

H4.17

STATE OF ALASKA

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL
HIGHWAY SECTION

360 K STREET—SUITE 105
ANCHORAGE 99501

JAY S. HAMMOND, Governor

January 21, 1976

Charles L. Parr
Right-of-Way Agent
Golden Valley Electric Association, Inc.
Box 1249
Fairbanks, Alaska 99707

Re: Section Line Road Reservation

Dear Mr. Parr:

Your request of December 30, 1975, for clarification of section line right-of-way widths has been referred to me for response.

The chart attached to your letter correctly interprets the conclusions reaches in Opinion No. 7, 1969 Opinions of the Alaska Attorney General, with the exception that **no change** was effected in the width of right-of-way on federal lands by statehood. Your chart should show 66 feet (4 rods) for federal land after statehood.

I would advise, insofar as section line right-of-way widths are concerned, that you ignore any opinions from this office on the subject prior to the above mentioned 1969 Opinion No. 7. This latter opinion was confirmed by the Alaska Supreme Court in Girves v. Kenai Peninsula Borough, Opinion No. 1168 - June 13, 1975, a copy of which is enclosed.

What the various legislative enactments mentioned in the 1969 Opinion No. 7 mean is that lands entered between the dates indicated below are subject to a right-of-way as noted.

<u>Date</u>	<u>Federal</u>	<u>State</u>
Prior to 4/6/23	none	none
4/6/23 - 1/18/49	4 rods	4 rods
1/18/49 - 3/26/51	none	none
3/26/51 - 3/21/53	none	100 feet
3/21/53 - present	4 rods	100 feet

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GOLDEN VALLEY
ELECTRIC ASSOCIATION
ENGINEERING DEPARTMENT

Charles L. Parr
Re: Section Line Road Reservations


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I believe the foregoing answers the questions raised in your letter.

Very truly yours,

AVRUM M. GROSS
ATTORNEY GENERAL

BY: 
Richard P. Kerns
Assistant Attorney General

RPK/smk
encl.

cc: Avrum M. Gross
Attorney General
Juneau AGO