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IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

FOURTH JUDICIAL DISTRICT

STATE OF ALASKA,	)
	)
Plaintiff,	)
	)
vs.	)
	)
1,502 Square Feet, more or less;	)
328 Square Feet, more or less;	)
C. O. DUNKIN; RUSSELL H. WILLIAMS;	)
JAMES LUNDGREN; FAIRBANKS U-DRIVE,	)
INC.; HARRY A. SAMS; GLADYS B. SAMS;	)
FIRST NATIONAL BANK OF FAIRBANKS;	)
STATE OF ALASKA; JOHN SHELDEN;	)
JOHN R. NORLEN; CITY OF FAIRBANKS;	)
PISTON SERVICE, INC.; W. E. BEAMER;	)
M. R. McENTIRE; FAIRBANKS NORTH	)
STAR BOROUGH,	)
	)
Defendants.	)

FILED in the Superior Court  
State of Alaska, Fourth District

MAY 28 1970

OLGA T. STEGER Clerk

*[Signature]* Deputy

Civil Action No. 70 -

DECLARATION OF TAKING

I, the undersigned, Robert L. Beardsley, Commissioner of Highways of the State of Alaska, on behalf of said State, do hereby make the following declaration:

I.

(a) The property and access hereinafter described is taken under the authority of and in accordance with AS 19.05, AS 19.10 and AS 19.20, which authorize the acquisition of property and access by the Department of Highways, State of Alaska, deemed necessary for the public use of the State of Alaska.

(b) The public use for which it is necessary to take the property and access is for right of way for a Federal Aid Highway designated as Alaska Project No. F-062-4(21), GILLAM WAY EAST & SOUTH. This highway will form a part of the State primary highway system. The property and access hereinafter described is deemed necessary by the undersigned for said public use of the State of Alaska.

DISTRICT ATTORNEY  
FOURTH JUDICIAL DISTRICT, STATE OF ALASKA  
604 BARNETTE ST., FAIRBANKS, ALASKA  
PHONE 452-1363

1 II.

2 The property and access to be acquired aggregates:  
3 Parcel No. 21 - 1,502 Square Feet, more or less;  
4 Parcel No. P-21 - 328 Square Feet, more or less;  
5 located in the Fairbanks Recording District, State of Alaska.  
6 The property and access being taken for public use is more  
7 particularly described in Schedules "A", "B" and "C" attached  
8 hereto, and by this reference made a part hereof. This is  
9 the description of the same land described in the Complaint  
10 filed in the above-entitled action.

11 III.

12 Schedule "B" attached hereto is a plat showing the  
13 property and access taken. Schedule "C" attached hereto is  
14 a parcel vicinity map which shows the location, route, and  
15 termini of said project, on which the property and access taken  
16 is designated as Parcel Nos. 21 and P-21.

17 IV.

18 The estate or interest in Parcel Nos. 21 and P-21  
19 taken for public use is as follows:

20 Parcel No. 21, an estate in fee simple;

21 Parcel No. P-21, a temporary construction easement  
22 in, on and over Parcel No. P-21 for the duration of Alaska  
23 Project No. F-062-4(21), such easement being more fully  
24 described in Schedules "A" and "B" attached.

25 V.

26 The amount of money estimated by the undersigned as  
27 just compensation for the real property or the interests in it  
28 being condemned is:

29 Parcel No. 21 - \$7,960.00

30 Parcel No. P-21 - \$10.00  
31  
32

VI.

The persons or entities who, as disclosed by a diligent search of the records, may have or claim an interest in the said property are:

C. O. DUNKIN

RUSSELL H. WILLIAMS

JAMES LUNDGREN

FAIRBANKS U-DRIVE, INC.

HARRY A. SAMS

GLADYS B. SAMS

FIRST NATIONAL BANK OF FAIRBANKS

STATE OF ALASKA

JOHN SHELDEN

JOHN R. NORLEN

CITY OF FAIRBANKS

PISTON SERVICE, INC.

W. E. BEAMER

M. R. McENTIRE

FAIRBANKS NORTH STAR BOROUGH

VII.

By reason of the provisions of the above-mentioned statutes, the estate or interest described in Paragraph IV hereof does immediately vest in the State of Alaska.

IN WITNESS WHEREOF, I, the undersigned,  
Robert L. Beardsley, Commissioner of Highways of the State of Alaska, on behalf of said State, have hereunto subscribed my name this 7<sup>th</sup> day of May, 1970 at Juneau, Alaska.



ROBERT L. BEARDSLEY  
Commissioner of Highways

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SUBSCRIBED and SWORN to before me this 7<sup>th</sup> day  
of May, 1970 at Juneau, Alaska.

