

AFFIDAVIT CONFIRMING EXISTING PUBLIC  
RIGHT-OF-WAY

The State of Alaska, Department of Transportation, hereby files for public record the attached plat designated Exhibit "A" together with an affidavit by Jim Brayton affirming that the lands as shown on said plat are a existing public facility and a public right-of-way.

AFFIDAVIT

I, Jim Brayton, Regional Engineer, South Central Region, for the Department of Transportation, State of Alaska, do hereby state and affirm that the right-of-way area shown on the attached plat of the "Chistochina Dike" Project No. F-046-1(20) (Exhibit "A") is a existing public facility, built on public land, with public monies, for public purposes and said area as shown has been in existence for over twenty (20) years.

In support of the above said statement I offer the following data which has been researched by myself or under my supervision:

The original Chistochina Dike was built in conjunction with the Glenn Highway (Tok Cutoff) by the Department of the Army during World War II.

In 1945 this road was abandoned by the Army and the Alaska Road Commission, a Federal Agency, assumed maintenance of this highway and related facilities such as the Chistochina Dike.

In 1955 a new bridge was completed by the Alaska Road Commission over the Chistochina River together with the upgrading of the Chistochina Dike.

In 1956 the Alaska Road Commission became a part of the Federal Bureau of Public Roads. In 1959 Public Law 86-70 (the Omnibus Act) transferred all Federal interests of the Bureau of Public Road in said highway and related facilities to the State of Alaska.

The Chistochina Dike facility is along the westerly bank of the Chistochina River upstream from the highway bridges at Mile 36 on the Tok Cutoff.

The Chistochina Dike area appears on U.S.G.S. Quadrangle Map, Gulkana (C-2), Alaska, 1949 and 1952 Editions, and also on aerial photographs, dated August 6, 1957, number 00038, aerial photographs 788580, no date, and 1970 air photos. The photographs indicate the floodplain on both sides of the Dike was used as a source of gravel for the Dike Project. Field investigation and study of the aerial photographs indicate that the area on the easterly side extended to a distance of 350 feet from centerline of the Dike and the area on the westerly side extended 400 feet.

Riprap was later added to the face of the Dike from the bridge upstream for approximately 2400 feet. The scaled length of the Dike is 5250 feet.

Historically, the Department of Highways, and its predecessors, constructed and have maintained this structure and have used an area at least 300 feet to the east and 400 feet to the west as sources of the gravel for construction.

Supporting data including aerials, hydrologist reports, etc. are available from the State of Alaska, Department of Transportation, Valdez Region.

