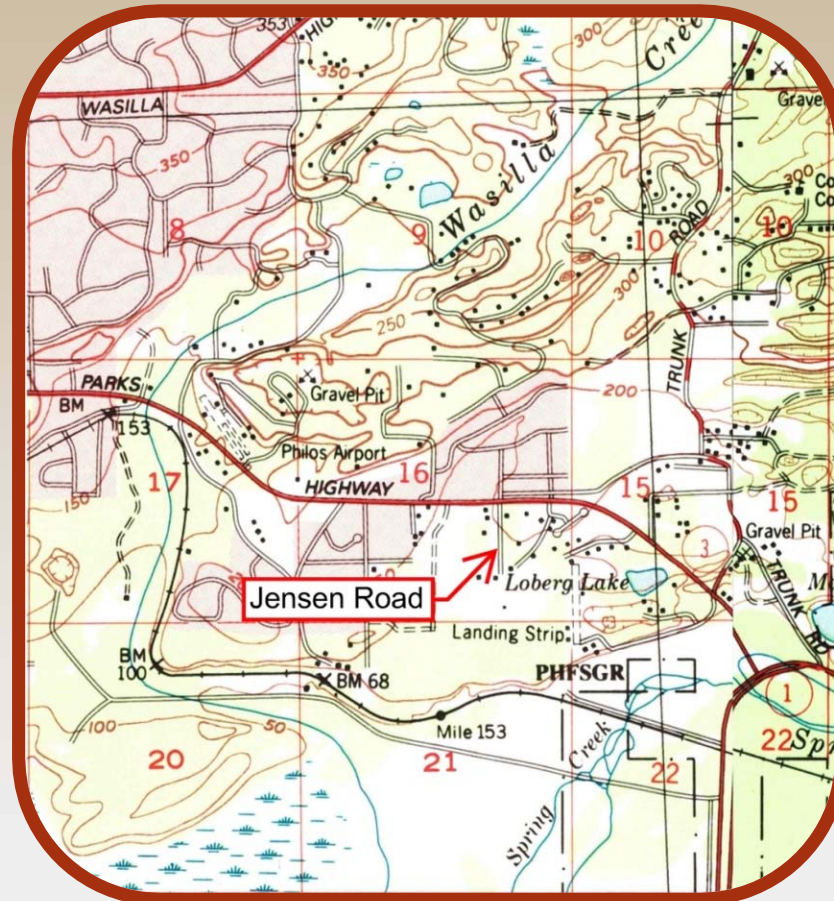


"Key to the Highway: Unlocking the Mysteries of Right of Way Research"

# Jensen Road - Wasilla



Alaska Surveying & Mapping Conference 2016

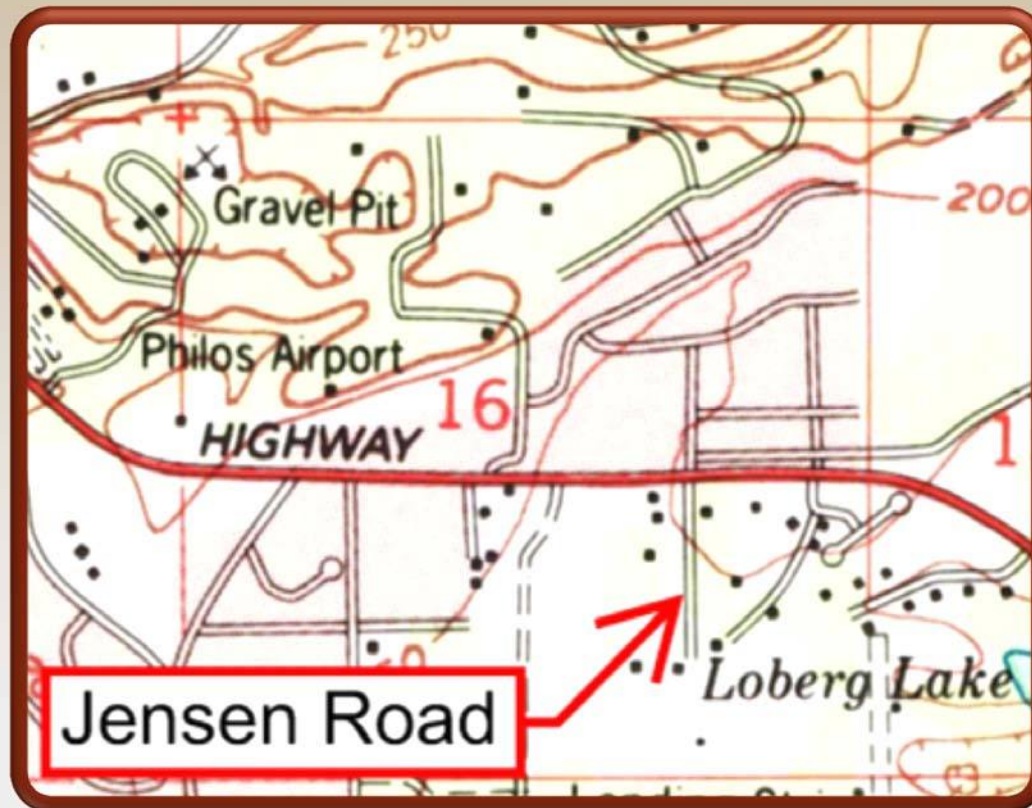


# Jensen Road

- Project started the way most ROW Research projects start...with a dispute!
- Jensen runs from Parks Highway to South.
- Jensen proposed for secondary access to subdivision - traffic would increase.
- Widening & improved drainage required
- Adjoiners were unhappy!
- What is basis of ROW? What is width?
- Who owns ROW? Who manages ROW?

