Anchorage Als May 3 1941

Taylor Juneau Als

Location of road from Palmer to Richardson Highway o o o stop Route using railroad grade appears OK

Edmunds

Original filed 26/293

Department of the Interior ALASKA ROAD COMMISSION Anchorage, Alaska

May 12, 1941

Mr. Ike P. Taylor, Chief Engineer, A. R. C., Juneau, Alaska.

Dear Mr. Taylor:

I am forwarding a copy of a letter received from Mr. J. T. Cunningham, Acting Manager, Alaska Railroad, with reference to the railroad grade between Sutton and Chickaloon, which we were contemplating using, where practicable, as a location for the road.

> alle for the second of the sec Yours very truly,

Superintendent

MCE:S Attach.

Anchorage, Alaska May 12, 1941

Mr. M. C. Edmunds, Superintendent, Alaska Road Commission, Anchorage, Alaska.

Dear Sir:

Reference is made to your letter of May 8th, concerning use by the Road Commission of the old railroad grade between Sutton and Chickaloon, as part of the new road leading from Palmer to Richardson Highway.

Your request was referred to the General Manager and he advises that this old grade may be used by the Road Commission but an agreement must be entered into by the Alaska Road Commission and the Alaska Railroad, to the effect that if the railroad at any time in the future finds it necessary to rebuild the railroad between Sutton and Chickaloon, that the Alaska Road Commission must vacate the railroad grade and construct a new highway at Road Commission expense. He feels doubtful that you can legally do this, and suggests that you abandon the idea of using any part of the railroad grade.

The railroad has no objection to allowing of Alaska Road Commission to use some of the timbers of the old bridges over Granite Creek, King River and Chickaloon River; also, any of the old buildings above Sutton and Chickaloon.

Yours very truly,

(Signed J.T.Cunningham)

J. T. Cunningham, Acting General Manager.



Juneau Alaska May 12 1941

Edmunds Anchorage

Renrad tenth advise railroad we will sign agreement regarding use of railroad grade stop Believe best to stay with plan to use as much as possible the old railroad grade with possibility of having to move later which I believe is very remote stop $\sqrt{\text{Am making effort to secure transitman}} \sqrt{33/472}$

Taylor

IFT: IN

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Reproduced at the National Archives and Records Administration-Pacific Alaska Region (Anchorage)

partment of the Interior ALASKA ROAD COMMISSION Anchorage, Alaska

May 14, 1941

Mr. J. T. Cunningham, Acting General Manager, Alaska Railroad, Anchorage, Alaska.

Dear Mr. Cunningham:

In reference to your letter of May 12th concerning use by the Alaska Road Commission of the abandoned railroad grade between Sutton and Chickaloon as part of the new road to the Richardson Highway.

Your letter was referred to Mr. Ike P. Taylor, Chief Engineer, Alaska Road Commission, Juneau, and he advises that we will use the old railroad grade and sign an agreement with the Alaska Railroad to the effect that if the Railroad at any time in the future finds it necessary to rebuild the railroad between Sutton and Chickaloon, the Alaska Road Commission will vacate the railroad grade and construct a new highway at Road Commission expense.

Mr. Taylor feels that the possibility of your rehabilitating the railroad grade is very remote.

If you have an agreement made up by your Land Department, I will sign it for the Alaska Road Commission.

Yours very truly,

M. C. EDMUNDS, Superintendent RF.C2D MAY 26 1941 Alaska Road Commission Lucient, Alaska

MCE:S cc - Juneau p

COPY

National Atchives and Records Administration
Positic Alaska Region
654 West 3rd Avenue
Anchorage, Alaska 99501-2145
Record Group No. 2005
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RIGHT-OF-WAY AGREEMENT

TRIS INDENTURE, made the 2nd day of June 1941, between The Alaska Railroad, U. S. Department of the Interior, hereinafter referred to as the "Railroad", and the Alaska Road Commission, U. S. Department of the Interior, hereinafter referred to as the "Commission".

