



THE STATE  
of **ALASKA**

GOVERNOR MIKE DUNLEAVY

**Department of Natural Resources**

DIVISION OF MINING, LAND & WATER  
Land Conveyances Section

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TTY: 711 or 800-770-8973  
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8/31/21

Bureau of Land Management  
Adjudication Services Section  
Attn: Candy Grimes  
222 West 7<sup>th</sup> Avenue, #13  
Anchorage, Alaska 99513-7504

Subject: Final Finding and Decision, Lawrence Titus (deceased) Native Allotment F-028620, ADL  
421485

To Whom It May Concern:

Enclosed is a copy of the State's Final Finding and Decision for Alaska Native Allotment F-028620. It was determined to be in the State's best interest to reconvey these lands.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Hovancsek", written over a faint map of Alaska.

Daniel L. Hovancsek  
Native Allotment Coordinator  
State of Alaska, DNR, DMLW

Enclosure:  
Final Finding and Decision

Distribution List:

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Virgil M. Titus  
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Fairbanks, AK 99701

Toghotthele Corporation  
P.O. Box 249  
Nenana, Alaska 99760

Doyon, Limited  
Lands & Natural Resources Dept.  
1 Doyon Place, Suite 300  
Fairbanks, AK 99701-2941

Alaska Legal Services Corporation  
Attn: Native Allotments  
1016 W. 6<sup>th</sup> Avenue, Suite 200  
Anchorage, AK 99501-1963

Bureau of Indian Affairs  
Regional Realty Office  
3601 C Street, Suite 1100  
Anchorage, Alaska 99503-5947

Tanana Chiefs Conference  
Attn: Eileen K. Grant  
122 1<sup>st</sup> Avenue, Suite 600  
Fairbanks, AK 99701

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

**FINAL FINDING AND DECISION**

of a  
Reconveyance of Alaska Native Allotment Case File F 028620  
**ADL 421485**

This Final Finding and Decision (FFD) complements and updates the Preliminary Decision (PD) for ADL 421485 issued on July 12, 2021.

**I. Recommended Action**

On July 12, 2021, the State of Alaska, Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW), Land Conveyance Section (LCS) proposed to voluntarily reconvey to the United States of America approximately 159.96 of wrongfully conveyed State land located within Sections 27, 28, and 34, Township 1 South, Range 9 West, Fairbanks Meridian in the Fairbanks Recording District. The parcel is described as U.S. Survey No. 10042 and is claimed by Lawrence Titus (deceased) as his Native Allotment. There are no changes to the stipulations outlined in the attached PD.

**II. Authority**

This reconveyance is being adjudicated pursuant to Alaska Statute (AS) *38.05.020 Authority and Duties of the Commissioner*, *AS 38.05.035 Power and Duties of the Director*, *AS 38.05.830 Land Disposal in the Unorganized Borough*, 11 Alaska Administrative Code (AAC) *67.930 Purpose and Procedure*, and the settlement authority of the Attorney General in accordance with the Stipulated Procedures for Implementation of Order, *Aguilar v. United States* 474 F. Supp. 840 (D. Alaska 1979), (herein cited as *Aguilar*). The authority to execute this Final Finding and Decision has been delegated to the Section Chief, LCS, DMLW, DNR, pursuant to *AS 38.05.035(b)(1) Power and Duties of the Director*.

**III. Public Notice**

Pursuant to *AS 38.05.945 Notice*, a public notice announcing the PD for the proposed Native Allotment reconveyance along with the solicitation for public comment was published and distributed in compliance with the above statute in the following manner:

- Posted under State of Alaska Online Public Notice from July 12, 2021 to August 12, 2021;
- Mailed, with a request to post for 30 days, to postmasters in Nenana and Ester per *AS 38.05.945(c)(4) Notice*;
- Mailed to the regional and village corporations per *AS 38.05.945(c)(2)-(3) Notice*; and
- Mailed to the heirs of Lawrence Titus (allottee), Tanana Chiefs Conference, Toghoththele Inc., Doyon Ltd., Alaska Legal Services Corporation, Bureau of Land Management, and Bureau of Indian Affairs.

The public notice stated that written comments must be received by 4:30 PM Thursday, August 12, 2021 in order to ensure consideration and eligibility to appeal. For more information, refer to the attached PD.

## Final Finding and Decision

ADL 421485

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### IV. Comments Received

No written comments were received during the public comment period.

