

Bennett, John F (DOT)

From: Bennett, John F (DOT)
Sent: Friday, February 17, 2012 11:46 AM
To: 'Kristin Machacek'
Subject: RE: Hollowell Road Extension in North Pole

Kristin, this is not an easy one due to the late date of survey and early reservations. It is not impossible that it could be subject to a federal 33' section line easement on the west boundary of Section 27, but it may be unlikely. Looking at just what I can see on-line, Section 27 was withdrawn by the Army (PLO 733) on 7/18/51, 16 years before the official survey was approved. On 5/16/61, PLO 2388 partially revoked PLO 733 but I can't see if section 27 was part of that revocation. You can go view all of the PLO's at BLM if you wanted to pursue that. The only way we could assert a section line easement is if one of the revocations released Section 27 back into the public domain between the date of the approved survey on 3/2/67 and whenever it was again reserved, likely the blanket reservations in anticipation of ANCSA. But another scenario is more likely. Fairbanks is way out of CIRI's region but to make up for under selections, they were allowed to select unused military lands and I do know they selected and were patented the military land in the NE quadrant of the Badger Rich intersection (south of the old junkyard) and military land on the north side of the Old Richardson directly across from the Alaska Club. So I suspect that section 27 was still under a military reservation when CIRI picked it up which would result in no open and unreserved status between the survey approval and CIRI and so no opportunity for a federal SLE to attach. As I said, I can only make this statement from what I see on line and more detailed research at BLM might show an opening, but I would be surprised if it turned out that way. JohnB

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From: Kristin Machacek [<mailto:KMachacek@fnsb.us>]
Sent: Tuesday, February 14, 2012 4:14 PM
To: Bennett, John F (DOT)
Subject: FW: Hollowell Road Extension in North Pole

John:

The BLM survey of the south boundary of the CIRI property was approved on 2-2-1955.

The BLM survey of the west boundary of the CIRI property) was approved 3-2-1967.

CIRI's conveyance was on 5-18-1984.

Does this mean a 33 ft sle exists on the West and South boundaries of Sec 27 T1S R2E since the approved federal surveys preceded the conveyance.

~Kristin

From: Kristin Machacek
Sent: Tuesday, February 14, 2012 3:16 PM
To: John Bennett (johnf.bennett@alaska.gov)
Subject: Hollowell Road Extension in North Pole

John:

Land Management is working with Stutzmann Engineering on a "school site" subdivision at Brock, Repp, and Hollowell Roads in North Pole.

State Forestry is also wanting to do some Wildland Fire Fuels Reduction along the east boundary of this property (west boundary of CIRI property), which would be the extension of Hollowell Road.

We know there is a 50 ft section line easement on all sides of the Borough property, but CIRI's property only has a 30 ft. easement along the South boundary (extension of Repp Road) mentioned in their interim conveyance, IC 840. Does this mean there is no easement along the west boundary of Section 27? See the attached.

You are probably in Anchorage for the Surveying Conference so hopefully I can catch you next week on this issue. If there is no section line easement on CIRI's property, the Borough will need to dedicate additional easement along their east boundary for Hollowell Road Extension. Thank you for your assistance on this.

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