WITNESSETH:

Whereas the Commission is now constructing a highway from Palmer,
Alaska to connect with the Richardson Highway at or near Copper Center,
Alaska and the route of said highway parallels the railroad right-of-way
of the Railroad between Sutton and Chickalcon, in consideration of the
benefits account to both parties hereto it is hereby agreed as follows:

- 1. The Railroad will permit the Commission to use all or any part of the Railroad's right-of-way between Sutton, Mile Post 19, Engineers Survey Station 999 / 15.7 and Chickaloon, Mile 37.84, Engineers Survey Station 0 / 00, as shown on the seven Alaskan Engineering plats No. 8 to 14 inclusive of the Matamuska Branch of The Alaska Railroad (File No. 2515) copies of which are attached hereto and made a part hereof, for the construction, saintenance and operation of a public highway, or for buildings, structures or storage yards used in or necessary for the construction, maintenance and operation of the highway.
- 2. This permit shall be effective only so long as the highway shall be used by the public and shall be maintained and kept in repair and in good and passable condition by either the Commission or the Territory of Alaska, or by those acting in their behalf, but all rights hereunder shall revert to the Railroad as soon as the use thereof as a public highway shall be abandoned and discontinued.

- 3. It is understood by and between the parties hereto that if at any time the Railroad requires the railroad right-of-way over which the Commission is hereby granted permission to construct the highway, or any part of it, for use as a roadbed for railroad tracks over which to move trains or similar rolling stock, or for telephone or telegraph lines, power and pipe lines and similar devices or structures, station or section houses or railroad buildings, switches, semaphores and similar devices or structures, the Railroad shall have unobstructed use of the required area for such purpose and the Commission shall make any changes in the highway that are necessary to permit such use at the expense of the Commission.
- A. The Commission may use the rullroad roadbed, as now constructed, as part of the highway and may make any necessary changes in the roadbed, but if the roadbed is needed by the Railroad for railroad purposes the Commission shall restore the roadbed to approximately its present condition if requested to do so by the Railroad.
- 5. The Railroad reserves unto itself the right to require the Commission to relinquish, change or to alter the course or the grade of said highway on the railroad right-of-way if in the opinion of the Railroad such relinquishment, change or alteration becomes necessary to the operation and administration of The Alaska Railroad and the Commission agrees to abandon either in part or in whole the railroad grade or the railroad right-of-way and relocate the highway or make such changes or alterations as may be necessary when so required by the Railroad, without expense to the Railroad.

IN WITHESS WHEREOF, the parties hereto have subscribed this instrument on the day and year first hereinabove written.

in the presence of	
a. P. Serione	THE ALA:
Main Horri	37
Jaborges	# ு உ ாண்ச் உ
	ALASKA I
- Augustus	By A

General Manager:

Salv.

LASKA NOAD COMMISSION

1 (Met Borning) (SEAL)

Alasta Mozo Commission

ADDRESS ONLY THE ALASKA RAILROAD

UNITED STATES DEPARTMENT OF THE INTERIOR

THE ALASKA RAILROAD

Anchorage, Alaska July 12, 1944

Mr. M. C. Edmunds Supt. Alaska Road Commission Anchorage, Alaska

Dear Mr. Edmunds:

We are in receipt of a letter from Davis & Renfrew, Attorneys, asking that Lot No. 3, Section 36, Township 20 North, Range 5 East, Seward Meridian, containing 22.31 acres be eliminated from the Chickaloon townsite in order that John Joseph Corey may homestead this area.

The Alaska Railroad right of way ran through the south side of this lot and the Alaska Road Commission was permitted to use the right of way for a road by Contract Agreement No. I -3arr-2657 dated June 2, 1941.

The Alaska Railroad has no objection to the elimination of this lot from the townsite reserve and a homestead patent incorporates a provision providing for a right of way for the Railroad, but before making any recommendations, I desire to obtain from the Alaska Road Commission an expression as to the necessity of making a road reserve through the let or withholding any part of the let. Will you kindly advise.

Yours very truly.

O. F. Ohlson

General Manager

United States
Department of the interior
Alaska road commission
Anchorage, Alaska
July 21, 1944

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

Dear Mr. Taylor:

I am forwarding a copy of a letter received from the General Manager of the Alaska Railroad and my reply thereto, concerning an application of John Joseph Corey for a homestead site near the highway bridge across the Chickeloon River on the Glenn Highway.

Mr. Delamey, of the Alaska Railroad, informed me that they would probably throw the whole townsite open as they do not expect to have any further use for this land and that it would all revert to public ownership and be subject to homesteading.

