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C. Russell Lewis

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October 13, 1999

John F. Bennett, PLS, SR/WA
Chief, Right of Way
Alaska Department of Transportation
Design & Engineering Division
2301 Peger Road
Fairbanks, Alaska 99709-5399

Re: Our File No. 99092.2

Dear Mr. Bennett:

In response to your undated letter (received at this office on October 5, 1999), I am providing a more specific request for information.

The following is meant to be a revised request for information. Please provide copies of all information relating to any Alaska Department of Transportation and Public Facilities ("DOT") right-of-way ("ROW") that exists along the Chitina-McCarthy road. This request is limited to that portion of the Chitina-McCarthy road within a two mile distance on either side of the Kennicott River. This request is meant to encompass any information relating to any right-of-way (within the geographic limitation described by the foregoing language) controlled by DOT or any other agency, department, or entity of the State of Alaska. Please include all information relating to the width of the right-of-way at all locations within the foregoing geographic limitation. This information should include, but not be limited to, the width of the right-of-way and any leases affecting the right-of-way. Subject to the foregoing geographic limitation, please provide copies of any DOT regulations that address the activities that may occur within the right-of-way of the Chitina/McCarthy Road. Please include any regulations which restrict or limit activities within the right-of-way of the Chitina/McCarthy Road. Please provide copies of procedures for

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enforcing the regulations relating to the right-of-way on the Chitna/McCarthy Road, subject to the geographic limitations described above.

Please provide copies of any regulations applicable (within the geographic restrictions described above) to the right-of-way to the Chitna/McCarthy Road that deal with encroachments, including the definition of encroachment, and any procedures for removing the encroachment or otherwise enforcing the encroachment regulations.

This revised request does not encompass any records related to any current litigation with the State of Alaska or any agency thereof.

Please inform the undersigned of the anticipated cost of this expenditure. If the costs related to this revised request will exceed \$250, please advise the undersigned in advance of incurring those costs. Please contact me if further information or clarification is needed.

Very truly yours,

OLES MORRISON RINKER & BAKER LLP



C. Russell Lewis

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