



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
State Office
555 Cordova Street
Anchorage, Alaska 99501

IN REPLY REFER TO:

2564 (932)
Anlak Ts.
USS 3093 A&B
Gen. Corres.

February 8, 1973

Ms. L. Arlene Clay, Magistrate
P. O. Box 547
Aniak, Alaska 99557

Dear Ms. Clay:

The deed to Lot 3, Block 3, Tract "A", U.S. Survey 3093 A&B is a Native Restricted Deed.

The deed to Lot 2, Block 5, Tract "A", is a Native Unrestricted Deed.

If the deed cites only the Act of May 25, 1926 it is a Native Restricted Deed.

If the deed cites the Act of May 25, 1926 and the Act of February 26, 1948 it is a Native Unrestricted Deed. It could also cite the Act of March 3, 1891, but if the other two Acts are cited it is still a Native Unrestricted Deed.

If the deed cites only the Act of March 3, 1891 it is a Non-Native Deed.

The Tract Book which I sent you is correct. Under the heading "Type of Deed Issued" you can readily determine which it is.

Normally Restricted Deeds are changed to Unrestricted by the original recipient applying to the Trustee for an Unrestricted Deed. Bureau of Indian Affairs must certify that the applicant is competent to manage his own business affairs. If so the Trustee issues the Unrestricted Deed.

The holder of a Restricted Deed can apply to Bureau of Indian Affairs for permission to sell his restricted property. Bureau of Indian Affairs would make the appraisal and handle the entire transaction and issue a deed to the purchaser. The Trustee is not informed of this transaction, and hence it is not reflected in the Tract Book. The new purchaser is

granted only unrestricted title. The Bureau of Indian Affairs Realty Officer could tell you which lots, if any, have become unrestricted by sale.

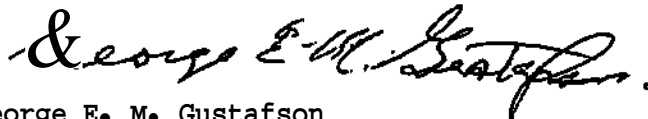
If a restricted lot has been sold by Quit Claim or Warranty Deed, the sale is null and void. In order to clear title an Unrestricted Deed will have to be obtained as mentioned above. It does not matter whether the sale is to a Native or a Non-Native the sale is still null and void. A Native with a Restricted Deed cannot divest himself of the property except by one of the two methods.

The type of deed a Native receives is a matter of his personnel choice and no one elses. He may apply for and receive an Unrestricted Deed. If Bureau of Indian Affairs certifies him to be competent the Trustee issues an Unrestricted Deed. This happens quite frequently.

If I can be of further assistance please write again.

I am returning your file copies of your memorandum.

Sincerely Yours,

A handwritten signature in cursive script, reading "George E. M. Gustafson".

George E. M. Gustafson
Townsite Trustee

Enclosure: As Cited