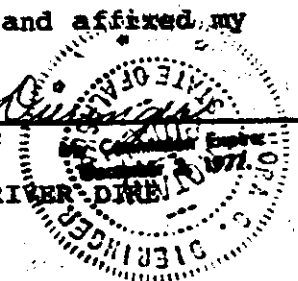
Jim Brayton  
Jim Brayton

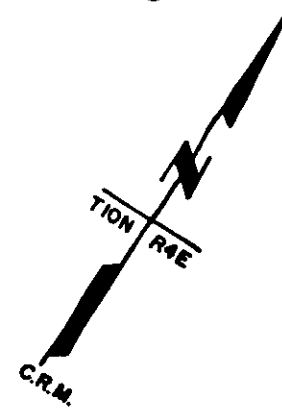
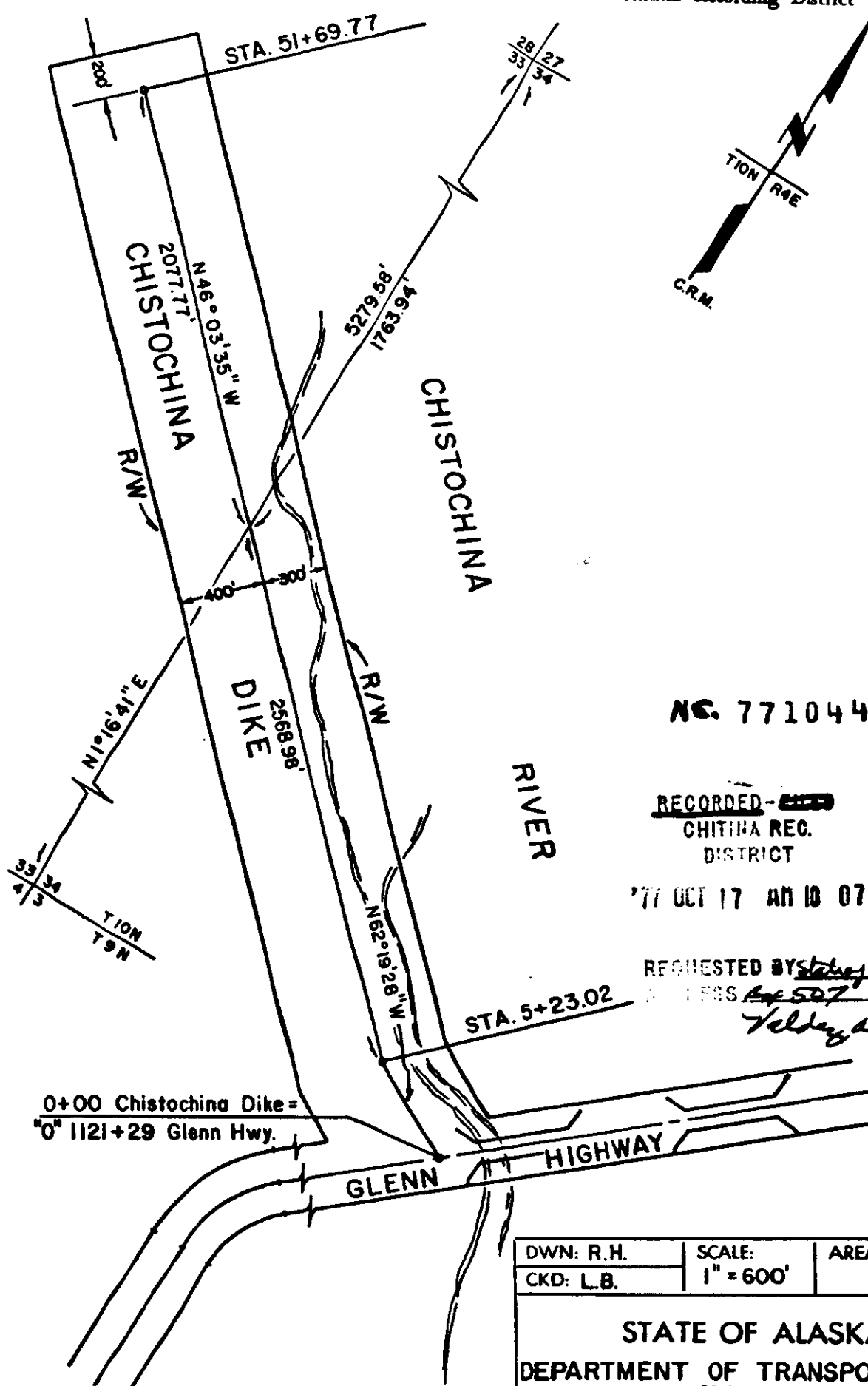
On this 26<sup>th</sup> day of September, 1977, before me, the undersigned, a Notary Public in and for the said State, personally appeared Jim Brayton, known to me to be the identical person who executed the foregoing instrument and he acknowledged to me that he signed the same with full knowledge of its contents, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

My Commission Expires:

Mrs. G. R. [Signature]  
Notary Public  
CHISTOCHINA RIVER DISTRICT  
F-046-1(20)





NO. 771044

RECORDED - ~~1115~~  
 CHITINA REC.  
 DISTRICT

'77 OCT 17 AM 10 07

REQUESTED BY *State of Alaska*  
 LEGS *507* *Right of Way*  
*Felley, Alaska 1968*

0+00 Chistochina Dike =  
 0+1121+29 Glenn Hwy.

DWN: R.H.	SCALE: 1" = 600'	AREA:
CKD: L.B.		

STATE OF ALASKA  
 DEPARTMENT OF TRANSPORTATION  
 M A P

SHOWING EXISTING RIGHT OF WAY  
 FOR THE CHISTOCHINA DIKE

PROJECT F-046-1(20) CENTRAL DISTRICT

PARCEL NO. \_\_\_\_\_ DATE 9-9-77

ORIGIN OF BEARING:  
 STATE PLANE