



**SEWARD HIGHWAY RIGHT OF WAY STUDY
MP 111-117.5
PROJECT No. 59765**

HISTORY

The 1914 Alaska Railroad Authorization Act states that there is a 100 foot Right of Way (ROW) reserved to the United States either side of the centerline of the railroad. The Alaska Railroad was completed from Seward to Anchorage in 1917. In 1950 construction of the Seward Highway began within Township 11 North, Range 3 West. At the same time the Bureau of Land Management (BLM) began surveying the same township. When the highway was constructed it followed the existing railroad bed and the railroad was realigned and reconstructed outward toward Turnagain Arm. The road was asbuilt by the BLM during their survey but the railroad was under construction and could only be located around Potter's marsh. At this time the land was all federally owned. My research concludes that the current location of the railroad through Township 11 North, Range 3 West is in the same location as it was after the 1951 realignment.

Public Land Order (PLO) No. 601 was signed on August 10, 1949 reserving public lands for highway purposes and classifying road rights of way. On October 16, 1951 PLO No. 757 was signed amending PLO No. 601 and establishing the ROW width withdrawn for the Seward-Anchorage Highway at 150 feet either side of centerline. On October 16, 1951, Secretarial Order No. 2665 was signed confirming the Seward Hwy. ROW width. When the BLM surveyed the township they created fractional section lots that include the PLO ROW for the Seward Highway (Highway Lots) as well as others toward Turnagain Arm where the land fell outside the ROW. That survey was accepted on October 28, 1954.

On April 7, 1958 PLO No. 1613 revoked PLO No. 601. This retained the 300 foot width of the Seward Highway but changed the ROW status from a withdrawal to an easement.

Alaska became a state on January 3, 1959. On June 30, 1959 the (Omnibus Act) Quitclaim Deed was signed transferring the interest in the Seward-Anchorage Highway from the Federal Government to the State of Alaska.

On June 9, 1969, lands within the township were patented to the State of Alaska with the exception of the 200 foot Railroad ROW. The patent states that the Highway Lots are subject to the easement established by PLO 1613.

In 1978 Project HHS-F-031-2(44) straightened out the alignment of the highway and is the current centerline from Milepost 111 to Potter Station.

On November 2, 1988 the Project F-031-2(18) Right of Way Map was recorded. The Seward Highway was constructed adjacent to the railroad between Potter Station and Rabbit Creek Road. The ROW was acquired from the State of Alaska DNR through a combination of Interagency Land Management Transfers and a Right of Way Permit. A joint use area between the DOT and the railroad was established at this time.

U.S. Survey No. 9014 (Railroad ROW within T11N R3W, S.M) was filed on August 27, 1990. On December 10, 2004 Patent No 50-2005-0043 was issued to the ARRC from the USA for U.S. Survey No. 9014 (comprised of U.S. Survey No. 9014 and Parcels A to G). The Patent recognizes any interest in the Seward-Anchorage Highway transferred to the State through the Omnibus Act Quitclaim Deed.