### V. Modifications to Decision and Stipulations

The recommended action has not been modified from the original proposed action of described in the PD of July 12, 2021. It is in the best interest of the State of Alaska to reconvey the land to the United States subject to the reservations, exceptions, and restrictions, as stated below. This will allow the heirs to the Native Allottee to obtain title to the land while the State will retain public access on the property as prescribed by statute and thus avoid title recovery litigation by the federal government. The State of Alaska may proceed with reconveyance of U.S. Survey No. 10042, to the United States of America subject to the following easements, reservations, exceptions, and restrictive covenants:

Subject to:

- a) An easement 50 feet in width along each side of the protracted section line in common with Sections 27 and 28, Township 1 South, Range 9 West, Fairbanks Meridian, pursuant to *AS 19.10.010 Dedication of Land for Public Highways, 11 AAC 51.025 Section Line Easements, and AS 19.25.010 Use of Rights-of-way for Utilities;*
- b) An easement 50 feet in width along each side of the protracted section line in common with Sections 27 and 34, Township 1 South, Range 9 West, Fairbanks Meridian, pursuant to *AS 19.10.010 Dedication of Land for Public Highways, 11 AAC 51.025 Section Line Easements, and AS 19.25.010 Use of Rights-of-way for Utilities; and*
- c) All other valid and existing rights if any

The Division of Oil and Gas and DMLW have determined that it is not in the State's best interest to retain the mineral estate. The mineral estate will not be retained pursuant to *AS 38.05.035(e) Powers and Duties of the Director*. The State will receive an acreage credit for the lands.

The following condition will be contained in the conveyance document and pertains to this reconveyance. The following interest will merge with the title once the land is conveyed back to the United States:

The Tentative Approval states that a future patent will contain a reservation for a right-of-way thereon for ditches and canals under the Act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945 and a reservation for the right-of-way thereon for the construction of railroads, telegraph and telephone lines, as prescribed and directed by the Act of March 12, 1914 (38 Stat. 305).


**Final Finding and Decision**

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**VI. Final Finding and Decision**

LCS recommends proceeding with the proposed action as described in the Preliminary Decision. This action is undertaken under relevant authorities. Public notice has been accomplished in accordance with *AS 38.05.945 Notice*, and comments received were considered. The case file has been found to be complete and the requirements of all applicable statutes, regulations, and court orders have been satisfied.

  
\_\_\_\_\_  
Recommended by: Daniel Hovancsek      Date 8/30/21  
Native Allotment Coordinator  
Land Conveyance Section  
Division of Mining, Land and Water  
Department of Natural Resources  
State of Alaska

Under the authority of the applicable statutes and Aguilar, it is hereby found to be in the best interest of the State of Alaska to proceed with the recommended action as described and referenced herein.

  
\_\_\_\_\_  
Approved by: Rachel Longacre      Date Aug 31, 2021  
Section Chief  
Land Conveyance Section  
Division of Mining, Land and Water  
Department of Natural Resources  
State of Alaska

**Final Finding and Decision**

ADL 421485

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**Appeal Provision**

A person affected by this decision who provided timely written comment or public hearing testimony on 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](mailto: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 goes into effect as a final administrative order and decision of the Department on the 31st day after issuance. An eligible person must first appeal this decision in accordance with 11 AAC 02 before appealing this decision to Superior Court (11 AAC 02.020(a) and (b)). A copy of 11 AAC 02 may be obtained from any regional office of the Department of Natural Resources.

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

**PRELIMINARY DECISION**

**ADL 421485**

**BLM No. F 028620**

**Proposed Reconveyance of a  
Alaska Native Allotment in The Unorganized Borough**

**PUBLIC COMMENT PERIOD ENDS 4:30 PM, THURSDAY, AUGUST 12, 2021**

**I. Proposed Action**

*Preliminary Decision: Lawrence Titus – ADL 421485*

*Attachment A: Public Notice*

*Attachment B: U.S. Survey No. 10042*

*Attachment C: Vicinity & Easement Map*

*Attachment D: Ownership Map*

Proposed Action: The primary proposed action of this Preliminary Decision (PD) of the State of Alaska (State), Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW), Land Conveyance Section (LCS) is to voluntarily reconvey to the United States of America, U.S. Survey No. 10042, containing 159.96 acres of wrongfully conveyed state land. See *Attachment C: Vicinity & Easement Map* for a depiction of the project area.

The subject parcel is an Alaska Native allotment, Bureau of Land Management (BLM) Serial No. F 028620 claimed by Lawrence Titus (deceased). The claim is being settled in accordance with the Stipulated Procedures for Implementation of Order approved by the Court to implement the decision in Ethel Aguilar v. United States of America, 474 F. Supp. 840 (D. Alaska 1979) (herein cited as Aguilar) and Alaska Statute (AS) 38.05.035(b)(9) *Powers and Duties of the Director*.