The Materiaka River is encrosoling on the road in this area, the tower of the trem across the Materiaka River near Chickeloon, has been washed away and it became necessary to build mother one farther back about 50 feet. The center of the road has been moved back into the hill about 80 feet also and the road bed is still eroding.

Very truly yours

M. C. Edminds Superintendent

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United States
Department of the interior
Alaska road commission
Anchorage, Alaska
July 21, 1944

Col. O. F. Ohlson General Hanager Alaska Railroad Anchorage, Alaska

Dear Col. Ohlson:

In reply to your letter of July 12, concerning an application by John Joseph Corey for a homestead site and that Lot No. 3, Section 36, Township 20 North, Range 5 East, of the Seward Meridian, be eliminated from the Chickeloon Township reserve of the Alaska Railroad.

In addition to the contract agreement No. I-Jarr-2657, dated June 2, 1941, covering the portion of the Alaska Railroad right of way used by the Alaska Road Commission for the road between Palmer and the Richardson Highway, an additional release was made of a 200 foot right of way through the Chickeloon Townsite reserve in order to cover the ground traversed by the highway when it left the old railroad bed, regarded the Chickeloon river and ran in an Easterly direction through the reserve.

It is assumed that this agreement is still in effect and that our interests are protected. However, if there is any possibility of any argument arising as to the legality of this agreement, it probably would be advisable to make a road reserve at the time.

As the Matenuska River is encroseding steadily on the road, in this area, it is suggested that 250 feet be reserved for the road, one hundred feet South of the center line and 150 feet North of the center line, giving us a 250 foot right of way through Section 36.

Very truly yours

M. C. Edminds Superintendent

越流/数



DEPARTMENT OF THE INTERIOR ALASKA ROAD COMMISSION

JUNEAU, ÁLASKA

P.O. Box 1961



January 27, 1953

Durcau of Land Management Department of the Interior Washington 25, B. C.

Gentlemen:

Reference to made to your letter of January 16, 1953, your file Anchorage (30357, 31631) both concerning Lot 3, Sec. 36, T. 20 No. 18. 5 Lot. 18. Alaska. > both closed, not patented

The Alaska Boad Commission interposes no objection to the restoration of the land from the withdrawal imposed by executive Order 2319 of February 16, 1916, providing that such restoration is subject to the Alaska Food Commission right-of-way for highway purposes which is held by virtus of right-of-way agreement of June 2, 1911 between this Commission and the Alaska Bailroad.

If the restoration is effected by the elimination of the Alaska Railroad withdrawal, the Alaska Road Commission desires and requests that the present highway right-of-way through Lot 3 be not less than 300 feet, pursuant to Secretarial Order No. 2665 of October 16, 1951.

Very truly yours,

Wm. J. Mend Chief Engineer

cc: Puckett, BIM, Anchorage

Area at Chikaloon



Chickaloon Village Traditional Council P.O. Box 1105 Chickaloon, Alaska November 2, 1985

99674

U.S. Department of the Interior Bureau of Land Management Townsite Trustee Attention: Gale Ozimna Box 13 701 "C" Street Anchorage, Alaska 99513

Dear Ms. Ozimna:

What is vital to our national honor, as you so well appreciate is that the still remaining rights and possessions of Chickaloon Village be scrupulously protected as prescribed pursuant to the 1926 Alaska Native Townsite Act (43 USC 733 et seq.).

Whereas Chickaloon Village is an eligible Village for a trust townsite, therefore it is the intentions of Chickaloon Village to secure an application for trust patent to the core township of Chickaloon Village.

Chickaloon Village directs the Townsite Trustee to begin all necessary procedures to establish the long overdue trust townsite of Chickaloon Village.

All documents, instruments, and other necessary procedures to expedite the desired results of this application should be sent to the following address:

Chickaloon Village Tradtional Council P.O. Box 1105 Chickaloon, Alaska 99674

With all due respect,

Chickaloon Village.