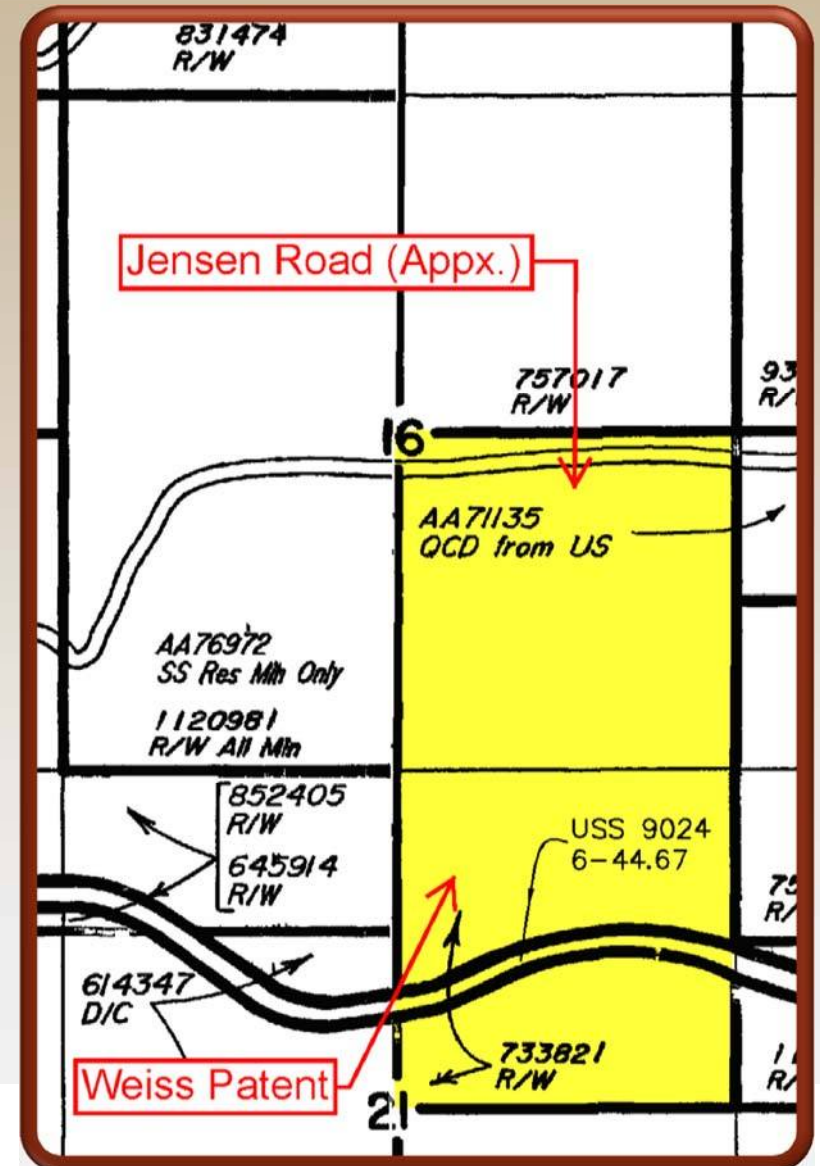
# Jensen Road

- Located in SE4 S16, T17N, R1E, SM
- Road runs N-S through center of SE4



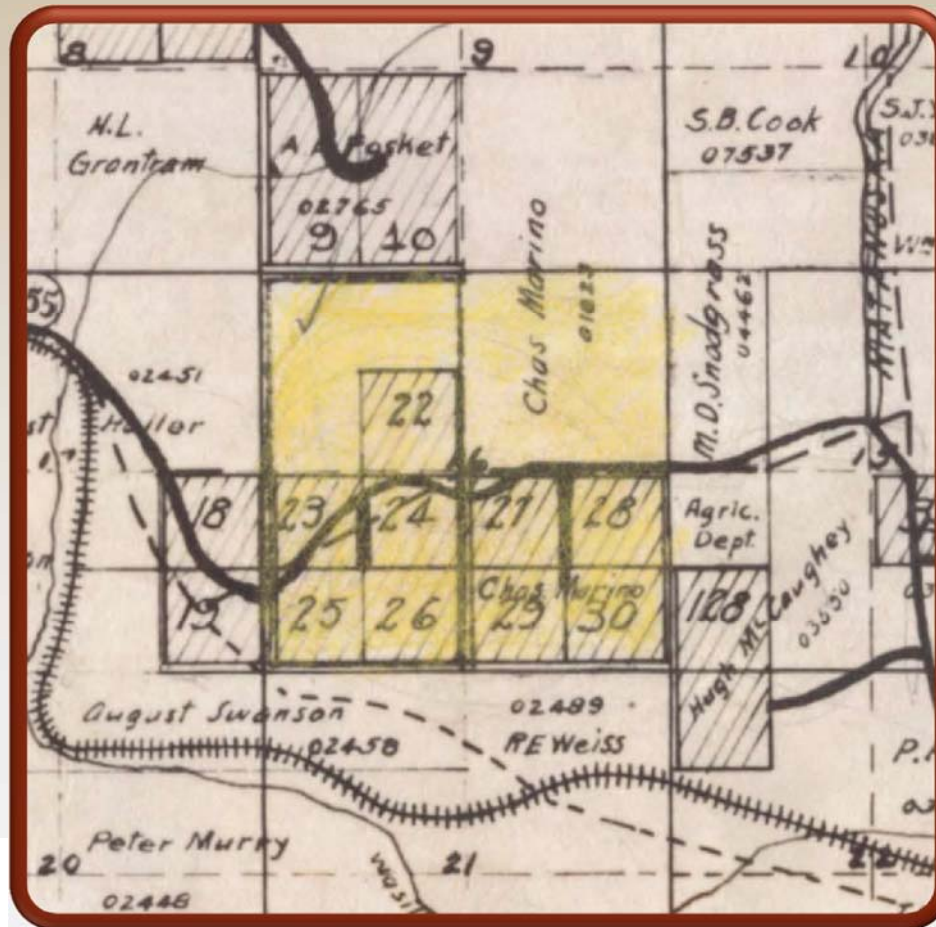
# Jensen Road

- Township Survey 1915
- 1915 Homestead Entry
  - No PLO ROW
  - No SLE ROW
  - No '47 Act ROW



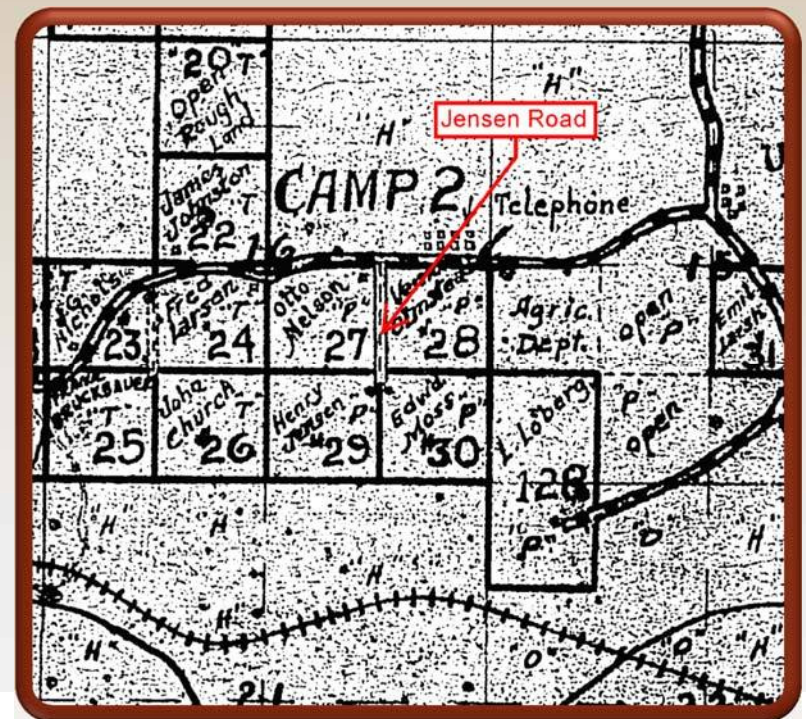
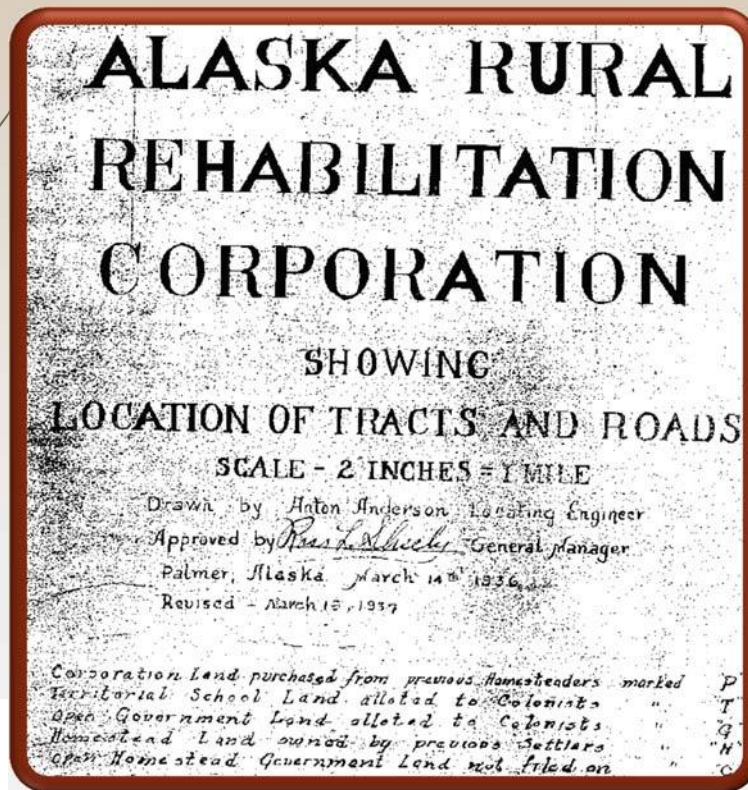
# Jensen Road