Public Notice of Proposal: In accordance with AS 38.05.945 *Notice*, during a period of at least 30 consecutive days, the public will have the opportunity to submit written comment on this proposal.

See **Section VII. Submittal of Public Comments** at the end of this document and *Attachment A: Public Notice* for details on how to submit a comment for consideration. If, after consideration of timely, written comments, DNR DMLW LCS moves forward with the proposal, a Final Finding and Decision (FFD) will be issued.

**II. Authority**

This reconveyance is being adjudicated pursuant to AS 38.05.020 *Authority and Duties of the Commissioner*, AS 38.05.035 *Power and Duties of the Director*, 11 Alaska Administrative Code (AAC) 67.930 *Purpose and Procedure* and the settlement authority of the Attorney General in accordance with Aguilar. The authority to execute this PD has been delegated to the Section Chief, LCS, DMLW, DNR, pursuant to AS 38.05.035(b)(1) *Power and Duties of the Director*.



## **Preliminary Decision**

ADL 421485

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### **III. Administrative Record**

The DNR case file - ADL 421485 and BLM case file F 028620, constitutes the administrative record for this proposed action. Also incorporated by reference are:

- Yukon Tanana Area Plan for state lands (YTAP, adopted January 3, 2014) and associated land classification files; and
- DNR case files: GS 1057.

### **IV. Scope of the Proposal**

The scope of this proposal, under the statutes described in the preceding **Section II. Authority**, is limited and specific to DNR DMLW's proposal to voluntarily reconvey this land to the United States of America in accordance with the Stipulated Procedures for Implementation of Order approved by the Court to implement the decision in Aguilar and *AS 38.05.035 Power and Duties of the Director*, and whether the reconveyance should be made subject to any stipulations to best serve the interests of the public and the State.

### **V. Location**

Located within DNR's Northern Region, approximately 17 miles northwest of Nenana, the project area is within Sections 27, 28, and 34, Township 1 South, Range 9 West, Fairbanks Meridian, within the Unorganized Borough. The project area consists of approximately 159.96 acres identified for reconveyance by this proposed action. See *Attachment C: Vicinity & Easement Map* for a depiction of the project area.

*USGS Map Coverage:* Fairbanks D-5

*Borough/Municipality:* Unorganized Borough

*Native Councils and Corporations:* The project area is within the boundaries of Doyon Incorporated. Nenana, Minto, and Four Mile Road are within 25 miles of this proposed action and notice will be sent to Tanana Chiefs Conference as the service provider.

### **VI. Legal Description**

The legal description is U.S. Survey No. 10042, Alaska, containing 159.96 acres, more or less, according to the survey plat accepted by the United States Department of the Interior, Bureau of Land Management, Anchorage, Alaska, on July 24, 1992 and officially filed on August 24, 1992.

### **VII. Title**

The State received title to the land on April 23, 1975 under a Tentative Approval. The State selection file is GS 1057. Title Report 21839 was issued June 7, 2021. The parcel is subject to the reservations, easements, and exceptions contained in the tentative approval.

*Acquisition:* The State filed selection application GS 1057 (BLM Serial No. 028928) for Township 1 South, Range 9 West, Fairbanks Meridian on January 25, 1962.

*Restrictions:* The Tentative Approval states that a future patent will contain a reservation for a right-of-way thereon for ditches and canals under the Act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945 and a reservation for the right-of-way thereon for the construction of railroads, telegraph and telephone lines, as prescribed and directed by the Act of March 12, 1914 (38 Stat. 305).

## **Preliminary Decision**

ADL 421485

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### **VIII. Background**

Lawrence Titus (the applicant) began his use and occupancy of the subject lands around the year 1932 according to documentation in BLM case file F 028620. His native allotment application was submitted on November 6, 1961. The State filed selection application GS 1057 for Township 1 South, Range 9 West, Fairbanks Meridian on January 25, 1962, and received title by Tentative Approval on April 23, 1975. The BLM surveyed the 159.96-acre parcel and issued plat U.S. Survey No. 10042 in 1992. On February 4, 2005, the BLM determined Native Allotment application F 028620 valid, and the State received a request for reconveyance on March 25, 2005.

### **IX. Planning, Classification, and Mineral Orders**

1. *Planning:* The subject parcel is located within the YTAP (adopted January 3, 2014), Lower Tanana Region, Unit L-02. The plan designates the subject parcel as Habitat and Public Recreation-Dispersed. These designations convert to classifications of Wildlife Habitat Land and Public Recreation Land under Classification Order CL NC-10-005.

