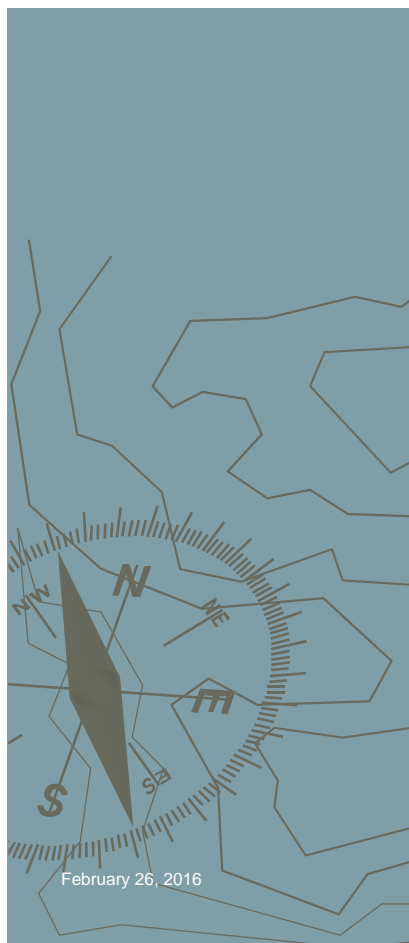
Executive Order No. 9145 of April 23, 1942, reserving public lands for the use of the Alaska Road Commission in connection with the construction, operation, and maintenance of the Palmer-Richardson Highway (now known as the Glenn Highway), is hereby revoked.

Subject to valid existing rights and to existing surveys and withdrawals for other than highway purposes, the public lands in Alaska lying within 300 feet on each side of the center line of the Alaska Highway, 150 feet on each side of the center line of all other through roads, 100 feet on each side of the center line of all feeder roads, and 50 feet on each side of the center line of all local roads, in accordance with the following classifications, are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for highway purposes:

TREASURE ROADS

Alaska Highway, Richardson Highway, Glenn Highway, Haines Highway, Tok Cut-Off.

February 26, 2016



[Public Land Order 616]
ALASKA
REVOKING IN PART PUBLIC LAND ORDER NO. 46 OF OCTOBER 8, 1942

By virtue of the authority contained in the act of June 25, 1910, 36 Stat. 847 (43 U. S. C. 141-143), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Public Land Order No. 46 of October 8, 1942, withdrawing lands for classification and in aid of legislation, is hereby revoked so far as it affects the following-described public lands:

COPPER RIVER MERIDIAN
T. 4 N., R. 1 W.,
 Sec. 7;
 Sec. 18;
 Sec. 19, NE $\frac{1}{4}$ and W $\frac{1}{2}$;
T. 4 N., R. 2 W.,
 Secs. 20 to 24 inclusive.

The lands shall not become subject to the initiation of any rights or to any disposition under the public land laws until it is so provided by an order of classification to be issued by the Regional Administrator, Bureau of Land Management, Anchorage, Alaska, opening the lands to application under the **Small Tract Act of June 1, 1938**, 52 Stat. 609 (43 U. S. C. sec. 682a) as amended, with a ninety-day preference right period for filing such applications by Veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284), as amended.

J. A. KAUS,
Secretary of the Interior.

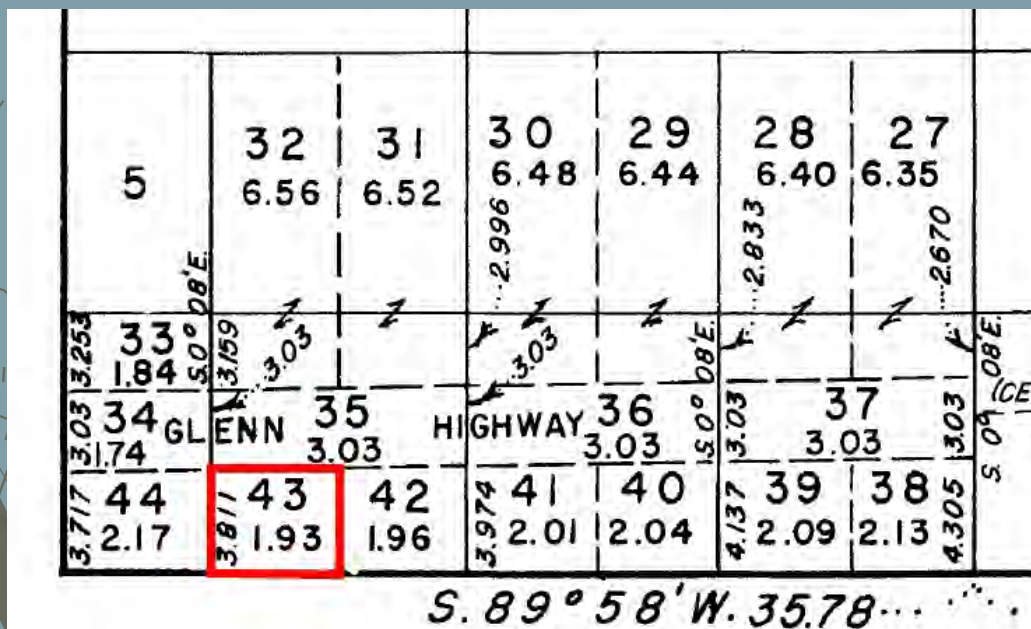
NOVEMBER 15, 1949.
 [P. R. Doc. 49-9370; Filed, Nov. 21, 1949; 8:47 a. m.]