Alan Larson, Chairman

Daniel Cheatham,

Helen Depriest, Secretary

Level Manne 1X

Gary Harrison, Treasurer

 \mathcal{C}

Vice Chairman

David Harrison, Sargent at Arms

CHICKALOCN

(R. R. Townsite)

Date	Subject	Cross Reference
2/16/16	N_{2}^{1} and N_{2}^{1} SW1, Sec. 36, T. 20 N., R. 5 E., and N_{2}^{1} and N_{2}^{1} NE1, Sec. 51, T. 20 N., R. 6 E., site reserved for railroad purposes.	E0-2319
2/23/17	St Sec. 25; SEt, Sec. 26, T. 20 N., R. 5 E. (Townsite withdrawal # 13.) (Revoked in part by E0-3863)	E0-2538
6/11/23	SE Sec. 26 withdrawn from townsite (prior settlement) (Revokes in part E0-2538)	E0-3863

FED.

ADDR - NLY THE COMMISSIONER OF T

INERAL LAND O. Z

DEPARTMENT OF THE INTERIOR

GENERAL LAND OFFICE

WASHINGTON

June 22, 1923.

IN REPLY PLEASE REFER TO

Juneau 03556 "K" FCD

Alaska Townsite Withdrawal No. 13. Homestead application of Charles M. Johnston.

Instructions to allow entry.

Register and Receiver,

Juneau, Alaska.

Gentlemen:

Executive Order eliminating the SE Sec. 26, T. 20 N., R. 5 E., S. M., Alaska, from the operation of Executive Order No. 2538, dated February 26, 1917. A copy of said Executive Order of June 11, 1923, will be forwarded you as soon as same is received by this office from the State Department. The said elimination was recommended and made in order that the homestead application serial 03556, of Charles M. Johnston might be perfected and entry made for said land, as said Johnston settled on said land November 1, 1916, and has made improvements thereon to the value of over \$3000.00. The said

Juneau 03556 "K" FCD

application of Johnston is herewith transmitted and you are instructed to allow same on payment of all fees and commissions and you will notify said Johnston that final proof may be submitted by him upon giving proper notice thereof.

Inasmuch as the said land is embraced in the homestead settlement claim and application of the said Johnston, the said land is restored to settlement and entry without the usual soldiers preference right.

Make proper notations on the records of your office and in due time make report of all action taken hereunder, transmitting proper evidence of service of notices issued.

Very respectfully,

Acting Commissioner.

BOARD OF LAW HEVIEW

UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT



TA 8151

(Field number)

AREA 4 - ALASKA

(Region)

(Date)

REPORT

	16—39498-2 apo	
Land district and serial No.	October 7 & 8, 1953 Date of examination April 8, 1954	•
Name Chickalcon Townsite	Field examiner ROSERT L. JENKS	_
Subject Restoration Report	Approved:	
Date(Application or proof)	Fred J. Jeiler Reparamental Management Area Lands & Minerals Officer	

Lands involved:

Two tracts of land reserved by Executive Order 2319 and Executive Order 2538 known as the Chickaloon Townsite Reserve, subracing the following lands:

- (a) E.O. 2538 T. 20 N., H. 5 E., S.M. Sec. 25: Sa Containing 320 acres.
- (b) E.O. 2319 T. 20 N., R. 5 E., S.M. Sec. 36: Described by the Order before filing of plat as the Na and NaSt and interpreted to include the following: NWINEL, NEINWI, Wallwit, Lots 1, 2, 6, and that portion of Lot 8 lying in the Maski, and that portion of Lot 4 lying in the Ma of the Section.
 - T. 20 N., R. 6 B., S.M. Sec. 31: Described by the Order before filing of plat as the Net and Walks and interpreted after filing of the plat as the SEENWL, S號NE, Lots 2, 3, 4, 5, and that portion of Lot 1 lying in the MENE

Containing approximately 618 acres.

Total acreage involved approximately 938 acres.

IDENTIFICATION OF THE LAND:

Positive identification of the land was made through the recovery of the General Land Office survey monument denoting the common corner of Sections 25 and 36, T. 20 N., R. 5 E., and Sections 30 and 31, T. 20 N., R. 6 E., Identification was also made through the use of USGS Map Anchorage D-4 in reference to many prominent geographical features.

HISTORY AND PRESENT STATUS:

Both townships were surveyed on the ground during the summer of 1915 and the plats filed on August 22, 1916, at which time the land was declared to be mineral (coal). Subsequent to survey in the field and prior to the filing of the plat, E.O. 2319 was promulgated (2/16/16) with E.O. 2538 taking effect 2/26/17. The townsite reservations were set up to provide for railroad and townsite activities in developing a nearby coal mining operation.

