

*Kivalina Airport
Document*



UNITED STATES
DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT
Fairbanks District and Land Office
P.O. Box 1150
Fairbanks, Alaska 99701

IN REPLY REFER TO:

1862 (220)
Patent No.
1231546
F-022640

Your reference:
Kivalina Airport
ADA 10142

Mr. Harry A. Wakefield, Jr., Director
Department of Public Works
Division of Aviation
4510 International Airport Road
Anchorage, Alaska 99502

FEB 10 1970

Dear Mr. Wakefield:

Quite some time ago, a question arose as to the validity of the patent which issued for airport land at Kivalina, Alaska, as our microfilm copy of the title conveyance erroneously described the land conveyed as being located in U.S. Survey 3770 instead of U.S. Survey 3776.

We have finally secured a reply from our Washington Office in which they advise that a typographical error corrected on the original document during its preparation (but not the carbon copy due to an inadvertence) is the reason for the variance between patent 1231546 and our purported record.

Since the original patent, which correctly describes the lands involved, was properly executed by the United States and recorded by the State on the title records of the Noatak-Kobuk Recording District in Book 26, page 376, no action is required to correct the patent. Your patience in this matter is appreciated.

Sincerely yours,

Manager, Fairbanks District
and Land Office

6.05b-1L
Fairbanks 022640

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Serial No. 63-43

P A T E N T

THE UNITED STATES OF AMERICA, acting through the Secretary of the Interior, pursuant to the authority contained in section 16 of the Federal Airport Act, approved May 13, 1946 (60 Stat. 179; 49 U.S.C. 1115), as amended by section 1402(b) of the Federal Aviation Act of 1958 (72 Stat. 806), and in conformity with Executive Order No. 10536 of June 9, 1954 (3 CFR, 1954-1958 Comp., p. 194; 19 F.R. 3437), and section 0.67 of Title 28 of the Code of Federal Regulations (Order No. 273-62 of the Attorney General of June 14, 1962; 27 F.R. 5795), hereby gives and grants a patent to the State of Alaska, and to its successors in function, for the following described lands:

Lot one of United States Survey Numbered 3776, containing 35.66 acres, according to the approved plat of survey thereof on file in the Bureau of Land Management, Department of the Interior.

There are excepted from this patent and reserved to the United States all minerals in the lands, together with the right of the United States through its authorized agents, representatives, or lessees at any time to enter upon the lands and prospect for, mine, and remove such minerals insofar as such right does not interfere with the development, operation, and maintenance of the airport to be operated upon the lands by the State of Alaska, which State of Alaska agrees that all questions in regard to interference are to be determined by the Secretary of the Interior and the Administrator of the Federal Aviation Agency.

TO HAVE AND TO HOLD the lands included in this patent, together with all rights, privileges, immunities, and appurtenances of whatsoever nature, thereunto belonging unto the State of Alaska, and to its successors in function forever, subject, however, to (1) any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws or decisions of the courts; (2) a right of way for ditches or canals constructed under the

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authority of the United States, as authorized by the Act of August 30, 1890 (26 Stat. 391; 43 U.S.C. 945); and, (3) a right of way for the construction of railroads, telegraph and telephone lines, in accordance with the Act of March 12, 1914 (38 Stat. 305; 48 U.S.C. 301-308).

The property interest hereby conveyed shall automatically revert to the United States in the event that the lands in question are not developed or cease to be used for airport purposes for a period of six months; the grantee agreeing by the acceptance of the conveyance or the rights granted herein that a determination by the Administrator of the Federal Aviation Agency or his successor in function, that the lands are not developed or have ceased to be used for airport purposes, shall be conclusive of the facts.

The State of Alaska does by the acceptance of this patent covenant and agree for itself, and its successors in function, forever, as follows:

1. The State of Alaska will use the lands herein conveyed for airport development.
2. The airport to which such development relates, together with its appurtenant areas, buildings and facilities, whether or not on the lands herein conveyed, will be operated as a public airport upon fair and reasonable terms, without discrimination on the basis of race, color, creed or national origin, as to airport employment practices, and as to accommodations, services, facilities and other public uses of said airport.
3. Any subsequent transfer of the property interest conveyed hereby will be made subject to all the covenants, conditions and limitations contained in this instrument.
4. In the event of a breach of any condition or covenant herein imposed, the Administrator of the Federal Aviation Agency, or his successor in function, may immediately enter and possess himself of title to the herein conveyed lands for and on behalf of the United States of America.
5. In the event of a breach of any condition or covenant herein imposed the State of Alaska, or its successors in function, will, upon

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demand of the Administrator of the Federal Aviation Agency, or his successor in function, take such action including the prosecution of suit or execute such instruments as may be necessary or required to evidence transfer of title to the herein conveyed lands to the United States of America.

IN WITNESS WHEREOF, THE UNITED STATES OF AMERICA, by its Secretary of the Interior, has hereunto subscribed its name and affixed the seal of the United States Department of the Interior this 11th day of February



UNITED STATES OF AMERICA

[Handwritten Signature]
Secretary of the Interior

APPROVED this 27th day of March, 1963,

pursuant to authority delegated by the Attorney General by section 0.67 of Title 28 of the Code of Federal Regulations (Order No. 273-62 of June 14, 1962; 27 F.R. 5795).

[Handwritten Signature]
Assistant Attorney General
Lands Division

Recorded: Patent No. 1231516

RECORDED - FILED	
<u>Noatak-Kobuk</u> REC. DIST.	
DATE	<u>April 24</u> , 19 <u>63</u>
TIME	<u>5:15</u> P.M.
Requested by	<u>Department of Public Works</u>
Address	<u>Division of Aviation</u> <u>Cheney-001, Alaska</u>

*Filed & Recorded
By: Fletcher J. Grogg
Deputy Magistrate & Recorder
P.O. Box 257
Noyah, Alaska*

State of Alaska
SERIAL NO.

ADA 1014

Dept. of Public Works
Division of Aviation