PLO 616
 Partial
 Revocation
 of PLO 46

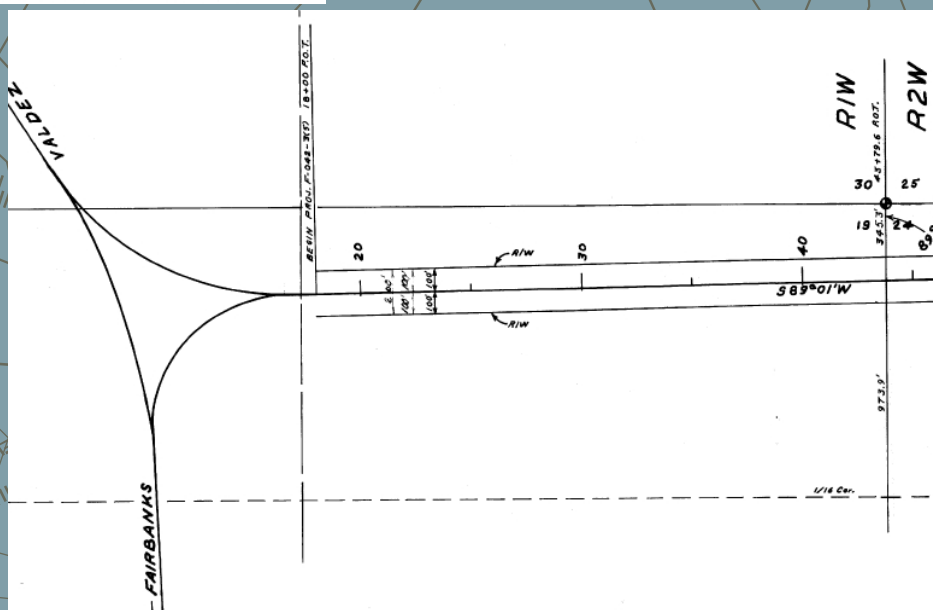
~
 Including
 West 1/2
 Section 19
 ~

11/15/49

ROW Segregation Plat ~ October 1, 1953



Gov't Lots replatted to include highway lots...



BLM Patent 50-65-0127 ~ August 20, 1964

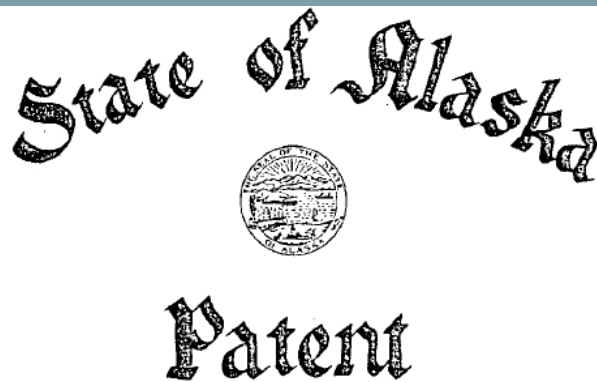
BLM Conveys G.L. 43, Section 19, T.4N., R.1W., C.R.M. to State of Alaska

Sec. 7; Lots 6, 11, 16, 21, 26, 31, 36 and 41 said Sec. 18; Lots 8 and 13 said Sec. 19 and Lots 30, 31, 32, 34, 35, 37, 40, 43, 51 thru 54, Sec. 20, T. 4 N., R. 2 W., Lots 34, 37 thru 56 said Sec. 21; Lots 39, 42 thru 45, 48, 49, 54, 55, 60 and 61 said Sec. 22, subject to the easement as established by Public Land Order 1613 (23 F.R. 2376), pursuant to the Act of August 1, 1956 (70 Stat. 898; 48 U.S.C. Sec. 420-420c), for highway purposes, including appurtenant protective, scenic and service areas.

Subject to PLO 1613 Highway Easement

February 26, 2016

State Patent No. 2182 ~ G.L. 43 November 15, 1974



"Subject to the Glenn Highway Right-of-Way, 150 Feet south of and Parallel to the Centerline, and Such Additional Easements as Provided by Public Land Order 1613."