Where did road come from? – First map  
“Agricultural Lands Matanuska Valley – 1929”



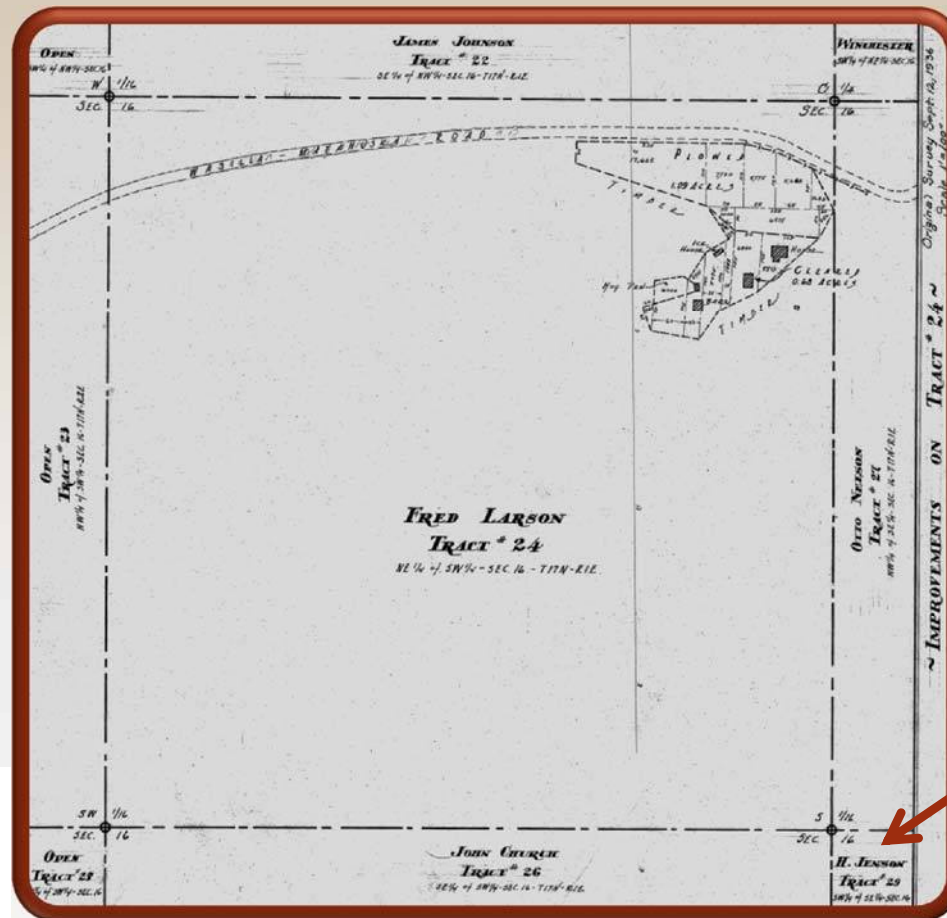
# Jensen Road

SE4 Conveyed to "ARRC" in 1935  
(Not the Railroad)  
Alaska Rural Rehabilitation Corporation



# Jensen Road

SE4 Conveyed to "ARRC" in 1935  
(Not the Railroad)  
Alaska Rural Rehabilitation Corporation



Henry Jensen  
Tract #29

# Jensen Road

- Alaska Rural Rehabilitation Corporation
- Incorporated in 1935
- Set up to facilitate land transfers for agriculture to participants in the Matanuska Colony program.
- In order to make lands available to colonists ARRC purchased many existing homesteads.

ALASKA RURAL REHABILITATION CORPORATION  
 MATANUSKA COLONIZATION PROJECT  
 COLONIST TRACT ALLOTMENT & DEVELOPMENT

PALMER, ALASKA.  
 DRAWN BY WALY RALPHSON C.  
 L.S.C. E.C. AND  
 APPROVED BY W. J. ... GEN. MGR.  
 JULY 26, 1936.  
 REVISED NOV. 5, 1936.

