

#4,19

STATE OF ALASKA

WILLIAM A. EGAN, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF LANDS

323 E. 4TH AVENUE
ANCHORAGE 99501

November 5, 1974

Re: Procedures for Vacation of Section
Line Easements

H. W. Johansen
Interior District Engineer
2301 Peger Road
Fairbanks, Alaska 99701

Gentlemen:

Please be advised by this correspondence that the procedure as set forth in the attached letter of September 30, 1974 is applicable as regards procedures for vacation of section line easements.

The Boroughs have been informed of the policy and any and all plats submitted to this office for review will be submitted in compliance with the attached letter of correspondence.

Very truly yours,

F. J. Keenan
Director

By: *Claud M. Hoffman*
Claud M. Hoffman
Chief Cadastral Engineer

cc: ADL District Offices

INTERIOR DISTRICT
NOV 2 1 20 AM 1974
DEPT. OF HIGHWAYS

<input checked="" type="checkbox"/>	Dist. Engr.	
<input checked="" type="checkbox"/>	PRE-CONST. ENGR.	
<input checked="" type="checkbox"/>	Design	
<input checked="" type="checkbox"/>	Right-of-Way	
<input type="checkbox"/>	Plan & Program	
<input type="checkbox"/>	Materials Lab.	
<input type="checkbox"/>	ADMIN. OFFICER	
<input type="checkbox"/>	Finance	
<input type="checkbox"/>	Personnel	
<input type="checkbox"/>	Supply & Serv.	
<input type="checkbox"/>	CONST. ENGINEER	
<input type="checkbox"/>	MAINT. ENGINEER	
<input type="checkbox"/>	Maint. Supervisor	
<input type="checkbox"/>	Equipment Manager	
<input checked="" type="checkbox"/>	HAC, RT, ACT	
<input type="checkbox"/>	Return Main File	

DAN BROWN

DAN - pls keep this in your section line easement file.

STATE OF ALASKA

WILLIAM A. EGAN, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF LANDS

323 E. 4TH AVENUE
ANCHORAGE 99501

September 30, 1974

TO ALL BOROUGHS WITHIN THE STATE OF ALASKA

SUBJECT: Vacation of Section Line Easements

Gentlemen:

The present policy of the Division of Lands is to have the Director, Division of Lands, recommend to the Commissioner, Department of Natural Resources, vacation of section lines only when it has been proven to the satisfaction of the Division that ingress and egress to State lands have not been curtailed. Then and only then will the Director, Division of Lands recommend the plat approval. Furthermore, the Director, Division of Lands, will not sign plats recommending such action, unless the District Highway Engineer's Office has reviewed and approved such action and recommended to the Commissioner of Highways for his signature, vacation of a section line easement. Furthermore the Division's policy is to recommend approval of such action only if the applicable Borough is in agreement when such easements are located within the confines of an organized borough.

This office takes the position that the easement was created for highway purposes within Title 19 Alaska Statute; with our interest being the preservation and/or assurance of adequate access to State lands administered by the Division of Lands of where the majority of land title is vested.

In reference to a meeting held between Dept. of Highways, Division of Lands, and the Kenai Peninsula Borough dated August 30, 1974, concerning Vacation of Section Line Easements, the following guidelines were established.

When a section line easement falls within a borough or city, the municipality shall be responsible for notification to the general public and state agencies of the request for vacation. Any and all pertinent information justifying why the section line easement should be vacated should be submitted to the Dept. of Highways and the Division of Lands with the request for vacation before any plat will be accomplished, (ie) as follows:

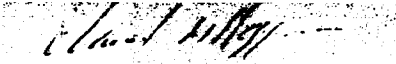
a. The proposed section line easement vacation plat shall show on a standard ADL sheet size the entire section and section line or lines involved with all record data shown thereon in the way of reference to portions of any section line easement already vacated and indicate any legal documents, borough or city resolutions, creating the vacation and date. The plat shall show survey data in accordance to ADL survey and plat requirements and bear a surveyor's seal.

b. The road systems adjoining the section line easement being vacated shall be shown.

c. In areas where the section line easement is being vacated within a subdivision due to excessive topographic features, a contour map shall be included substantiating the unusable section line easement and show alternate dedicated routes to insure ingress and egress to State lands. The contour map shall be accomplished by a person or firm qualified to execute such a project.

Very truly yours,

F.J. Keenan
Director



By Claud M. Hoffman
Chief Cadastral Engineer

June 1, 1976

Supplement to: VACATION OF SECTION LINE EASEMENTS Dated 9-30-74

Procedures for Handling Section Line Vacation Plats:

1. No plat shall be accepted by the Director of the Division of Lands unless the plat is signed, sealed and/or notarized by:
 - a. owner
 - b. applicable borough
 - c. surveyor
2. The original plat with original signatures shall be accompanied with three black line prints also with original signatures.
3. The plat shall be labeled Section Line Vacation Plat and shown in large letters on the bottom center of the plat. Also the plat shall have a State title block in the lower right hand corner and labeled Section Line Vacation Plat. The section line easement to be vacated or portions thereof shall be clearly indicated on the plat. A reproducible shall be made and kept in the hold drawer until the Plat of Vacation is finalized, and at that time destroyed.
4. The Division of Lands shall submit the plat and copies to the applicable state offices for approval signatures. The surveyor or his client, if so desired, may hand pack the originals and copies for Official State signatures but must be returned to the Division of Lands for recordation.
5. After the original and copies are duly signed and returned to the Engineering Section this office shall then assign a file number and index it into our card file system. At that time three prints with the original signatures shall be submitted for recording in the applicable State Recorders Office, with one print being returned to this office with the recording information. Engineering shall transfer the recording information on to the original mylar, and submit the returned print from the recorders office through the Records Unit for notation on status plats and then return to the surveyor.
6. The Department of Highways' current policy is to discourage vacation of any section line reservation. Instead, we would recommend that the subdivider utilize the section line right-of-way as part of the public access and utility development over, across, and through the subdivided area. Also, Highways will only consider vacation of the section line reservation when both sides of the section line either State, Territorial, or Federal Reservation is to be vacated, and will not consider only the one-half portion of the section line vacation.