February 26, 2016

DOT&PF Issues Deed of Vacation

BOOK 39 PAGE 403

COMMISSIONER'S DEED OF VACATION

The GRANTOR, the STATE OF ALASKA, acting by and through its DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, acting under the authority of the Alaska Statutes, Section 19.05.070, conveys, quitclaims and otherwise vacates unto, the GRANTEE, Jasper Hall, DBA Service Oil & Gas Inc., P.O. Box 276, Glennallen, AK 99588,* all interest of whatsoever nature which it has, in the following described real property:

Those portions of Government Lots 41, 42 and 43, Section 19, T4N, R1W CRM, 3rd, Judicial District, State of Alaska, lying beyond 100 feet to the left of the Glenn Highway Centerline according to Alaska Project No. F-042-3(6) as shown on the plat attached hereto and made a part hereof.

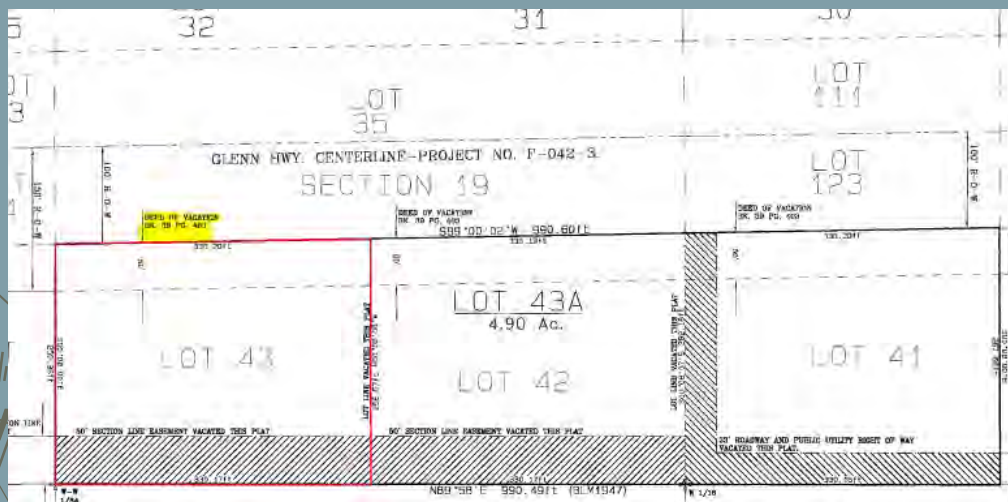
Said vacated area contains 1.09 acres more or less.

Dated this 21 day of July, 1992.

Glenn ROW fronting G.L. 43 returns to its initial configuration of 100-feet from centerline.

February 26, 2016

Plat 2001-7 Replat of G.L. 41 - 43



Replat of G.L. 43 reflects vacation of outer 50-feet of PLO 1613 highway easement.

February 26, 2016

Small Tract Patent G.L. 41

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 **June 1, 1938 (52 Stat. 609)**, as amended by the Act of July 14, 1945 (59 Stat. 467), and the acts supplemental thereto, the claim of **John M. Stern, Junior**, has been established and that the requirements of law pertaining to the claim have been met, for the following-described land:

Copper River Meridian, Alaska.

T. 4 N., R. 1 W.,

Sec. 19, Lot 41.

This patent is subject to a right-of-way not exceeding 33 feet in width, for roadway and public utilities purposes, to be located along the west and south boundaries of said land.

G.L. 41 & Lots to East Patented under Small Tract Act
With 33-foot ROW Reservations

February 26, 2016

Small Tract Parcels Subject to PLO 601?

Q: If Small Tract Applications had been filed before PLO 616 revoked the PLO 46 Classification Withdrawal, would they have been subject to the PLO 601 widening of the Glenn Highway right-of-way?

A: Yes - first, the Small Tract entry would not have been available until revocation of the PLO 46 withdrawal upon which time PLO 601 would have taken effect. Second, the 1978 "Green" Supreme Court case said: *"We already have concluded that the Small Tract Act and Small Tract Classification...did not segregate all small tracts from the operation of other discretionary right-of-way reservations."*

