

PA 2017-33 // EV-5-211



December 29, 2017

Surveyor's Professional Opinion – Section Line Easements

Dear Mr. Simmons,

This letter is intended to explain our decision that there is no section line easements affecting our proposed plat of Mertarvik Townsite Subdivision, located within:

Sections 34 and 35, Township 9 North, Range 86 West,

And

Sections 2 and 3, Township 8 North, Range 87 West

Seward Meridian, Alaska

Interim Conveyance No. 1876 was issued by the United States, Department of the Interior, Bureau of Land Management (BLM) to the Newtok Native Corporation on the **28th day of April, 2004**. This document was also recorded in the records of the Bethel recording on the 17th day of May, 2004, as Reception No. 2004-000727-0. This document conveyed the surface and subsurface rights to the Newtok Native Corporation, in part:

T. 9 N., R. 86 W.,
Those portions of Nelson Island lying within:
Secs. 32 to 36, inclusive
Containing approximately 70 acres

T. 8 N., R. 87 W.,
Those portions of Nelson Island lying within:
Secs. 1 to 4 inclusive;
Secs. 10, 11, and 12;
Secs. 35 and 36
Containing approximately 5,310 acres

The BLM plat of Township 9 North, Range 86 West, Seward Meridian, Alaska was accepted: **11th day of January, 2008.**

The BLM plat of Township 8 North, Range 87 West, Seward Meridian, Alaska was accepted: **11th day of January, 2008.**

During the course of our research there was no evidence that Sections 2, 3, 34 and 35 as described above were anything but Federal Interest Lands proceeding the issuance of Interim Conveyance No. 1876, dated the **28th day of April, 2004**. The acceptance date of both BLM rectangular surveys as described above is the **11th day of January, 2008**. Our professional opinion is that **THERE IS NO SECTION LINE EASEMENTS WITHIN OUR PROPOSED SUBDIVISION**, for the fact that the date of entry predates the survey plat acceptance.

Sincerely,
CRW Engineering Group, LLC

Benjamin J. Hron, PLS, CFedS

Attachments: Plats: T. 9 N., R. 86 W. & T. 8 N., R. 87 W.
Interim Conveyance No. 1876