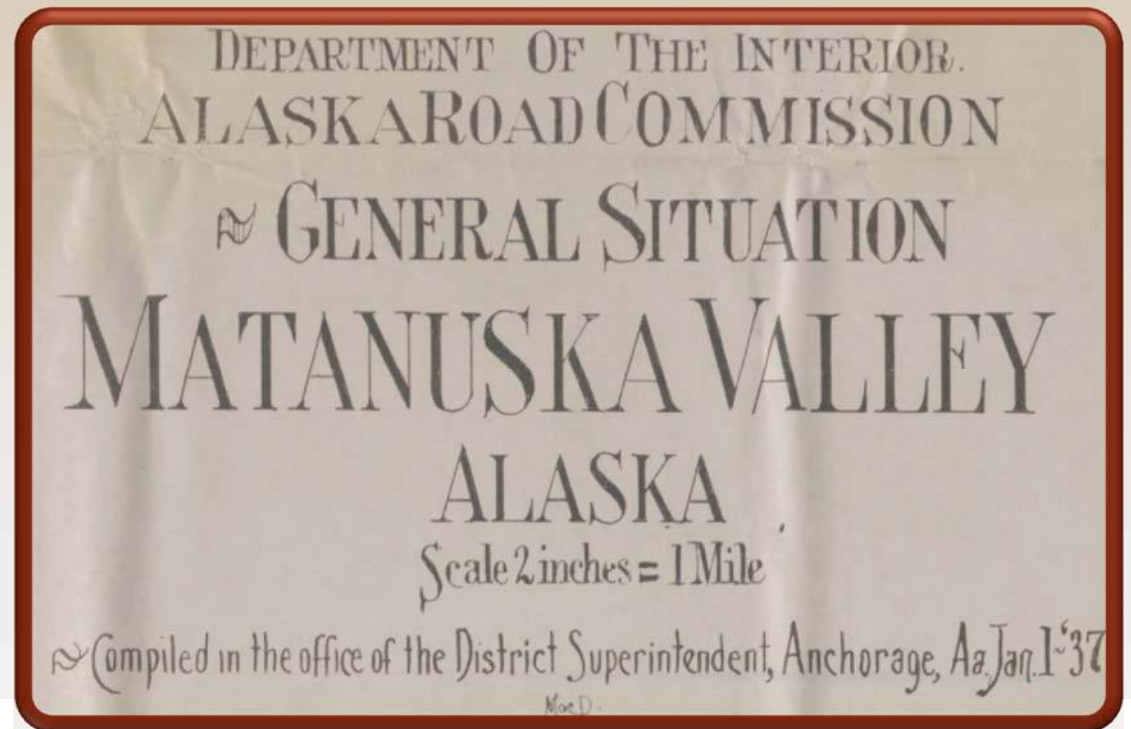
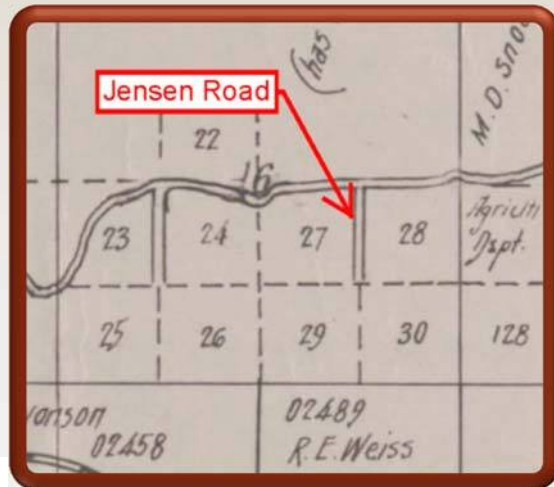
LOCATION  

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----



# Jensen Road

- Alaska Road Commission
- First ARC map showing Jensen - 1936



# Jensen Road

## ARC Reports – 1949 Maybe a 60-foot wide ROW?

ALASKA ROAD COMMISSION  
ANCHORAGE, ALASKA

September 6, 1949

Mr. Ike P. Taylor  
Chief Engineer  
Alaska Road Commission  
Juneau, Alaska

SUBJECT: Monthly progress report for Aug. 1949, Anchorage District, Anchorage, Alaska.

SEP 8 1949  
Alaska Road Commission  
Anchorage Alaska

3 AFG  
2 WFD  
GHS

### e. Valley Roads:

Other than grader maintenance on the main travelled roads very little work was done in the valley this month. Three miles of brush were dozed off the sides of the Palmer-Matenuska road and 3/4 of a mile of fence erected where the plows tore it down last winter. Barbed wire was furnished two farmers who put up their own fences which we tore down last winter. In the future we do not plan to furnish any more wire or labor for fences damaged by snow removal. Farmers have been requested to move all fences back to give us a sixty foot right-of-way — otherwise winter snow removal may not be possible without damage to fences.

# Jensen Road

## ARC Order No. 40 - 1951 Incorporated into ARC system

A.R.C. ORDER NO. 40

February 6, 1951

SUBJECT: Numbering System for Alaska Roads

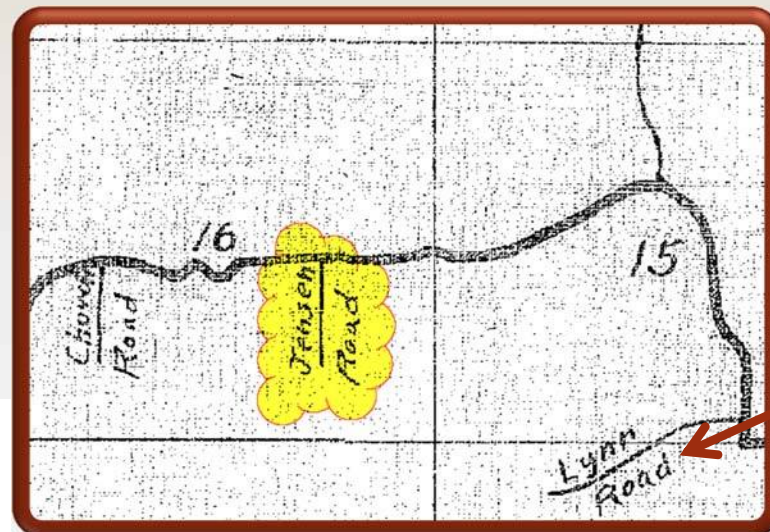
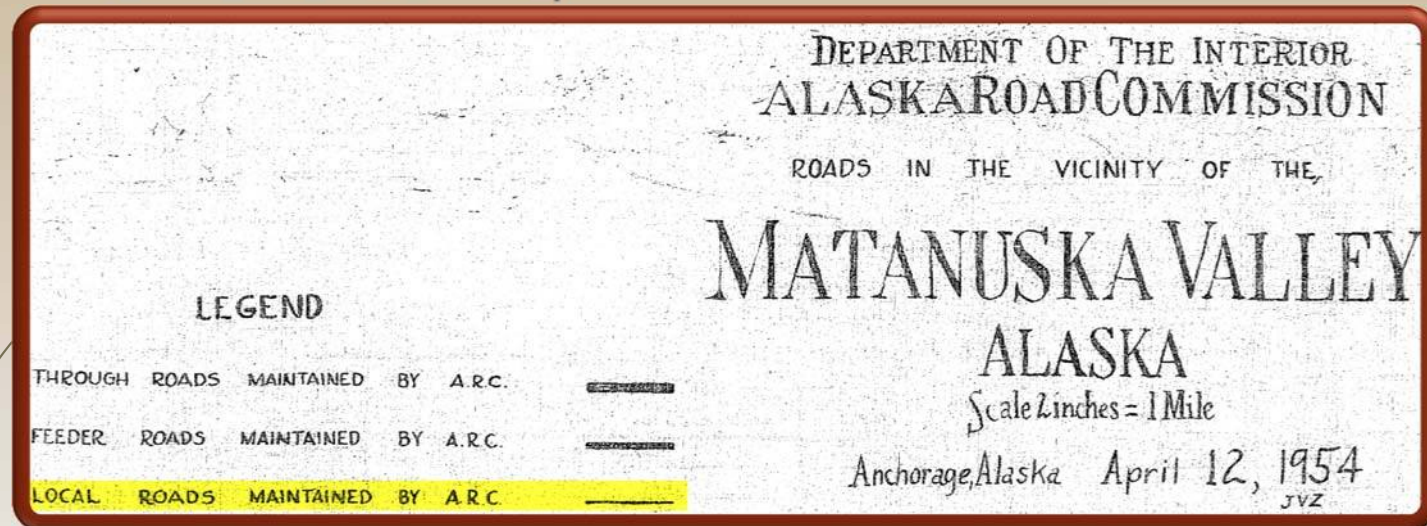
A.R.C. Order No. 34, dated September 15, 1950 is hereby revoked in its entirety, and is superseded by the provisions of this order.