February 26, 2016

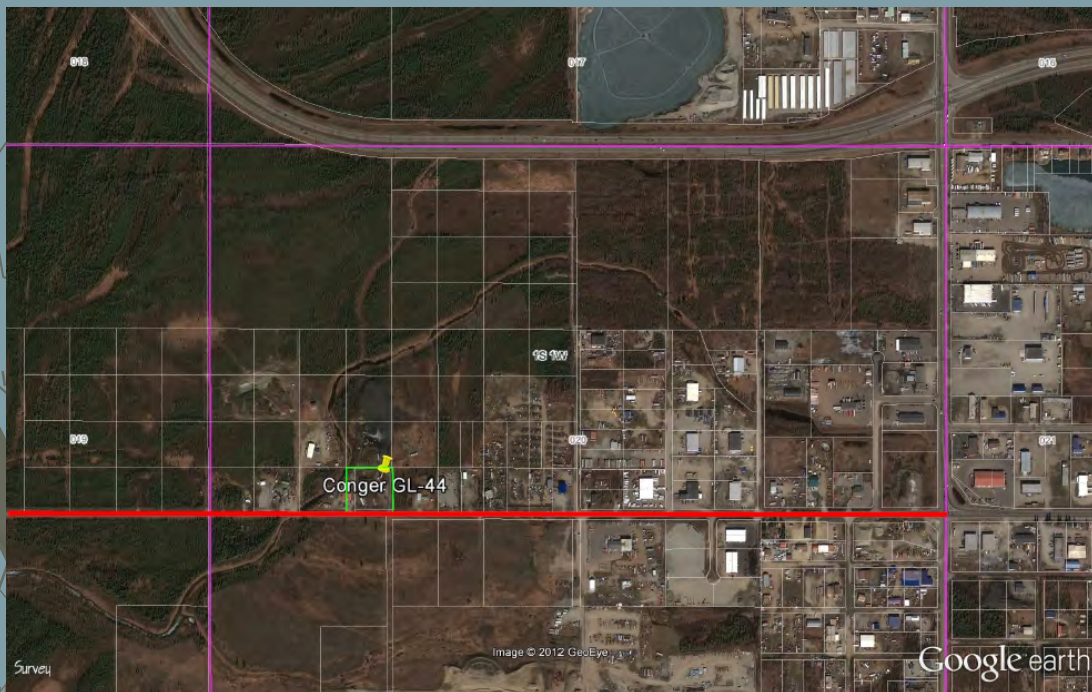
PLO Case Study #4

S.O. 2665 and Small Tract Lots

"A Patchwork Quilt of Interests" - An Existing
Right-of-Way Based on Multiple Authorities.

February 26, 2016

Cartwright Road - Fairbanks



February 26, 2016

"Subject to
Valid Existing
Rights..."

~

Do they exist,
and if so...
when were
they
established?



Gov't Lot 44 – Section 20



MTP - T.1 S., R. 1 W, F.M.

	1136786 R/W					1213507 R/W All Min	1212408 R/W All Min	1213171 R/W All Min	1213290 R/W All Min
2-50	24-2.50	23-2.50	22-2.50	21-2.50	20-2.50	19-2.50	18-2.50	17-2.50	
35189 W Min	1185026 R/W All Min	1185052 R/W All Min	1185142 R/W All Min	1185141 R/W All Min	1213508 R/W All Min	1213175 R/W All Min	1213176 R/W All Min	1212409 R/W All Min	
2-50	25-2.50	26-2.50	27-2.50	28-2.50	29-2.50	30-2.50	31-2.50	32-2.50	
35137 W Min	1185027 R/W All Min	1213613 R/W All Min	1210596 R/W All Min	1185129 R/W All Min	1200552 R/W All Min	1213174 R/W All Min	1213173 R/W All Min	1213291 R/W All Min	
2-50	40-2.50	39-2.50	38-2.50	37-2.50	36-2.50	35-2.50	34-2.50	33-2.50	
35140 W Min	1185130 R/W All Min	1216832 R/W All Min	1210819 R/W All Min	1185143 R/W All Min	1200556 R/W All Min	1200553 R/W All Min	1207717 R/W All Min	1207716 R/W All Min	
2-50	41-2.50	42-2.05	43-2.50	44-2.50	45-2.50	46-2.05	47-2.50	48-2.50	
0855 W Min	1187663 R/W All Min	1189394 R/W All Min	1189388 R/W All Min	1189388 R/W All Min	1154422 R/W All Min	1149562 R/W All Min	1207714 R/W All Min	1207715 R/W All Min	
					20				

February 26, 2016

Federal Patent
 ~
 Small Tract
 Govt. Lot 44
 Section 20
 12/16/58
 33' ROW on
 south & east
 boundaries
 ~
 Does
 S.O. 2665
 ROW Exist?

Does
S.O. 2665
ROW Exist?

BLM "ACRES" Abstract

Case Abstract for: AKF 011964

CASE DATA			
Case Serial Num:	AKF 011964	FRC Site Code:	WAS
Case Type:	291300 Small Tract Leases	Accession Num:	--
Case Status:	Closed	Box Num:	-- (of) --
Case Status Actn:	Case Closed	Disp Date:	--
Case Status Date:	18-FEB-1959	Location Code:	ARCHIVE
SM Acres:	0.0000	Abnd Yr:	--
Claim Name:	--		

CUSTOMER DATA			
Cust ID:	000058828		
Customer Name:	AULT WILLIAM LEE	Interest Relationship:	Applicant
Customer Address:	Withheld	Percent Interest:	0.0000