S. Grace Lock  
Notary Public in and for Alaska

My commission expires: November 4, 1973 My Commission Expires

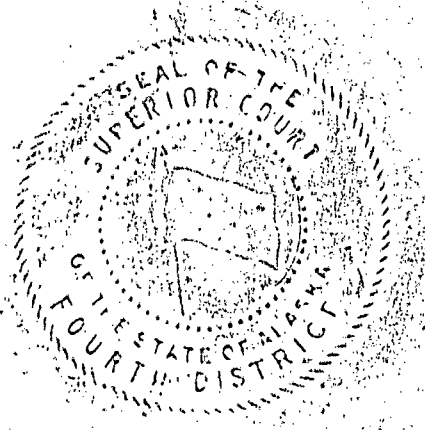
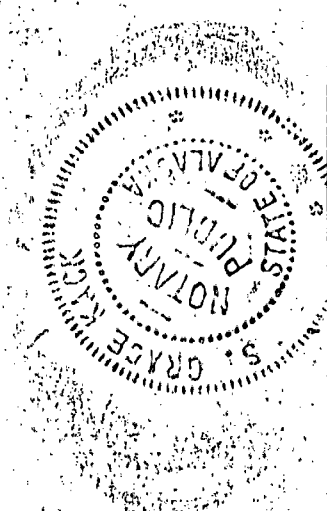
STATE OF ALASKA )  
FOURTH JUDICIAL DISTRICT ) ss.

I, the undersigned, certify that this is a true and full copy of an  
original document on file in the Superior Court, Fourth Judicial District,  
State of Alaska.

Witness my hand and the seal of this court this 28<sup>th</sup> day  
of May, 1970, at Fairbanks, Alaska.

OLGA T. STEGER  
Clark of the Superior Court

By: Thelma Adamson  
Deputy



21. A tract of land for Alaska Project F-062-4(21) situate in Section 10, T. 1 S., R. 1 W., F.M., in Lot 5, Block 3-A, Rickert Subdivision, said subdivision as shown on Instrument Number 96-332 in the Fairbanks Recorder's Office, Fourth Judicial District, State of Alaska, said tract being described as follows:

Beginning at the southwest corner of Lot 5; thence northerly along the westerly line of said lot a distance of 28.26 feet to the northerly right of way line of Alaska Project F-062-4(21); thence S. 83°59'20" E. along said right of way line a distance of 5.54 feet to a point of curve; thence easterly along a 00°59'25" curve to the right (radius=5786.58 feet) through an arc of 00°58'26" a distance of 98.36 feet to the southerly line of said lot; thence westerly along said southerly line a distance of 99.96 feet to the point of beginning.

ALSO

Beginning at the southeast corner of Lot 5; thence westerly along the southerly line of said lot a distance of 5.36 feet to the northerly right of way line of Alaska Project F-062-4(21); thence from a tangent that bears N. 03°15'01" E., northerly along said right of way line along a 69°01'52" curve to the left (radius=83.00 feet) through an arc of 12°33'21" a distance of 18.19 feet; thence N. 80°41'40" E. a distance of 3.37 feet to the easterly line of said lot; thence southerly along said easterly line a distance of 18.04 feet to the point of beginning.

Containing a total of 1502 square feet, more or less.

To enable the grantee to construct and maintain a public highway, known Alaska Project No. F-062-4(21), as a controlled access facility, as contemplated by Sec. 19.20.010 through Sec. 19.20.050, Alaska Statutes, grantor hereby convey and warrant to the grantee any and all rights or easements appurtenant to the grantors remaining property by reason of abutting said highway, including, without limiting the foregoing, all right of ingress to or egress from the grantors remaining property contiguous to the lands hereby conveyed to or from said highway EXCEPTING and reserving to the grantor, successors or assigns, the Right of Access to said highway via Stacia Street and Cushman Street.

PROJECT NO. F-062-4(21)

PARCEL NO. 21

SCHEDULE "A"

P-21. A tract of land for Alaska Project F-062-4(21) situate in Section 10, T. 1 S., R. 1 W., F.M., in Lot 5, Block 3-A, Rickert Subdivision, said subdivision as shown on Instrument Number 96-332 in the Fairbanks Recorder's Office, Fourth Judicial District, State of Alaska, said tract being described as follows:

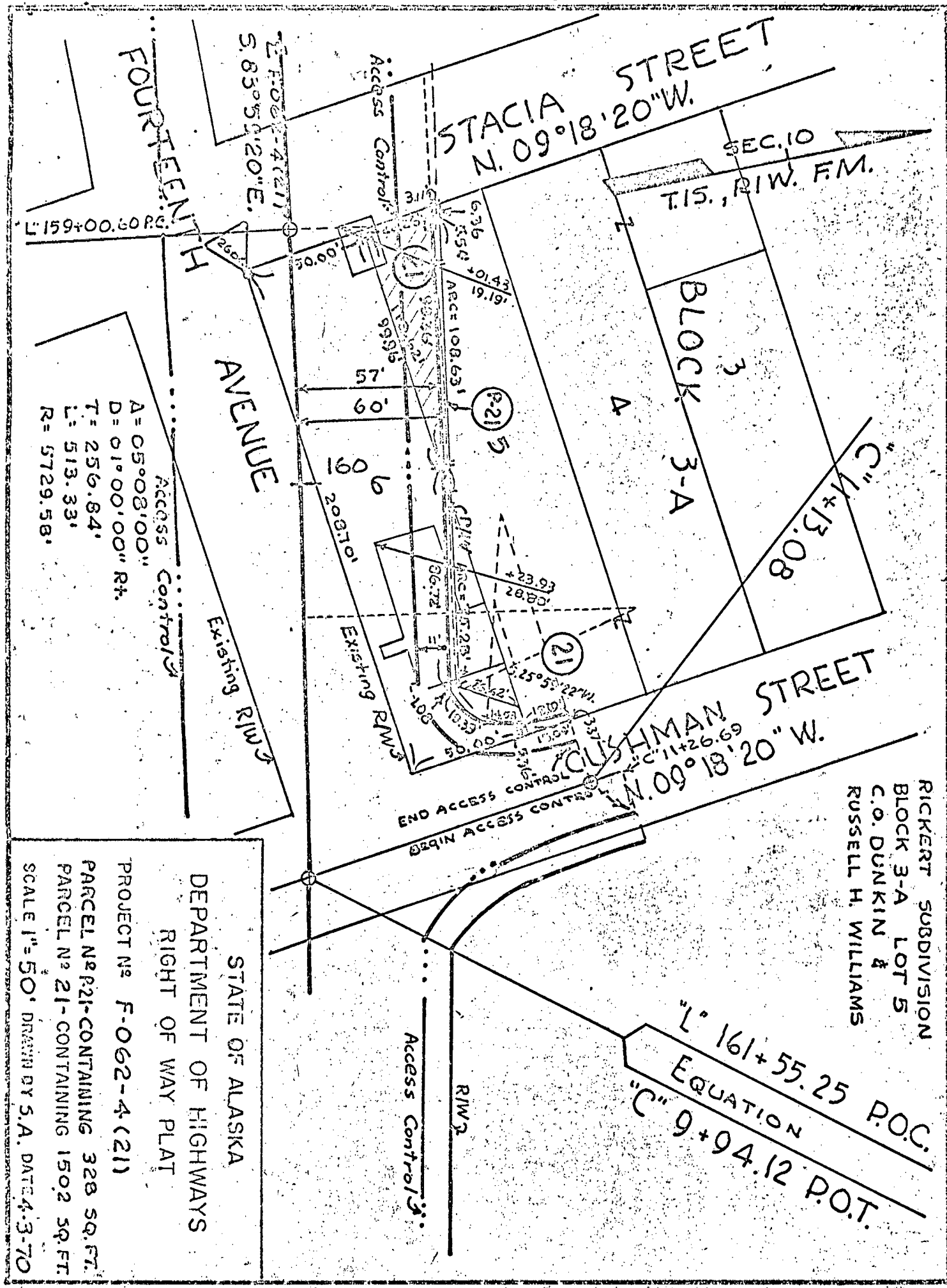
Beginning at the intersection of the northerly right of way line of Alaska Project F-062-4(21) and the westerly line of Lot 5, said intersection being northerly along said westerly line a distance of 28.26 feet from the southwest corner of said lot; thence northerly along said westerly line a distance of 3.11 feet; thence S. 83°59'20" E. a distance of 6.36 feet to a point of curve; thence easterly along a 00°59'23" curve to the right (radius=5789.58 feet) through an arc of 01°04'30" a distance of 108.63 feet to the southerly line of said lot; thence westerly along said southerly line a distance of 10.66 feet to an intersection with said northerly right of way line, said intersection being easterly along said southerly line a distance of 99.96 feet from the southwest corner of said lot; thence westerly along said right of way line along a 00°59'25" curve to the left (radius=5786.58 feet) through an arc of 00°58'26" a distance of 98.36 feet; thence N. 83°59'20" W. a distance of 5.54 feet to the point of beginning.

Containing 328 square feet, more or less.

PROJECT NO. F-062-4(21)

PARCEL NO. P-21

SCHEDULE "A"



RICKERT SUBDIVISION  
BLOCK 3-A LOT 5  
C.O. DUNKIN &  
RUSSELL H. WILLIAMS

"L" 161+55.25 P.O.C.  
EQUATION  
"C" 9+94.12 P.O.T.