### LOCAL ROADS

<u>New Number</u>	<u>Old Number</u>	<u>Description</u>	<u>Miles</u>
312.1	35IA	Community Center	1.2
	35C	Springer System	9.8
	35IA	McLeod Road	2.5
	35IA	Schible Road	0.1
	35IA	Herman Road	0.2
	35IA	Moore Road	0.3
	35K	Lynn Road	0.7
	35K	Matanuska Trunk (To Finger Lake-Palmer Road)	2.5
	New	Jensen Road	0.2
	New	Church Road	0.2
	35Q	Grantram Road	0.6
	New	Walton Road	0.5

# Jensen Road

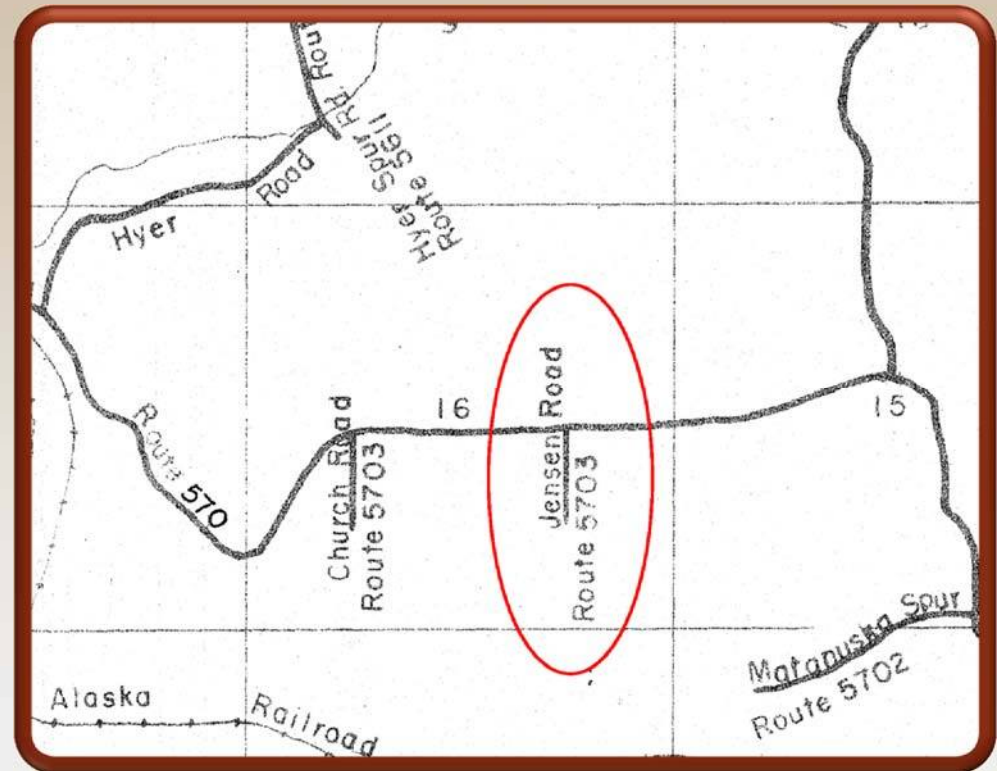
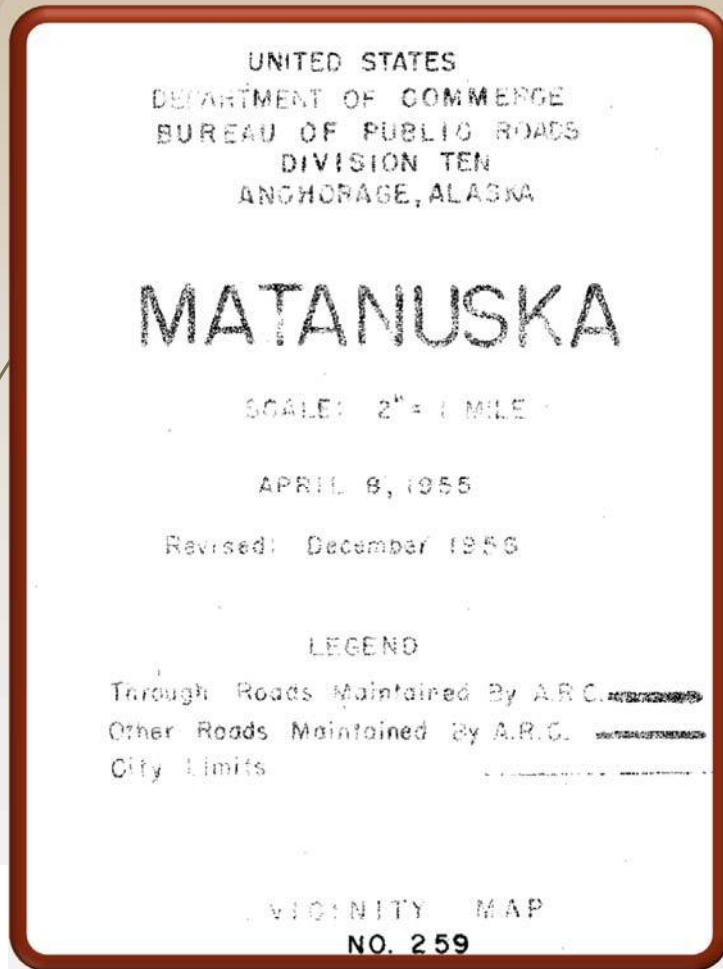
## ARC Mat-Su Valley - 1954 Maintenance Map



**Note: ARC did acquire a 60-foot wide ROW for Lynn road – Listed as ARC Route 312.1.7**

# Jensen Road

## BPR Matanuska - 1955 Maintenance Map



Note: Jensen Road now  
listed as Route 5703

# Jensen Road

Omnibus QCD - 1959

FAS Secondary Class "B" Route 5703

SEWARD  
Serial No. 69-687 QUITCLAIM DEED BOOK 391 PAGE 12  
Alutian Islands Recording District

KNOW ALL MEN BY THESE PRESENTS that the Secretary of Commerce, United States Department of Commerce, Grantor, under and pursuant to the authority contained in Section 21 of the Act approved by the President on June 25, 1959 (79 Stat. 141), does hereby devise, release, and quitclaim unto the State of Alaska, Grantee, its successors and assigns, subject to the condition set forth below, all rights, title, and interest of the Department of Commerce in

McCarthy 70-6  
Serial No.