ADMINISTRATIVE/STATUS ACTION DATA						
Date	Code Description:	Remarks	Doc ID	Ofc	Emp	Doc Img *
03-NOV-1954	001 Apln Recd/Case Establi	APPLICATION RECEIVED	--	PSF	DLC	--
15-NOV-1954	176 Lease Issued	LEASE	--	AJA	DLC	--
05-DEC-1956	521 Field Report Received	--	--	AJA	DLC	--
20-NOV-1957	523 Purchase Apln Recd	--	--	AJA	DLC	--
19-FEB-1958	521 Field Report Received	--	--	AJA	DLC	--
01-APR-1958	087 Purchase Price Request	--	--	AJA	DLC	--
16-DEC-1958	879 Patent Issued	--	PA0001189388	AJA	DLC	--
18-FEB-1959	970 Case Closed	TITLE TRSF	--	PSA	DLC	--
27-AUG-1992	996 Converted To Prime	--	--	940	BKM	--

February 26, 2016

What Is The
Effective Date
Of The
Relevant Public
Land Order?

February 26, 2016

Secretarial Order No. 2665

Reference No. 1139

Federal Register Data

Published: 10/20/51 Volume: 16
No.: 205 Page: 10752

SECRETARIAL ORDER No. 2665
Part Affected: Hwy Rights-of-Way
Date Signed: 10/16/51

Office of the Secretary
(Order 1001)

RIGHTS-OF-WAY FOR HIGHWAYS IN ALASKA
October 16, 1951.

Section 1. Purpose: (a) The purpose of this order is to (1) fix the width of all public highways in Alaska, established or maintained under the jurisdiction of the Secretary of the Interior and (2) prescribe a uniform standard for the establishment of right-of-way or easements over or across the public lands for such highways. Authority for these actions is contained in section 2 of the act of June 30, 1932 (47 Stat. 451, 452, U. S. C. 221a).

Sec. 2. Width of public highways: (a) The width of the public highways in Alaska shall be as follows:
(1) For through roads: The Alaska Highway shall extend 100 feet on each side of the center line thereof. The Richardson Highway, Glenn Highway, Haines Highway, Seward-Anchorage Highway, Anchorage-Lake Seward Highway and Fairbanks-College Highway shall extend 100 feet on each side of the center line thereof.
(2) For feeder roads: Adami Road (Kodiak Island), Edgerton-Cottrell Highway, Seward Peninsula Trail Road, Glenn Highway, Harding Highway, Taylor Highway, Northway Junction to Airport Road, Palmer to Matlacha Road, Wadsworth Junction Road, Palmer to Finney Lake to Wasilla Road, Glenn Highway Junction to Fairbanks Junction to Wasilla to Knik Road, Glenn to Nabesno Road, Ketchikan Junction to Ketchikan Road, University to Ketchikan Road, Copper River to Portage Creek Road, Manley Hot Springs to Eureka Road, North Park Boundary to Kasilof Road, Foxway to McKinley Park Road, Seward Landing to Ochs Road, Delaney to Port Road, Dillingham to Wood River Road, Hazy to Lons to Poorman Road, Nemo to Council Road and Nemo to Egan Road shall each extend 100 feet on each side of the center line thereof.
(3) For local roads: All public roads not classified as through roads or feeder roads shall extend 50 feet on each side of the center line thereof.

Sec. 3. Establishment of right-of-way or easements: (a) A reservation for highway purposes covering the lands embraced in the through roads mentioned in section 2 of this order was made by Public Land Order No. 651 of August 10, 1949, as amended by Public Land Order No. 717 of October 16, 1951. That order operates as a complete reservation of the land from all forms of appropriation under the public-land laws including the mining and the mineral leasing laws.
(b) A right-of-way or easement for highway purposes covering the lands embraced in the feeder roads and the local roads shall in extent be the width of such roads as established in section 2 of this order, is hereby established for such roads over and across the public lands.
(c) The reservation mentioned in paragraph (a) and the right-of-way or easements mentioned in paragraph (b) will attach as to all new construction involving public roads in Alaska when the survey stakes have been set on the ground and notices have been posted at appropriate points along the route of the new construction specifying the type and width of the roads.
Sec. 4. Road maps to be filed in proper Land Office: Maps of all public roads in Alaska heretofore or hereafter constructed showing the location of the roads, together with appropriate plans and specifications, will be filed by the Alaska Road Commission in the proper Land Office at the earliest possible date for the information of the public.

