

From: [Charlie Parr](#)
To: [Karen Tilton](#); [John Bennett](#)
Subject: fractional interests
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Remember this?

481 U.S. 704 (1987)
HODEL, SECRETARY OF THE INTERIOR

v.

IRVING ET AL.

[No. 85-637.](#)

Supreme Court of United States.

Argued October 6, 1986

Decided May 18, 1987

EXCERPT

The average tract has 196 owners and the average owner undivided interests in 14 tracts. The administrative headache this represents [713*713](#) can be fathomed by examining Tract 1305, dubbed "one of the most fractionated parcels of land in the world." Lawson, Heirship: The Indian Amoeba, reprinted in Hearing on S. 2480 and S. 2663 before the Senate Select Committee on Indian Affairs, 98th Cong., 2d Sess., 85 (1984). Tract 1305 is 40 acres and produces \$1,080 in income annually. It is valued at \$8,000. It has 439 owners, one-third of whom receive less than \$.05 in annual rent and two-thirds of whom receive less than \$1. The largest interest holder receives \$82.85 annually. The common denominator used to compute fractional interests in the property is 3,394,923,840,000. The smallest heir receives \$.01 every 177 years. If the tract were sold (assuming the 439 owners could agree) for its estimated \$8,000 value, he would be entitled to \$.000418. The administrative costs of handling this tract are estimated by the Bureau of Indian Affairs at \$17,560 annually. *Id.*, at 86, 87. See also Comment, Too Little Land, Too Many Heirs — The Indian Heirship Land Problem, 46 Wash. L. Rev. 709, 711-713 (1971).

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