Alutian Islands Recording District  
BO

ALASKA  
FEDERAL-AID SECONDARY HIGHWAY SYSTEM, CLASS "B" ROUTES R-16

BOOK 391 PAGE 14 Anchorage Recording District  
BOOK 14 Alutian Islands Recording District  
BOOK 54 Homer Recording District

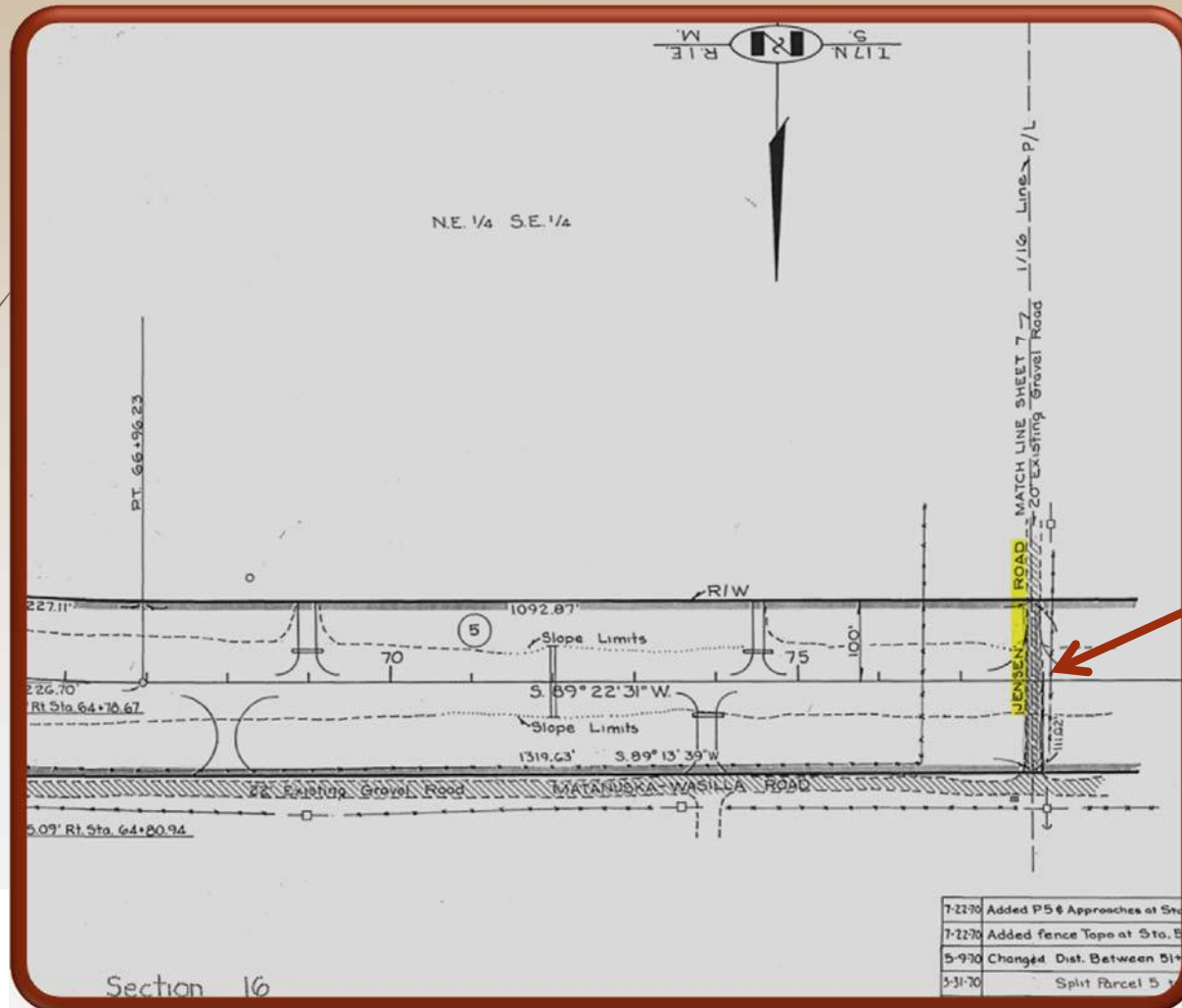
FAS Route No.	Name	Valdez Recording District	Description	Highway District No.	Constructed Mileage	System Mileage
5703	Jensen-Church-Walton Roads			10	0.9	0.9
	Jensen Road		From a point approx. 0.75 mile west of FAS Routes 565 and 570 junction, south 0.2 mile. Length 0.2 mile.			

BOOK 64 PAGE 105  
Valdez Recording District

# Jensen Road

Dept. of Highways ROW – 1968

F-035-1(16) - SR3 From Wasilla SE to Jct. w/ SR1



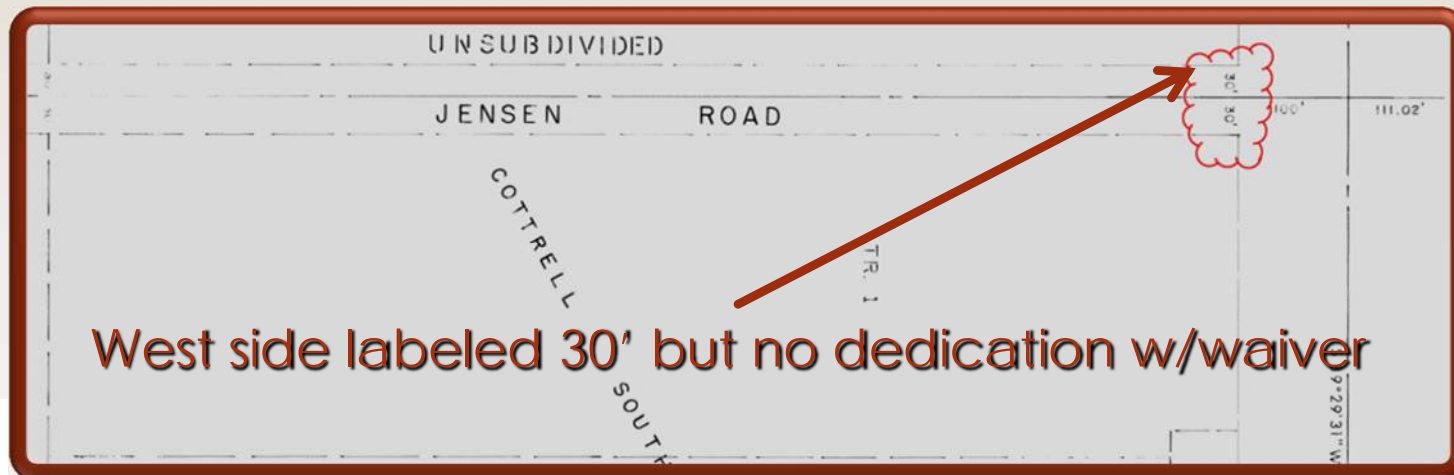
Note: Jensen labeled & shown as existing 20' gravel road – but no ROW width identified.