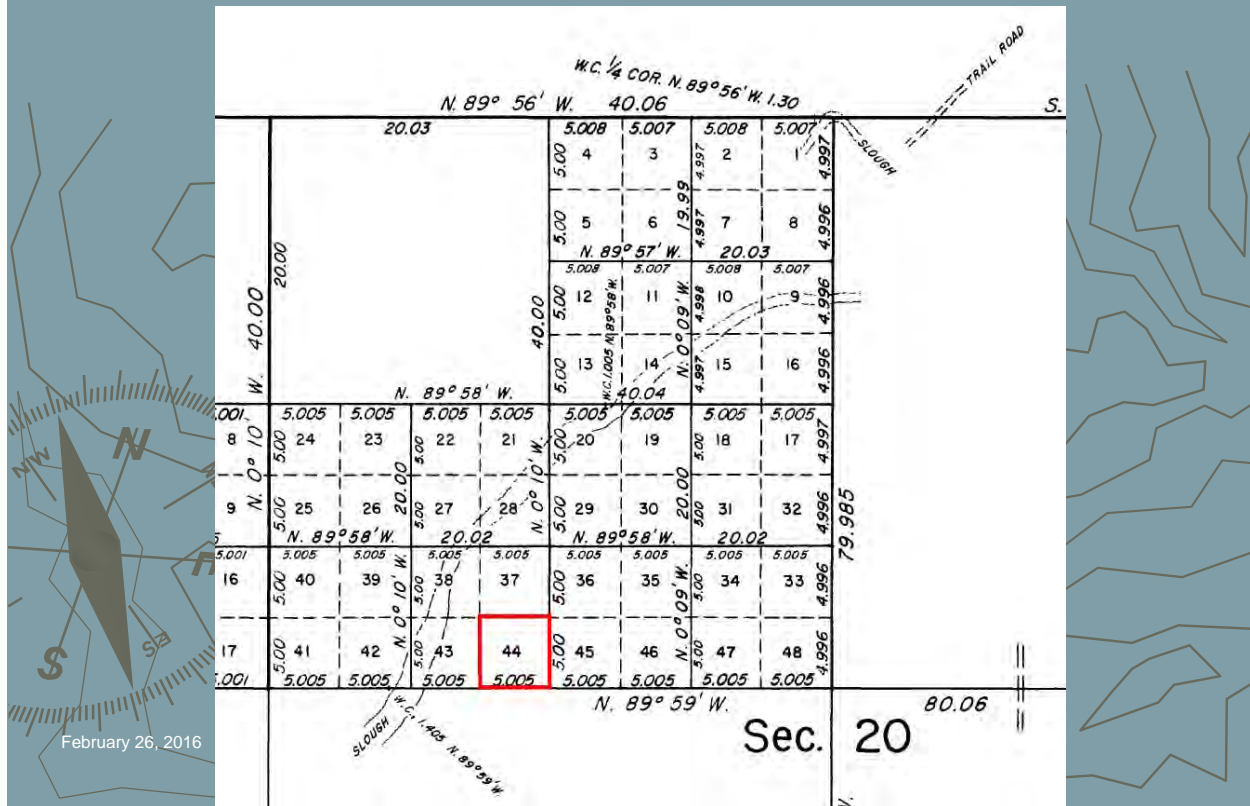
ORDER 1. CHAPMAN,
Secretary of the Interior.
(P. H. Doc. 25-1166; Filed Oct. 17, 1951; 4:00 a. m.)

February 26, 2016

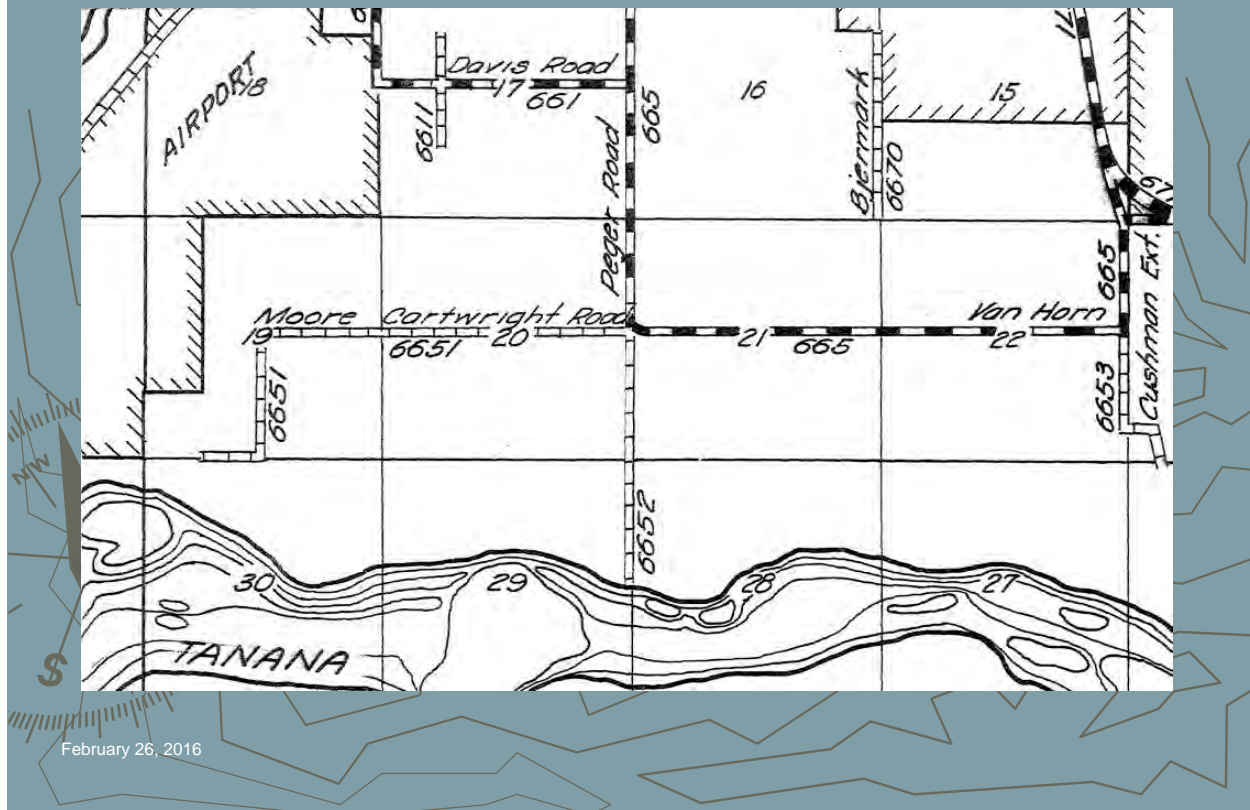
What Was the Date of Staking or Posting For New Road Construction?

