



*Filed
10/10/49*

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

IN REPLY REFER TO:

50041 ADL:HEA

~~FORM NO~~ 07679

AUG 20 1951
FAIRBANKS ALASKA

AUG 27 1951
HOUR 11:00 am

Memorandum

To: Manager, Land Office, Fairbanks, Alaska
From: Director
Subject: Railroad right-of-way

On November 19, 1948, the Corps of Engineers forwarded prints of a map of a right-of-way across public lands for a railroad spur from Ladd Air Force Base to Eielson Air Force Base, Alaska, desired by the Department of the Air Force.

On February 7, 1950, this Office transmitted one of the prints to you with directions that notation of the spur line right-of-way be made upon the records, and that there be inserted in any final certificate which may be issued for the lands affected by the right-of-way, an exception clause similar to that quoted in the instructions of January 13, 1916 (44 L.D. 513).

On July 26, 1951, the Office of Territories forwarded evidence of the transfer of the title to the spur to The Alaska Railroad, and requested that the records be noted to show that the right-of-way extends to a width of 100 feet on each side of the central line of the track, being a total width of 200 feet. You will note your records to show the change of ownership and the width of the right-of-way.

For the Director:

W. Stanscock
Chief, Branch of Land Use
and Disposal
Division of Adjudication

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON 25, D. C.

Fairbanks 05992 "F"

MEMORANDUM for the Manager,
District Land Office,
Fairbanks, Alaska.

JUN 27 1947

Reference is made to your memorandum dated January 16, 1947, relating to a letter sent by the War Department on January 13, 1947, to John I. Gilmore, P. O. Box 1980, Fairbanks, Alaska.

Gilmore made homestead entry Fairbanks 05992 for the N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ sec. 27, NE $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 28, T. 1 S., R. 1 E., F.M., Alaska, under Section 2289 R.S. on September 10, 1945. On August 29, 1946, Gilmore submitted final proof which is held suspended in this Bureau awaiting a field report.

The notice from the War Department to Gilmore reads:

In connection with the construction of certain additional improvements at Mile 26, Satellite Field, the War Department has approved an extension of the existing railroad spur line from Ladd Field.

This letter will notify you as claimant to Entry 05992 on record in the Bureau of Land Management, Department of the Interior, Fairbanks, Alaska, that spur line right of way will traverse the property on which you have filed following the northerly side of the Richardson Highway. Provision for reservation or creation of railroad right of ways constructed by the Government on public lands is contained in Act of Congress of March 12, 1914 (38 Stat., 305).

Construction will be performed to cause a minimum of interference with your normal use of the land in so far as practicable.

The Act of March 12, 1914, authorizing the President of the United States to locate, construct and operate railroads in Alaska, provides that:

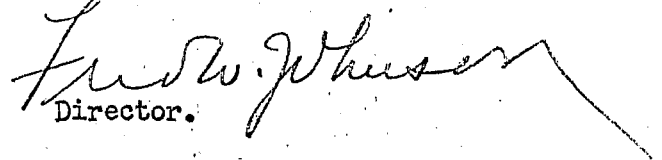
Terminal and station grounds and rights of way through the lands of the United States in the Territory of Alaska are hereby granted for the construction of railroads, telegraph and telephone lines authorized by this Act, and in all patents for lands hereafter taken up, entered or located in the Territory of Alaska there shall be expressed that there is reserved to the United States a right of way for the construction of railroads, telegraph and telephone lines to the extent of one hundred feet on either side of the center line of any

RECEIVED
DISTRICT LAND OFFICE
FAIRBANKS, ALASKA
JUN 27 1947
8:30 A.M.

Fairbanks 05992 "F"

such telegraph or telephone lines, and the President may, in such manner as he deems advisable, make reservation of such lands as are or may be useful for furnishing materials for construction and for stations, terminals, docks, and for such other purposes in connection with the construction and operation of such railroad lines as he may deem necessary and desirable.

In view of the provisions above referred to, included in the Act of March 12, 1914, it would appear that the War Department was within its statutory rights in so notifying Gilmore.


Director.

Fairbanks, Alaska.

June 8, 1949

District Engineer,
Alaska District,
Corps of Engineers,
Anchorage, Alaska.

ATTENTION: Mr. John H. Sterling.

Dear Sir:

Reference is made to your letter of June 6, 1949, your file WPARC 601.1, Eielson A.F.B. Railroad Spur, in regard to a railroad spur right-of-way from Ladd Air Force Base to Eielson Air Force Base.

My office has not received the map to which you refer, entitled "Railroad Spur Ladd A.F.B. to Eielson A.F.B. Drawing Number 17-01-01 sheets 1, 2, 3 and 4 of 4."

As no plat is on file in my office, I have not inserted in final certificates any reservation in accordance with 44 L.D. 513. However, this is not actually necessary, for all patents carry a notation that the lands are subject to the provisions of the Act of Congress of March 12, 1914, which provides:

"Terminal and station grounds and rights of way through the lands of the United States in the Territory of Alaska are hereby granted for the construction of railroads, telegraph and telephone lines authorized by this Act, and in all patents for lands hereafter taken up, entered or located in the Territory of Alaska there shall be expressed that there is reserved to the United States a right of way for the construction of railroads, telegraph and telephone lines to the extent of one hundred feet on either side of the center line of any such telegraph or telephone lines, and the President may, in such manner as he deems advisable, make reservation of such lands as are or may be useful for furnishing materials for construction and for stations, terminals, docks, and for such other purposes in connection with the construction and operation of such railroad lines as he may deem necessary and desirable."

