

**STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER**

Southcentral Regional Land Office

Memorandum of Decision

ADL 206989

Maud Road Extension

Administrative Decision to Temporarily Close

AS 38.04.058

Background

The Maud Road Extension was constructed to access a timber sale on or around 1970 according to available records. The current easement was created to reserve the previously constructed timber road as a public access road right-of-way on May 8, 1981.

Pittman-Robertson grants obtained by the Alaska Department of Fish and Game in conjunction with the Department of Natural Resources have provided funds to design and improve the Maud Road Extension, along its entire length of 3.3 miles. During this construction Project No. 51005-1, the entirety of the Maud Road Extension will be closed to traffic starting April 15, 2019 thru July 31, 2019; a duration of 105 days. During this time, no public access will be allowed in order to maintain public safety and to enable the construction process in a condensed manner. Adjacent landowners have been notified and letters of nonobjection have been received.

Authority

This decision is pursuant to Alaska Statute 38.04.058 (restriction of public access).

Scope

The scope of this decision is limited to the temporary closure restricting public access to the entire road easement while the Maud Road Extension is under construction.

Term

This closure has a term of 105 days.

Administrative Record

The administrative record for this action consists of case ADL 206989 and The Knik River Public Use Area Plan.

Location

The Maud Road Extension is located directly east of Maud Road beginning where the pavement ends. This extends approximately 3.3 miles to the waters of Jim Lake.

Legal Description

Seward Meridian, Township 17 North, Range 3 East, Section 7, 8, 16 and 17, containing 24 acres +/- along its 3.3 miles length and 66-foot width.

Discussion

In order to enable construction of the Maud Road Extension which will improve access to the Knik River Public Use Area and to safeguard public safety during its construction, the Southcentral Regional Land Office will temporarily restrict public access to the road for a period of approximately 105 days.

Decision

In order to ensure public safety while implementing the received grants and subsequent project, the Regional Manager has decided to close public access to the area for the duration of the construction. After reviewing the administrative record, the Knik River Public Use Area Management Plan and other relevant information, I find this decision to temporarily close the right-of-way easement to public access, consistent with the authority granted to me as Regional Manager.



Clark Cox
Regional Manager
Southcentral Regional Land Office

2-25-19

Date

A person affected by this decision may appeal it in accordance with 11 AAC 02. Any appeal must be received within 20 calendar days after the date of “issuance” of this decision, as defined in 11 AAC 02.040(c) and (d) and may be mailed or delivered to the Commissioner, Department of Natural Resources, 550 W. 7th Avenue, Suite 1400, Anchorage, Alaska 99501; faxed to 1-(907) 269-8918, or sent by electronic mail to dnr.appeals@alaska.gov. Under 11 AAC 02.030, appeals and requests for reconsideration filed under 11 AAC 02 must be accompanied by the fee established in 11 AAC 05.160(d)(1)(F) which has been set at \$200 under the provisions of 11 AAC 05.160 (a) and (b).

If no appeal is filed by the appeal deadline, this decision becomes a final administrative order and decision of the department on the 31st calendar day after issuance. An eligible person must first appeal this decision in accordance with 11 AAC 02 before appealing this decision to the Superior Court. A copy of 11 AAC 02 may be obtained from any regional information office of the Department of Natural Resources.

Attachments:

- ADL 206989 Reservation of Public Easement
- Map: Public Notice Map

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF LANDS

ADL No. 206989

RIGHT-OF-WAY PERMIT

THIS AGREEMENT made and entered into this 8th day of May, 19 81, by and between the STATE OF ALASKA, acting by and through the Department of Natural Resources, Division of Lands, hereinafter referred to as the grantor and the Southcentral District Office of the hereinafter referred to as the permittee. Division of Forest, Land and Water Management

WITNESSETH, that in accordance with the provisions of Sec. 38.05.330, A.S. and the rules and regulations promulgated thereunder, the permittee having filed an application for a right-of-way for: a public access road

with the Division of Lands together with a map showing the definite location thereon of the line of right-of-way which the permittee has adopted and agrees to be the specific and definite location of the aforesaid right-of-way, and

WHEREAS, it is understood and agreed by the permittee herein that, as a condition to the granting of the right-of-way applied for, the land covered by said right-of-way shall be used for no purpose other than the location, construction, operation and maintenance of the said right-of-way over and across the following described State lands, to wit:

A parcel of land within a portion of Sections 7, 8, 16, and 17 of Township 17 North, Range 3 East, Seward Meridian, as portrayed on a copy of the map attached hereto and made a part hereof.

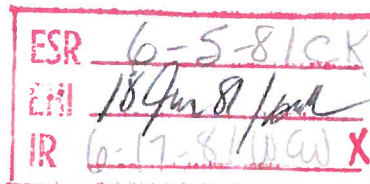
running 20,000 + feet in length and/or containing 30.3 acres, more or less and shall extend a width of 66 feet.

TO HAVE AND TO HOLD the same until the above described land shall no longer be used for the above-mentioned purpose and subject to conditions and reservations elsewhere set forth herein.

The sketch map revealing the right-of-way granted herein shall be attached hereto and made a part hereof.

In the event that the right-of-way herein granted shall in any manner conflict with or overlap a previously granted right-of-way the permittee herein shall use this right-of-way in such a manner as not to interfere with the peaceful use and enjoyment of the previously issued right-of-way and no improvements shall be constructed by the permittee herein upon the overlapping area unless the consent therefor has first been obtained from the permittee under the pre-existing right-of-way.

The permittee in the exercise of the rights and privileges granted by this



day and year first above written.

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES

By: George E. Hallatt
Director
Division of Forest, Land and Water Management

Hallatt
Permittee DISTRICT MANAGER
Southcentral District
Div. of Forest, Land and Water
Management

UNITED STATES OF AMERICA)
State of Alaska) ss.

This is to certify that on the 8th day of May, 19 81,
before me, the undersigned Notary Public, personally appeared George E. Hallatt
known to me and known by me to be the Deputy Director
of the Division of Forest, Land and Water Management of the Department of Natural Resources, and acknowledged to me that he executed the foregoing instrument for and on behalf of said State, freely and voluntarily for the use and purposes therein set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Phyllis J. Knapp
Notary Public in and for the State of Alaska
My commission expires 5/11/83

UNITED STATES OF AMERICA)
State of Alaska) ss.

This is to certify that on this 6th day of May, 19 81,
before me, the undersigned Notary Public, personally appeared L.A. Dutton
Dutton to me personally known to be one of the persons described
in and who executed the within instrument and the said L.A. Dutton
acknowledged to me that he signed and executed the same freely and voluntarily for the uses and purposes therein mentioned.

IN TESTIMONEY WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Rose E. Fren
Notary Public in and for the State of Alaska
My commission expires 4/11/82

Maud Road Project No. 51005-1

3.3 Miles Rehabilitation

Maud Road

Legend
Maud Road Project