This unit is in the Minto Flats Game Refuge and recommended land use within this management unit/region must align with the purposes outlined in the establishment of the Minto Valley State Game Refuge as put forward in *AS 16.20.037 Minto Flats State Game Refuge* and the Minto Flats Game Refuge Management Plan, adopted in 1992. While the subject parcel falls within the Minto Flats State Game Refuge, the YTAP explicitly exempts native allotments from the management stipulations of the refuge.

2. *Land Use Classification:* The State classified the subject parcel as Wildlife Habitat Land and Public Recreation Land under Classification Order CL NC-10-005 based on YTAP, adopted January 3, 2014.
3. *Mineral Order:* No mineral order exists for the parcel in question.
4. *Local Planning:* This parcel does not exist within any local planning unit.

### **X. Traditional Use Finding**

Before a sale, lease under *AS 38.05.070 – 38.05.105 Alaska Land Act*, or other disposal of state land in the unorganized borough, the Commissioner shall consider the effect that the sale, lease, or disposal may be expected to have on the density of population in the vicinity of the land, and potential for conflicts with the traditional uses of the land that could result from the sale, lease, or disposal. If necessary, the Commissioner shall develop a plan to resolve or mitigate the conflicts in a manner consistent with the public interest and the provisions of this chapter (§33 ch. 113 SLA 1981).

Additional information on traditional use is welcome during the public comment period and if this proposal is approved, LCS will address the information received in a subsequent FFD. See the **Section XVI. Submittal of Public Comments** at the end of this document and *Attachment A: Public Notice* for details on how to submit comment.

### **XI. Access, including Access To and Along Public or Navigable Water**

*Public Access:* This parcel is not adjacent to any navigable or public water ways. This parcel is primarily accessed by foot or ATV in the summer and by dogsled and snow machine in the winter.

## **Preliminary Decision**

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*Access To and Along Public or Navigable Waters:* In accordance with AS 38.05.127 *Access To Navigable or Public Water*, DNR will determine if a water body is navigable or public and establish easements or rights-of-way as necessary to ensure unobstructed access to and along the body of water. Regulations dictating the creation of easements or rights-of-way under this statute include 11 AAC 51.035 *Determination of Navigable and Public Water*, 11 AAC 51.045 *Easements To and Along Navigable and Public Water*, and 11 AAC 53.450, *Buffer Strips, Reserved Areas, and Public Easements*.

*Easements and Setbacks:* The reconveyance will except, reserve, or be subject to the reservations brought forth by the public notice, if any, and the following:

Subject to:

- a) An easement 50 feet in width along each side of the protracted section line in common with Sections 27 and 28, Township 1 South, Range 9 West, Fairbanks Meridian, pursuant to AS 19.10.010 *Dedication of Land for Public Highways*, 11 AAC 51.025 *Section Line Easements*, and AS 19.25.010 *Use of Rights-of-way for Utilities*;
- b) An easement 50 feet in width along each side of the protracted section line in common with Sections 27 and 34, Township 1 South, Range 9 West, Fairbanks Meridian, pursuant to AS 19.10.010 *Dedication of Land for Public Highways*, 11 AAC 51.025 *Section Line Easements*, and AS 19.25.010 *Use of Rights-of-way for Utilities*; and
- c) All other valid and existing rights if any

## **XII. Reservation of the Mineral Estate**

The Division of Oil and Gas (DOG) and the DMLW have determined that it is in the State's best interest to retain the mineral estate. The mineral estate will be retained pursuant to AS 38.05.035(e) *Powers and Duties of the Director*. The State will not receive an acreage credit for the lands.

## **XIII. Hazardous Materials and Potential Contaminants**

The Department of the Interior, BLM, is expected to inspect the parcel and familiarize itself with the condition and quality of the land. The State makes no representations and no warranties, express or implied, concerning the existence or absence of any hazardous substances, hazardous wastes, contaminants, or pollutants on the land here proposed for reconveyance. The State does not assume any liability for the removal of hazardous substances, hazardous wastes, contaminants, or pollutants, nor for the remediation of the site should such substances ever be identified.

## **XIV. Survey**

The parcel is adequately surveyed for reconveyance to the United States of America.

## **XV. DMLW and Agency Review**

Information and comments received from multiple sections with DMLW prior to and during agency review have been considered and included in the preparation of this preliminary decision. Agency review was conducted from April 27, 2021 to May 28, 2021. Comments pertinent to this proposed

## **Preliminary Decision**

ADL 421485

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action received during agency review have been considered and addressed below. Additional timely comments received during the Public Notice period will be considered and addressed in a subsequent Final Finding and Decision (FFD).