Lying adjacent to a portion of the subject land is coal leasing block #12 which was withdrawn as a Naval Goal Reserve by Proclamation 1376 on 6/18/17. On 6/4/54 it was restored for competitive leasing. During World War I this was a scene of activity with a branch of the Alaska Railroad terminating here, a settlement erected, and some coal being mined. However, there has been no mining here since the close of World War I, and the railroad and town have been removed. This town was not on the subject land but was on the adjacent coal land.

Section 36, having been declared mineral at the filing of the plat, did not become a Territorial school section until the enactment of the Act of March 5, 1952, which reserved mineral as well as non-mineral Sections 16 and 36 as school sections. Lot 3, Section 36, T. 20 N., R. 5 E., S.M. was restored from E.O. 2319 by PLO 897, 6/12/53, becoming reserved for school purposes. The improvements of John J. Cory, Anchorage 010357 and 011631, embrace this Lot 3.

The only other known occupancy within these reserves is that of Hank Edwardson in the Sansander, Sec. 36, under a special land use permit issued Harch 1, 1954, Anchorage 025617. No other conflicts or withdrawals have appeared with the exception of E.C. 9145 of April 23, 1942, which reserved a 200 foot wide right-of-way beginning from terminal point station 1369-42-8 in the NEt of Section 36 for use by the ARC for operation and maintenance of the Falmer-Richardson Highway. PLO 601 of 8/10/49 reserves a 300' R.O.W. for the Glenn Highway.

NEED FOR RESTORATION:

This field investigation and report were initiated on a request by the Territorial Commissioner of Lands for restoration of the townsite reserve as to that portion lying in Section 36, a school section. Upon further examination and research, it appears that a need for a townsite on these total lands no longer exists.

S. O. 2319 was set up originally "for railroad purposes" while E.O. 2533 was promulgated "for townsite purposes and other purposes in connection

with the construction and operation of the railroad". It has been pointed out that coal mining activities ceased shortly after World War I at Chickaloon and that the railroad line to the adjacent coal field has been taken up. F. E. Kalbaugh, General Manager of the Alaska Railroad, stated by a letter of March 17, 1954, attached to this report, that the Alaska Railroad had no objection to the revocation of E.C.'s 2319 and 25%.

Mr. Leo H. Saarela, Regional Mining Supervisor of the U. S. Geological Survey in Anchorage, stated in an interview on July 20, 1954, that he could see no reason for not restoring the subject reserves inamuch as the adjacent coal leasing block had recently been restored from its reserve status at his recommentation. It is of interest to note that during World War I when the mining operations were being developed, the settlement which occurred was located on the coal reserve rather than on the subject land which was reserved for townsite purposes.

It appears that development of a townsite at this location in the foreseeable future is unlikely. The coal mining operations are now concentrated in the Sutton area where costs of operation are not prohibitive as they are at Chickaloon, according to Leo Saarela.

After field examination, it is my opinion that the subject lamis are not suitable for townsite purposes, being exceedingly rough and steep in topography. Any settlement in connection with any future coal mining operations is not likely to locate on these lands, inasmuch as the Chickaloon River separates them from the coal lamis. The land most desirable for settlement in connection with the coal mining, other than on leasing block #12 itself, is in the NW: of Section 25, which is already entered and is proceeding towards patent.

Because of all these factors, it is my opinion that these lands are not desirable or needed for townsite purposes.

PROPOSED ILSPOSAL:

It is proposed that the land be disposed of in the following manner:

T. 20 N., R. 5 E., S.M. Sec. 25: 3k

Sec. 36: NWINEL, NELWAL, WANNEL, Lots 1, 2, 6, and that portion of lot 8 lying in the Nat portion of Lot 4 lying in the Nat of the Section.

Applicable public land laws

Reserved status as a Territorial school section under the Act of March 5, 1952. T. 20 N., R. 6 E., S.M. Sec. 31: SERME, SWENEL, Lots 2, 3, 4, 5, that portion of Lot 1 lying in the WHANES

For disposal under applicable land laws

Upon restoration of these lands, they will be subject to a 90 day filing preference period for qualified veterans of World War II, provided that this regulation (43 CFR 181.44) is still in force at the time of restoration.