# Jensen Road

## Platting Actions

East of Jensen - Cottrell South Subdivision: Plat 72-43

West of Jensen – Subdivision Waiver No. 79-243W



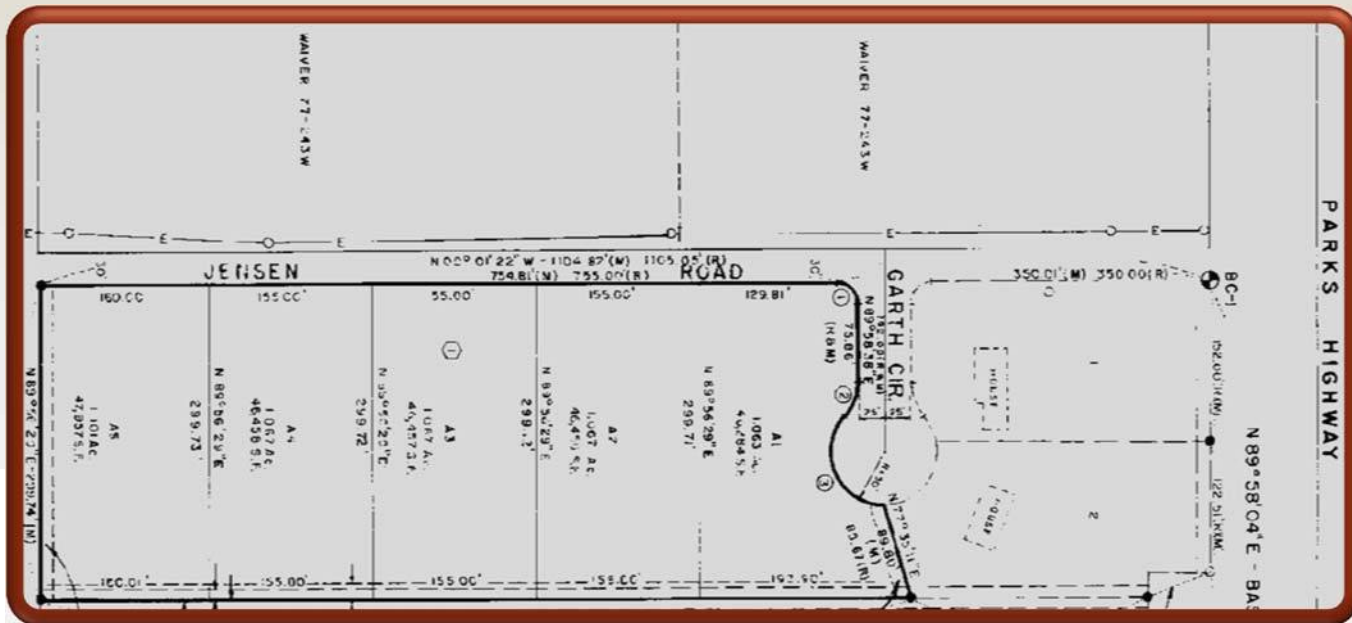
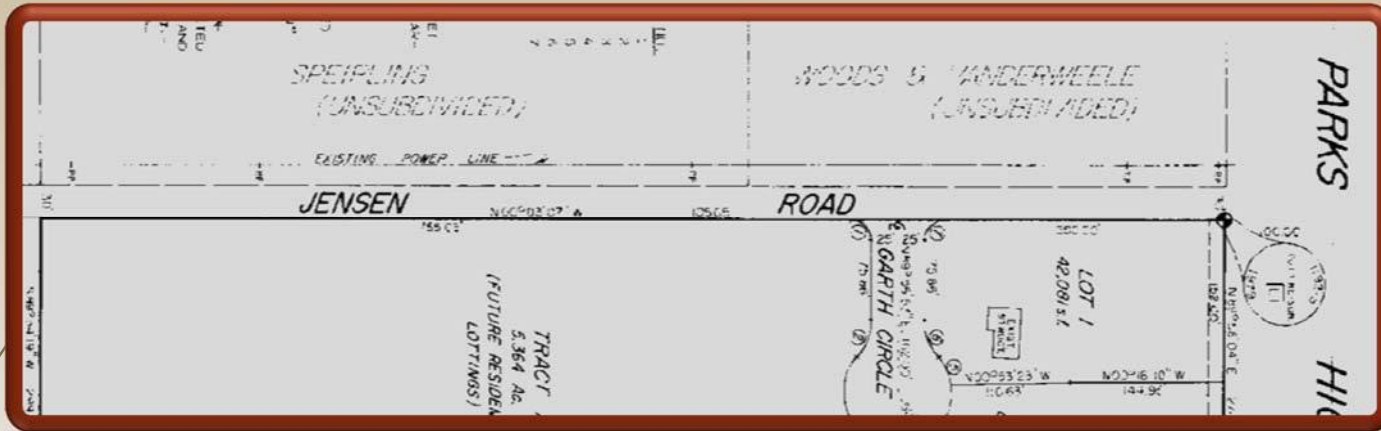