Access Control  
Existing R/W  
Existing R/W  
Access Control  
Existing R/W

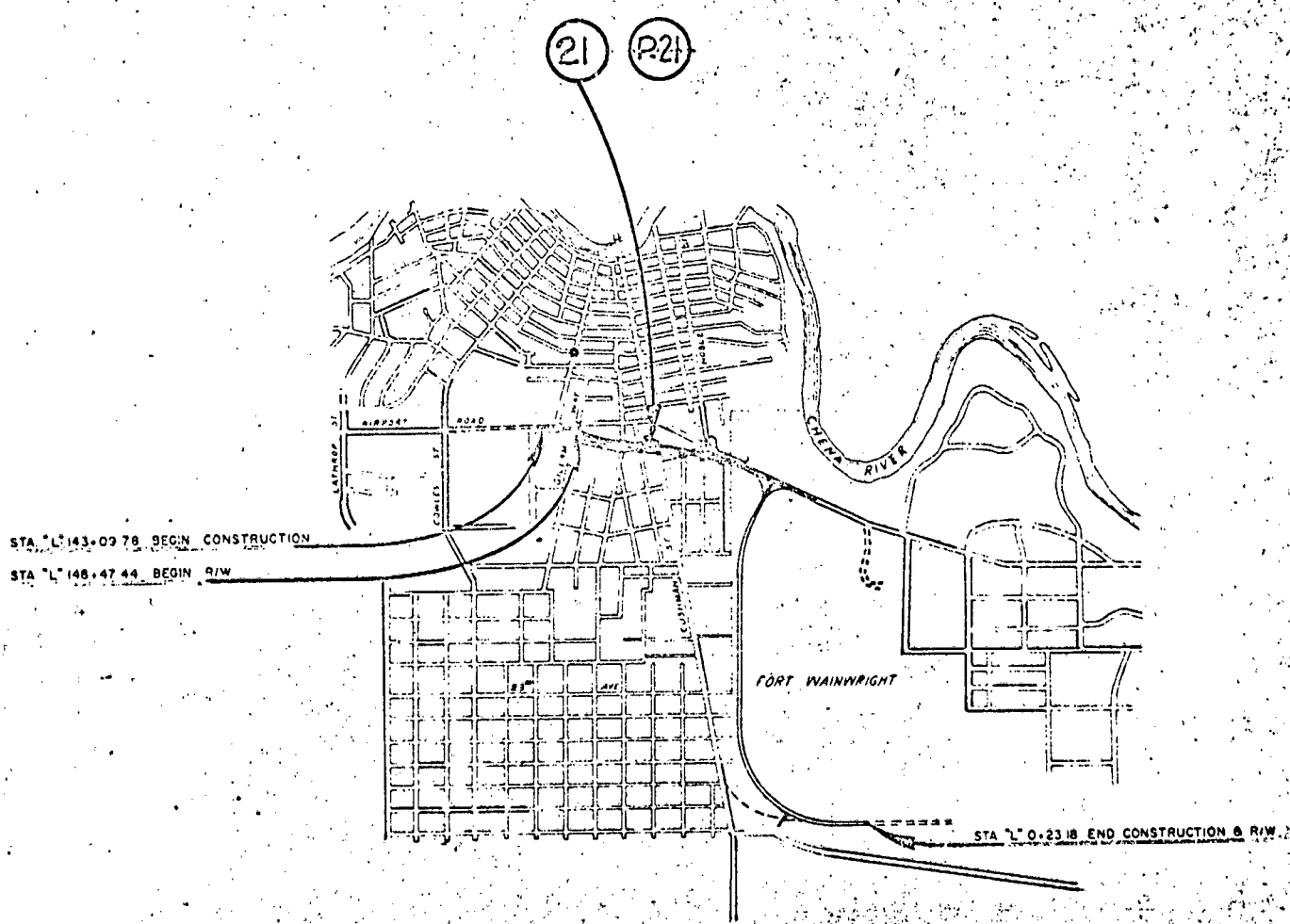
A = 05° 08' 00"  
D = 01° 00' 00" Rt.  
T = 256.84'  
L = 513.33'  
R = 5729.58'

STATE OF ALASKA  
DEPARTMENT OF HIGHWAYS  
RIGHT OF WAY PLAT

PROJECT N° F-062-4(21)  
PARCEL N° P21-CONTAINING 328 SQ. FT.  
PARCEL N° 21-CONTAINING 1502 SQ. FT.  
SCALE 1" = 50' DRAWN BY S.A. DATE 4-3-70

SCHEDULE "B"

STATE OF ALASKA  
DEPARTMENT OF HIGHWAYS  
PROJECT No: F-062-4(21)



PARCEL VICINITY MAP  
1"=3000'

SCHEDULE "C"

RECORDED  FILED   
FAIRBANKS RECORDING DISTRICT  
Date MAY 28 1970 Time 11:20AM  
Requested by Daniel Attorneys  
Address 604 Barnette