CONCLUSIONS:

- It appears that development of a townsite at Chickelcon is unlikely.
- The subject land is physically unsuited for townsite purposes.
- The Alaska Railroad, under whose jurisdiction the land was withdrawn, does not object to the revocation of the E.O.'s involved.
- These lamis should be restored to entry under applicable land laws with the exception of that portion lying in Section 36 which is reserved as a Territorial school section.
- 5. Restoration should be subject to a 90 day preference filing period by qualified veterans of World War II if this regulation remains in effect at the time of restoration.

ROBERT L. JUNKS

Agricultural Economist (Land)

RECOMMENDATIONS:

It is therefore recommended that s.C. 2319 and E.C. 2538 be revoked and the lands involved be disposed of as outlined in the above paragraph "Proposed Disposal".

RLJ:bg

Dist: Washington (2)

Land Office (1)

Lands and Minerals (2)

UNITED STATES DEPARTMENT OF THE INTERIOR THE ALASKA RAILROAD

Anchorage, Alaska

March 17, 1954

Mr. L. T. Main, Acting Chief Division of Land Planning Bureau of Land Management Anchorage, Alaska

Dear Mr. Main:

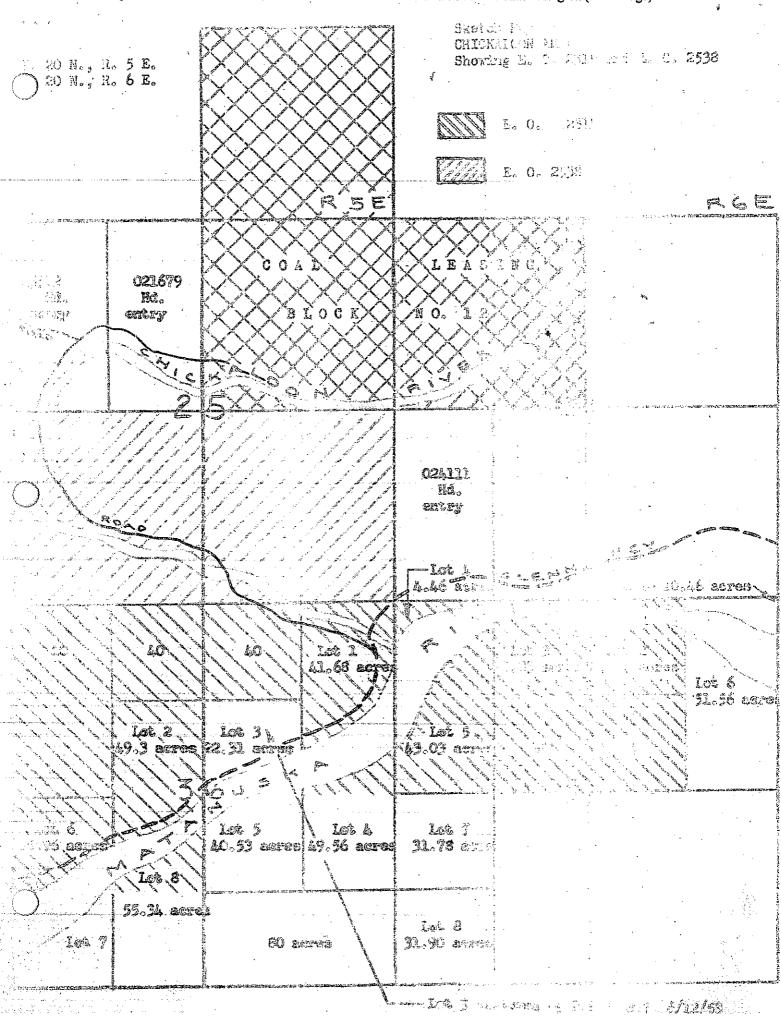
Reference is made to your letter of February 24, 1954, regarding land reserves at Chiekaloop, Alaska.

The Alaska Railroad has no objection to the revocation of Executive Order 2319 and Executive Order 2538.

Very truly yours,

/s/ F. E. Kalbaugh

F. E. Kalbaugh General Manager



COPY

National Archives and Records Administration
Pacific Alaska Region
654 West 3rd Avenue
Anchorage, Alaska 9950]-2143
Record Group No. BO 49 BM
box No. / Location Box Fat 14/
Additional Information alaskon Stele ashie
Townste Truster 5/8, 905, 1905
File Chichadaan Towait
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