February 26, 2016

Dependent Resurvey of Section 20



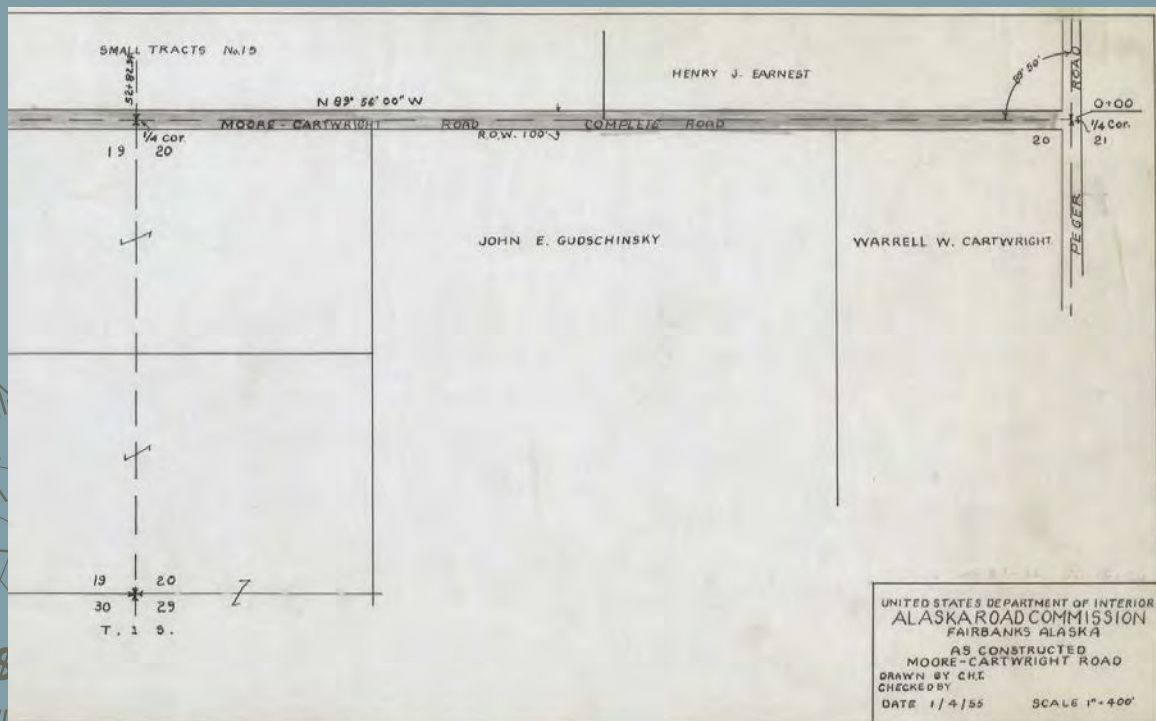
Moore-Cartwright Road ~ Route 6651



BOOK 53 PAGE 242 Fairbanks Recording District	BOOK 391 PAGE 59 Anchorage Recording District BOOK 200 PAGE 119 Barrow Recording District BOOK 271 PAGE 62 Nenana Recording District Book P Page 49 Mudley Hot Springs Recording District ALASKA	BOOK 7 PAGE 135 Fort Graham Recording District			
FEDERAL AID SECONDARY HIGHWAY SYSTEM, CLASS "B" ROUTES	B-26				
FAS Route No.	Name	Description	Highway District No.	Constructed Mileage	System Mileage
651	Ester Dome Road-Er. Patrick's Goldstream	From FAF Route 37 branching north and west through the Ester Dome mining area. The north branch loops northeasterly to FAS Route 651.	20	7.8	7.8
6502	Bennett Road	From FAS Route 6502 southeasterly to FAS Route 650.	20	1.5	1.5
6502	Steele Creek Branch	From FAF Route 61 looping north and then easterly through the Steele Creek homestead area to FAS Route 650.	20	3.9	3.9
6570	Becker-Dale-Conn Road	From Fairbanks International Airport west and south to Becker-Dale-Conn subdivisions with a spur north to Chena River.	20	2.7	2.7
6571	Pikes Landing Road	From FAF Route 62 spur west and north to Pike's Landing.	20	1.0	1.0
6511	Alatop-Devis Spurs	Two spurs southwest of Fairbanks, one leading north and one leading south into boreal areas from FAS Route 661 at the same point.	20	0.5	0.5
6551	Noore-Garverright Road	From FAS Route 665 westerly into a homestead area.	20	2.0	2.0
6552	Peger Road	From FAS Route 665 south through an industrial area to the Tanana River.	20	1.0	1.0
6553	Cushman Street Extension	From FAS Route 665 south through an industrial area.	20	0.7	0.7


February 26, 2016

January 4, 1955 As-Built



February 26, 2016

September 1952 ARC Situation Report


UNITED STATES
DEPARTMENT OF THE INTERIOR
ALASKA ROAD COMMISSION
JUNEAU, ALASKA
Fairbanks District,
Fairbanks, Alaska.
September 10, 1952

Mr. William J. Niemi
Chief Engineer
Alaska Road Commission
Juneau, Alaska

Dear Mr. Niemi:

Re: Situation Report for Period
Ending September 7, 1952

August is usually our wettest month; however, although frequent light rains occurred during this month, the total precipitation was less than half of the normal. Temperatures were very near normal for the month. The first seven days of September were very wet and cold. The rainfall was twice the normal and the temperatures averaged four degrees colder than normal for this period. The first freeze was reported on August 23rd but light scattered frosts were reported as early as August 16th.

