

University lands and Section Line Easements –

These lands are a special category of lands similar to Mental Health Trust and School lands. University Lands are generally those granted to the Territory by the Act of March 4 , 1915, prior to the availability of federal or state section line easements. In 1978 the State purported to convert the state's trust lands into general grant lands. The trust status may conflict with the ability of AS 19.10.010 to impose SLE's on University lands in a manner similar to other state lands. (See The Law of Section Line Easements in Alaska by John W. Sedwick.)

See Sec 14.40.291 Land of the University of Alaska not Public Domain Land. This suggests that state section line easements would not be imposed on University lands as they are not within the public domain, but we are unaware of any case law that addresses this issue.

Upon reconstitution of the University lands, some deeds from the State to the University include imposition of section line easements. As these appear to be conditions of the deed, they should be valid.

The North Pole Water System Project only indicates 5 parcel within the project limits. Three are within Wrangell Subdivision and east of Peridot Street. The first lot, Lot 1 Block J is being acquired for the project. The south boundary of these lots is on a section line. The plat for Wrangell does not call out a section line easement at this location but does dedicate a dedication for an "easement for road purposes". They may have done this to dodge the issue.

The other two parcels are north of Ownby and west of Woll road and were conveyed to the University by the Woll estate. As these lands were already impressed with a 33' SLE along the south and east boundaries, the University accepted title with those SLE's intact.

All other 50' SLEs throughout the project vicinity are state owned lands.