

# 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 Easement

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 action 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.

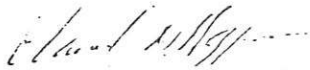
b. The road systems adjoining the section line easement being vacated shall be shown.

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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