Visitors to the Fairbanks District include:

William J. Niemi - Chief Engineer - Juneau
Wallace O. Sharples - Personnel Officer - Juneau
W. S. Klockentager - Chief, Materials Branch - Juneau
Harry Bates - Safety Engineer - Juneau
John G. Shepard - Office Engineer - Juneau
Harry O. White - District Mechanic - Anchorage

Surveys, Investigations and Plans

W. O. 365 (Farm and Industrial Road Surveys)

The survey party on farm and local roads accomplished the following work this period:

Route 130.2 - Keeling Road. Measurements secured and staked for construction for three-eighths miles.
Route 130.4 - Johnson Road. Two miles staked for construction.
Route 130.5 - Shaw Creek Road. Preliminary reconnaissance made on alternate route.
Route 132.1 - Moore-Cartwright-Conn Extension. This report covers the two petitions 5L-9 and 50-3 which were consolidated and revised. Three miles staked for construction.

31/574

September 1952 - Construction Status

Mr. William J. Niemi

September 10, 1952

-3-

	<u>Previous</u>	<u>This Period</u>	<u>To Date</u>
*Graded	0.00 miles	1.00 miles	1.00 miles
Gravel surfaced	0.00 "	0.00 "	0.00 "
Crushed gravel surf.	0.00 "	0.00 "	0.00 "

Personnel - 4 classified
4 wageboard

Route 132.1 - W.O. 363 - (Moore-Cartwright-Conn Extension)

This section is very wet and swampy. Rough grading has been completed for a distance of two miles. The material forming the subgrade will require considerable draining in order to stabilize sufficiently to permit finish grading. This project has progressed to the extent of the allotted funds. In addition to another mile of construction we must cross two sloughs with two 36 inch culverts and approximately sixty feet of fill.

	<u>Previous</u>	<u>This Period</u>	<u>To Date</u>
Cleared and grubbed	0.00 miles	2.00 miles	2.00 miles
*Graded	0.00 "	2.00 "	2.00 "
Gravel surfaced	0.00 "	0.00 "	0.00 "
Crushed gravel surf.	0.00 "	0.00 "	0.00 "

Personnel (end of period) - 0 classified
0 wageboard

February 26, 2016

Conclusion

10/20/51 Effective Date of S.O. 2665

9/10/52 Evidence of Construction

11/2/54 Small Tract Application Received

G.L. 44 is Subject to a PLO Easement 50-feet
each side of Cartwright Road Centerline

February 26, 2016

The End



February 26, 2016