# Jensen Road

## Platting Actions

East of Jensen - Cottrell South Re-sub: Plat 80-22

East of Jensen - Duterrow Subdivision: Plat 83-264

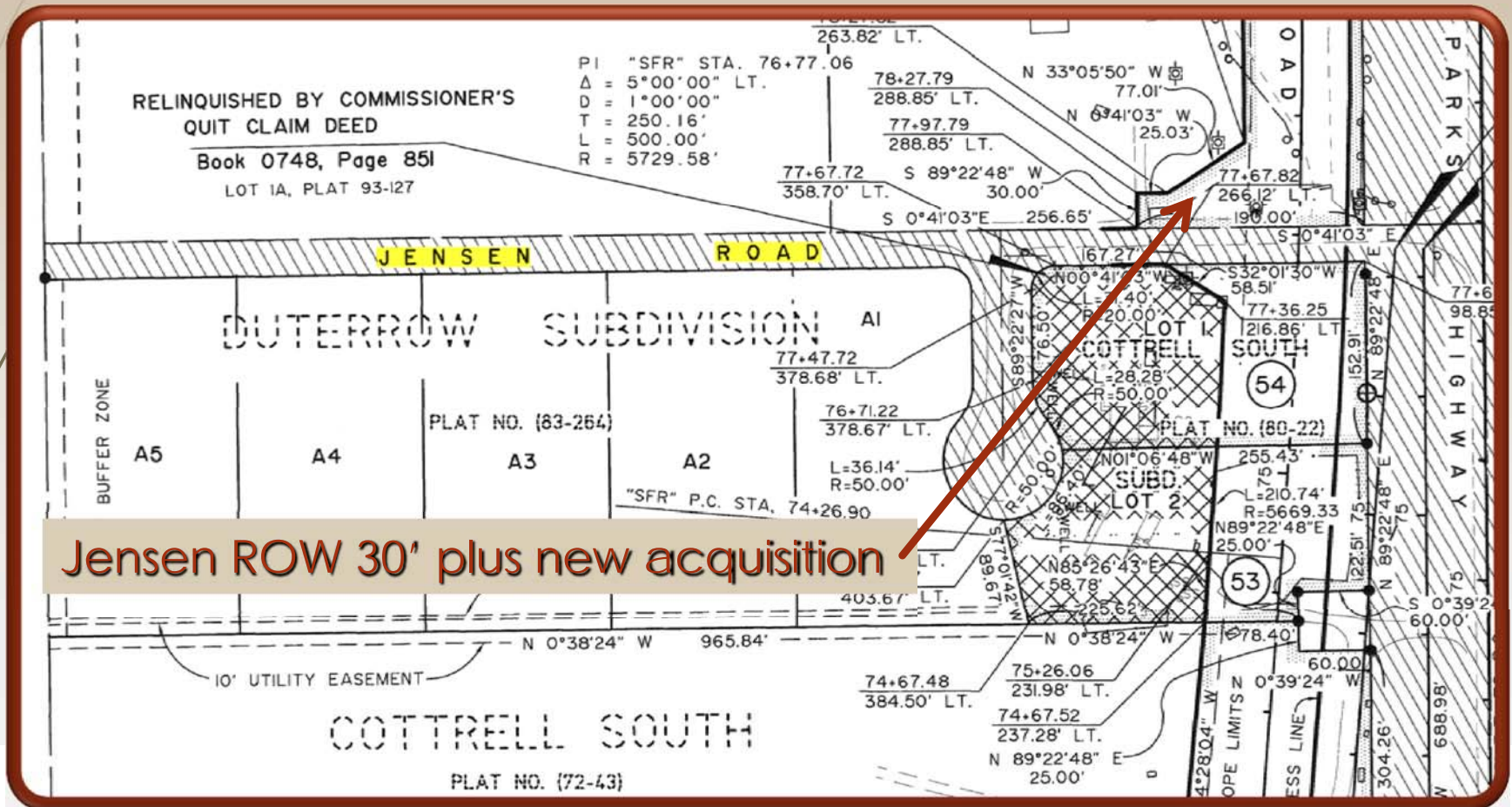


Note: 30' ROW to east and power line to west of Jensen centerline

# Jensen Road

## DOT&PF ROW Map – 2011

F-I-OA1-5(1) Glenn Hwy from Eklutna to Parks Hwy



# Jensen Road

## DOT&PF conveys Jensen Road To Mat-Su Borough – 6/12/03 PRD



State of Alaska

Department of Transportation and Public Facilities

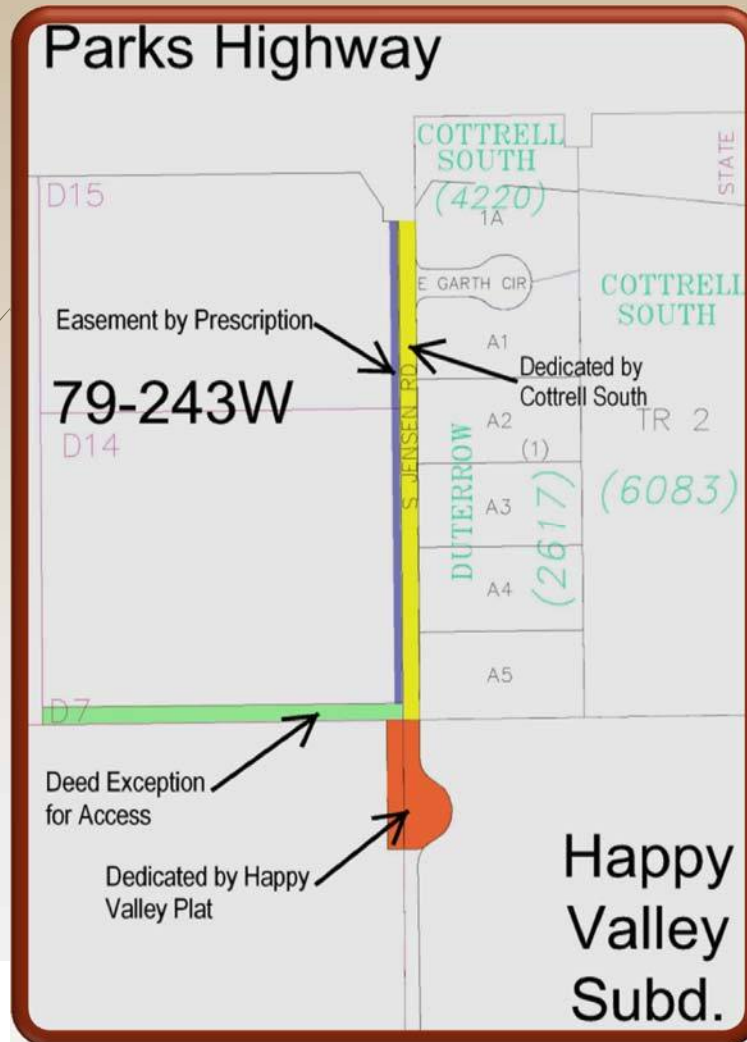
### COMMISSIONER'S QUITCLAIM DEED

THE GRANTOR, STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, P.O. Box 196900, Anchorage, AK 99519-0690, hereinafter referred to as "the State", acting by and through its Commissioner, under the authority of A.S. 19.05.070, for and in consideration of One and No/100 ----(\$1.00) DOLLARS and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, subject to the below-described interests and conditions, does hereby release and quitclaim unto the **Matanuska-Susitna Borough**, whose mailing address is: 350 East Dahlia, Palmer, Alaska 99645, hereinafter referred to as "the **Borough**", all right, title, and interest, if any, not herein reserved unto the State, in and to that real property situated in the Palmer Recording District, Third Judicial District, State of Alaska, more particularly described as follows:

All of Jensen Road (CDS #170010) right of way, acquired upon statehood as a portion of Bureau of Public Roads route #5703, as depicted on Exhibit "A", and through use, located in the Matanuska-Susitna Borough, within Township 17 North, Range 1 East, Section 16, Seward Meridian, from its junction with milepost 1.28 of the Parks Highway (CDS # 170000), commencing from the southerly right of way boundary of the Parks Highway, thence south for approximately 0.241 miles, more or less, to the road ending, as depicted on Exhibit "B", both Exhibits "A" and "B" being attached hereto and by this reference made a part hereof.

# Jensen Road

What did DOT&PF convey to Mat-Su?



Exchange: certain roads would be paved by DOT and certain roads would be turned over to Mat-Su for maintenance & management

# Jensen Road

## What did DOT&PF convey to Mat-Su?

Management: DOT & predecessors did not acquire any ROW.

Public prescriptive easements and dedications can be said to be held in trust for the public – there is no specific “ownership”.

The DOT&PF CDV only transferred management authority.

The CDV claimed to be subject to utility permits issued by DOT including the power line to the west of Jensen road. (???)

DOT&PF issued utility permits are akin to a QCD, they are only valid to the extent that the DOT ROW is valid, a risk left for the utility to determine and accept or reject.

Utility likely has its own prescriptive easement for utility purposes only. The road prescriptive easement is limited to maintained area – top of cut to toe of fill (or back of ditch).



The End