Letter to District Engineer re Railroad Spur E.A.F.B. - I.A.F.B. - - p.2

I would appreciate receiving a copy of the map mentioned in order that I can complete my records here.

Very truly yours,

FRED J. WEILKE,
Manager.

FJW:vb

CONFIDENTIAL
NOT FOR PUBLICATION

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
~~REGISTRATION INVESTIGATIONS~~
Anchorage, Alaska

January 28, 1947

MEMORANDUM for Mr. Fred J. Weiler,
Acting Manager, District Land Office,
Fairbanks, Alaska.

In connection with your recent memorandum to Washington having to do with construction of a railroad by the War Department there is attached a copy of a letter which I received today from Mr. Selwyn P. Nock, Real Estate Director.

It is expected that this matter will be brought to my attention further while I am in Washington because of your calling the matter to the Acting Director's attention.

Lowell M. Puckett
LOWELL M. PUCKETT,
Regional Administrator.

Enclosure.

(COPY)
WAR DEPARTMENT
CORPS OF ENGINEERS
OFFICE OF THE DISTRICT ENGINEER,
ALASKA DISTRICT
ANCHORAGE, ALASKA

REFER TO FILE NO.
NPARE

28 January 1947

Regional Director
Bureau of Land Management
Department of Interior
P. O. Box 480
Anchorage, Alaska

Dear Sir:

In connection with the construction of certain additional improvements at Mile 26 Satellite Field, the War Department has approved an extension of the existing railroad spur line from Ladd Field. It has been directed that construction be completed as quickly as possible in order that necessary construction materials for planned improvements at Mile 26 may be hauled in by rail this spring to be used during the summer construction period.

All affected entrymen have been advised by this office by letter that construction has been approved and that right of way will traverse their entries. Copies of letters have been provided the Register, District Land Office, Fairbanks, who in turn has transmitted letters to you. Action necessary to secure right of ways through patented areas under provisions of the Act of Congress of 12 March 1914 (38 Stat 305) is being held in abeyance pending receipt by this office of a surveyed traverse of the right of way referencing known section lines and corners. Upon receipt of such a survey a copy will be filed with your office in order that necessary approval of the right of way may be given by the Bureau of Land Management and easements created in patents covering tracts upon which final proof has been submitted. Entries and patented tracts effected prints of property map, Richardson Highway, Sheets 1 and 2.

FOR THE DISTRICT ENGINEER:

Yours very truly,

SELWYN P. NOCK
Real Estate Director

2 Incls:

1. List entries and patented tracts
2. Map - 2 sheets

cc: Register, District Land Office, Fairbanks

UNITED STATES
DEPARTMENT OF THE INTERIOR

GENERAL LAND OFFICE
XXXXXXXXXXXXXXXXXXXXXXXXXXXX
DISTRICT LAND OFFICE

BUREAU OF LAND MANAGEMENT
Fairbanks, Alaska

January 16, 1947

MEMORANDUM for the Director

Transmitted herewith is a copy of a letter received in my office from the War Department Corps of Engineers. The original of the letter was sent, by the War Department, to homestead entryman John I. Gilmore, Fairbanks Homestead Entry 05992. Similar letters were sent to the homestead entrymen whose serial numbers follow: ✓03098, ✓03704, ✓04131, ✓04361, ✓04827, ✓05279, ✓05670, ✓05700, ✓05721, ✓05769, ✓05821, ✓05874, ✓06169, and ✓06246.

Several homestead entrymen have appeared in my office and complained that work has already begun on the railroad extension and that the proposed route will seriously interfere with access to their homes and improvements. In one case it appears that the homestead entryman has been notified that it will be necessary to move his house.

No application for a railroad right of way has been filed in my office.

Please advise.

Acting Manager

cc: Regional Field Examiner

ENTRIES TRAVERSED BY LAND FIELD - MILE 26
RAILROAD SPUR

<u>Entryman/Owner</u>	<u>Entry</u>	<u>Date</u>	
1. F. C. Schoentrup	03704	4/11/38	Box 1697. Final Proof.
2. Milburn G. Bradway	04361	3/30/40	Box 1507. Final Proof
3. John I. Gilmore	05992	9/10/45	Box 1980. Final Proof.
4. E. R. Hudson	06246	9/23/46	Fairbanks.
5. J. B. Pollastrine	05279	12/27/43	Box 563.
6. Harry E. Honius	04131	8/15/39	Box 1002.
7. Robert J. Rogers	05874	2/6/45	Box 524.
8. Hosea Ross (deed)	0407	12/12/21	Pat. #831(?)72
9. Simon D. Carlsen	05447	9/22/43	Box 496. Entry susp. 9/16/46
10. Clarence E. Luke	05821	11/1.44	% Lytle & Green, Weeks Fie
11. Russell C. Swihart	05769	9/2/44	Box 441
12. Claude P. Deal	05700	5/9/44	Box 441(?) Adv.Pro.#63, 4/15/46
13. Henry Sauter	05721	6/7/44	Fairbanks Adv.Pro.#63, 6/24/46
14. Carl E. Finell	06169	6/20/46	Box 1162
15. Bon Valjean Davis	05670	4/1/44	Fairbanks
16. Mike Bedeff	03098	9/27/35	Not citizen. ARC ROW -60'
17. Tom Wade	03690		Pat.#1114898, 10/12/42 (Deceased)
18. Lilly Margaret Erhardt (Deed)	Brown 01757		Pat.#1039887, 8/18/30
19. Andrew Loken	04827	10/23/41	Box 862, Final Proof 9/6/46
20. City of Fairbanks (Deed)	Wittkop, Anton 03502		Pat. #1099365, 10/24/38