

September 19, 1972

State of Alaska
Department of Highways
Anchorage, Alaska

Attention: Mr. D. E. Beitinger
Right of Way Agent
Central District

Re: Project 5-0850(6) (B62542)
Chitina East
52A-2901 Right of Way

Dear Mr. Beitinger:

In our recent discussion you suggested I write your office and specify my ownership to additional properties involved in the Chitina East Project, right of way:

- (A) May I bring your attention to the original dedication made by the Alaska Development and Mineral Co. dated 8 September 1919, registered Cordova, Alaska (Ref. Platt of Chitina Town Site US Surveys #702, 596, 264 and 597-)
- (B) (Ref. enclosures 1,2,3& 4). On the 21st day of February 1947 (date notarized) the Alaska Development and Mineral Co. conveyed intact ownership of the above to Kennecott Copper Corp. Ref. the following:
 - (1) U.S. Survey #264-US Patent #512267, Land Office Serial, Juneau #01538, totaling 2.33 acres, located Chitina Recording District (Third Judicial District), date completed dec'l received 25 February 1947, dec'l #AN-3696 - Please note (8-B) tract description, receipt audited and initialed.
 - (2) U.S. Survey #596, US Patent #527307, Land Office Serial, Juneau #01537, totaling 80.98/100 acres, located Chitina Recording District (Third Judicial

District), date of completed dec'l received 25 February 1947, declaration #AN-3699 - Please note (8-B) tract description, receipt audited and initialed.

(3) U.S. Survey #597-US Patent #512266, Land Office Serial, Juneau #01536, totaling 63.56/100 acres, located Chitina Recording District (Third Judicial District), date of completed dec'l received 25 February 1947, Dec'l #AN-3697 - Please note (8-B) tract description, receipt audited and initialed.

(4) U.S. Survey #702-US Patent #512268, Land Office Serial, Juneau #01540, totaling 12.77/100 acres, located Chitina Recording District (Third Judicial District), date of completed dec'l received 25 February 1947, Dec'l #AN-3698 - Please note (8-B) tract description, receipt audited and initialed.

- (C) I now refer to (encl. 5) Quit Claim Deed, Kennecott Copper Corp. Grantor to Gordon N. Hizey Grantee, dated 17 November 1958, recorded Third Judicial District, Chitina Recording District - Glenallen, Alaska #1964, Book 17, Page 71 - GAA499.

Please note: ver batum descriptions of U.S. Surveys #702, 596, 264 and 597

- (D) (Encl. 6) Statement of Real Property Ownership. Please note legal description of U.S. Surveys and previous owner
- (E) Relinquishment 1906338 (Quote Para 1) "Copper River and Northwestern Railway Co. hereby relinquishes to the United States any and all rights that may have been obtained in and to rights of way, terminal and station grounds, by reason of the approval by the Department of the Interior or the acceptance for filing by the General Land Office of maps filed under the Act of May 14, 1898 (30 Stat. 409), for Railroad Purposes in Alaska, including the following:"

The following lists 32 disclosures listing right-of-ways locations, station and terminal grounds, the use of which were authorized under Act of May 14, 1889 (30 Stat. 409)

Note: Chitina station grounds or terminal not included.

The above was a relinquishment to specifics under the Act by the Copper River and Northwestern Railway Co., not the Alaska Development and Mineral Co. or the Kennecott Copper Corp. Ref. Decision - U.S. Department of the Interior, General Land Office dated May 11, 1945 Re: Copper River and Northwestern Railway Co. (Ref. Para 1) "Reference is made to the GRANTS of the Rights-of-Way for railroad, station and terminal grounds- purposes in Alaska made to the Copper River and Northwestern Railway Co., or its predecessors, the Copper River Railway Co., under the Act of May 14, 1889 (30 Stat. 409-, which were abandoned in 1939 with the consent of the Interstate Commerce Commission."

Please note the absence of mention to either the Alaska Development & Mineral Co. or Kennecott Copper Corp.

Note also: no real property deeds are mentioned, indicated or suggested:

Refer Public Law 176 - 77th Congress, Chapter 300, First Session 8-1289 an Act -

Note: no reference to Real or Patented Properties or companies listed para above.

The Alaska Development & Mineral Co. acquired U.S. Surveys #702, Patent #512268, #596, Patent #527307, #264, Patent #512267 and #597, Patent #512266, in 1919, thus ownership was established fee simple in the above surveys and patents -

The lands described in the above-mentioned Surveys and Patents were filed and recorded legally by Alaska Development & Mineral Co., conveyed intact to Kennecott, duly filed and recorded according to the laws pertinent to land transactions then conveyed to Gordon N. Hizey; Gordon N. Hizey likewise recorded and has filed Statement of Real Property Ownership.

The U. S. Surveys involved and Patents issued absolutely includes certain portions of the previous Railroad right-of-ways. Filed in 1919, involved Patents were issued without protest or reservation. Ownership has been conveyed twice and legally recorded.

A time frame of over 53 years has expired without contention or protest to legality of ownership.

I have previously sold and conveyed deed to two parcels of properties, located in the involved Surveys and Patents, to the State of Alaska Department of Highways Right-of-Way agent.

I respectfully request the State of Alaska Department of Highways Right-of-Way Agent to determine the portions of my properties desired to complete the State Highway Project Right-of-Way and notify the undersigned of findings and other pertinent information.

Sincerely yours,

ERLING N. HEM, SR.
Gordon N. Hizey

enclosures