



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Natural Resources

DIVISION OF MINING, LAND & WATER
Southcentral Regional Office

550 West 7th Avenue, Suite 900C
Anchorage, Alaska 99501-3577
Main: 907.269.8503
TDD: 907.269.8411
Fax: 907.269.8913

April 16, 2015

Dear Mr. Wraith,

On December 29, 2014, you called the my office at the Department of Natural Resources, Division of Mining, Land, and Water, Southcentral Region Office (DNR/DMLW/SCRO) with a question concerning the existence of a Section-Line Easement (SLE) along your property boundary. This response will be catalogued for our records.

You stated that your property is Lot 1, Block 6 of the Island Lake Subdivision, within Section 22 of Township 18 north, Range 2 west, Seward Meridian, platted under subdivision Plat# 77-144. You stated that the plat depicted a reserved SLE that may have been improperly platted, as mentioned to you by a BLM employee, Mr. Russ Blome. That employee stated that it appeared that the area was reserved prior to the conveyance, by a homestead entry application in 1956, and therefore an SLE might not attach. Upon consultation with Mr. Blome, he explained that his opinion was based on the fact that the homestead entry application (1956) was filed before the section line in question was located on an official federal survey (1960). I was able to confirm the sequence of events, and I agree with Mr. Blome's assessment. It appears that no Section-Line Easement was created by state authority or acceptance of RS 2477 rights from the federal government, and therefore DNR does not manage the land or rights to use this specific area.

However, this alone does not necessarily answer the question of whether an easement exists there. The plat recorded for the Island Lake Subdivision as Plat# 77-144 depicts an easement along the section line that is labelled "33' Section Line." The plat also includes the owner's dedication of "all streets, alleys, walks, parks and other open spaces to public or private use as show [sic] on this plat." While this plat is not sufficient to create the state-managed right that DNR typically understands to be a Section-Line Easement, it appears it may have created a public easement by private dedication. Such an easement would likely be managed by the Matanuska-Susitna Borough, which may be able to clarify its interpretation of the plat.

I hope that answers your question. If there are remaining concerns, feel free to contact me at (907) 269-0029 or Henry.Tashjian@Alaska.gov. This information should not be extrapolated to nearby parcels, since different conditions may apply. Thank you for your patience in this matter.

Sincerely,

A handwritten signature in blue ink that reads "Henry Tashjian".

Henry Tashjian
Natural Resource Specialist III