

STATE OF ALASKA
DEPARTMENT OF PUBLIC WORKS

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INTRA-DEPARTMENTAL CORRESPONDENCE

SUBJECT: RIGHT OF WAY WIDTHS ON ALASKA HIGHWAY AND COPPER
RIVER HIGHWAYS

DATE: March 26, 1962

FILE REFERENCE: 2-09-88
HPS-1(12)

TO: Nels Kjelstad, District Engineer
Department of Highways
Valdez

ATTENTION OF:

FROM: Alfred A. Baca, State Right of Way Agent
Department of Highways
Juneau *AWB*

Regarding your TWX of March 20, 1962, concerning the above captioned highways, the following general information is available at this time.

P.L.O. 386 dated July 31, 1947, withdrew 300 feet on each side of the centerline of the Alaska Highway for highway purposes from the Alaska-Yukon Territory Boundary to its junction with the Richardson Highway near Big Delta, Alaska.

P.L.O. 601 dated August 10, 1949, partially revoked P.L.O. 386 and withdrew from all forms of entry, except highways, 300 feet on each side of the Alaska Highway and 150 feet on each side of all other Through Roads, including the Richardson Highway.

P.L.O. 757 dated October 16, 1951 made the same withdrawals on the two (2) highways mentioned.

Department Order 2665 dated October 16, 1951, reiterated the above withdrawals and established the widths of roads in Alaska as outlined in the P.L.O.'s.

P.L.O. 1613 dated April 7, 1958, revoked P.L.O. 601 as modified by P.L.O. 757 and established easements for highway purposes 150 feet on each side of the centerline of all Through Roads including the Alaska Highway and Richardson Highway.

By the foregoing, it can be seen that, subject to valid existing rights, no entry of any kind could be made on the right of way as outlined for the Alaska and Richardson Highways between July 31, 1947, and April 7, 1958. After April 7, 1958, entry could be made on lands embraced within the Right of Way, but could not be used by the entryman without the express permission of the road building agency.

If rights were established on any of the lands crossed by these two (2) highways prior to July 31, 1947, and no documents exist outlining the right of way, then we are claiming 33 feet on each side by prescriptive easement.

We do not have sufficient information on the Copper River Highway

~~Memorandum~~

Wale Kjelstad, District Engineer

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March 26, 1962

From Cordova to Chitina to make a definite decision on right of way. The railroad right of way apparently had a 200 foot width overall. A plat has been ordered from Washington, D. C., covering highway right of way between Cordova and the airport as referenced in P.L.O. 334 dated December 19, 1946. P.L.O. 1007 also regulates right of way in that vicinity. We will advise you when a conclusion is reached.

RVB:ebb