DNR DMLW LCS received brief comments of non-objection from the following agencies:  
DNR Division of Forestry and DNR Division of Oil and Gas.

The following agencies or groups were included in the agency review, but no comment was received:

- Alaska Department of Fish and Game
- State Historical Preservation Office

### **XVI. Submittal of Public Comments**

See **Attachment A: Public Notice for specific dates and conditions.**

Pursuant to AS 38.05.945 Notice, LCS is issuing public notice inviting comment on this Preliminary Decision.

In accordance with AS 38.05.946(a) Hearings, a municipality or corporation entitled to receive notice under AS 38.05.945(c) may hold a hearing within 30 days after receipt of the notice. If a hearing is held, the Commissioner (or representative) shall attend the hearing. The Commissioner has discretion whether or not to hold a public hearing.

LCS will consider all timely, written comments received. If analysis of such comments indicates the need for significant changes to the Preliminary Decision, additional public notice for the affected lands will be given. Reducing the amount of land offered and making minor changes to any of the proposals will not be considered significant changes requiring additional public notice.

If the proposal is approved and no significant change is required, the Preliminary Decision, including any deletions, minor changes, and summary of comments and LCS responses will be issued as a subsequent Final Finding and Decision, without further notice.

Only persons from whom DNR DMLW LCS receives timely, written comment during the identified comment period will be eligible to file an appeal of the Final Finding and Decision. Upon approval and issuance of a Final Finding and Decision, a copy of the decision will be made available online at <http://landsales.alaska.gov/> or <https://aws.state.ak.us/OnlinePublicNotices/> and sent with an explanation of the appeal process to any party who provides timely written comment.

DNR is prepared to accommodate individuals with disabilities by providing auxiliary aids, services, or special modifications in order to participate in this review. Individuals who may need such assistance should contact DNR's Public Information Center. For more information refer *Attachment A: Public Notice.*

**DEADLINE TO SUBMIT WRITTEN COMMENT IS  
4:30 PM, THURSDAY, AUGUST 12, 2021**

### **XVII. Discussion and Alternatives**

The following alternatives were considered:

## Preliminary Decision

ADL 421485

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### Alternative 1: Reconvey

Reconvey the land to the United States subject to the reservations, exceptions, and restrictions as stipulated in **XI. Access, Including Access To and Along Public or Navigable Water, Easements and Setbacks**. This will allow the Native Allottee to obtain title to the land while the State will retain public access on the property as prescribed by statute and thus avoid title recovery litigation by the federal government. Therefore, it is in the best interest of the State to reconvey the parcel as proposed in this decision, and this is the preferred alternative.

### Alternative 2: Retain

Retain ownership and withhold reconveyance. DNR currently does not have a persuasive reason to pursue this option. This alternative may lead to title recovery litigation brought by the United States on behalf of the Native Allottee, thus subjecting the State to an uncertain expenditure of resources and an uncertain result of litigation. This alternative is not preferred.

In accordance with the Stipulated Procedures for Implementation of Order in Aguilar, BLM reviewed and determined Mr. Titus' Native Allotment application to be valid on February 4, 2005. Based on documentation within BLM's case file and subsequent comments received from agency review, LCS has found no legal reason for denying this reconveyance subject to public notice and a final decision.

For the reasons outlined above, Alternative 1 is the preferred alternative.

Recommendation follows.

**Preliminary Decision**


ADL 421485


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**XVIII. Recommendation**

This Preliminary Decision for the proposed reconveyance of state lands described throughout this document and its attachments may be within the State's best interest. Reconveyance under the conditions in Alternative #1 is preferable to title recovery litigation. The State's reconveyance will allow the BLM to transfer title of the land to the Native Allottee and will eliminate any further title recovery action. The PD described above, as represented by the preferred alternative, has been reviewed and considered. I find that the recommended action may be in the best interest of the State and that it is hereby approved to proceed to public notice.

This is a Preliminary Decision, and analysis of subsequent public review may result in changes to the preferred alternative of the proposed reconveyance of state lands. If the decision is approved, a Final Finding and Decision may be issued.

  
Recommended by: Daniel Hovancsek \_\_\_\_\_ Date July, 12, 2021  
Native Allotment Coordinator  
Land Conveyance Section  
Division of Mining, Land and Water  
Department of Natural Resources  
State of Alaska

for →   
Approved by: Rachel Longacre \_\_\_\_\_ Date July 12, 2021  
Section Chief  
Land Conveyance Section  
Division of Mining, Land and Water  
Department of Natural Resources  
State of Alaska

## PUBLIC NOTICE

State of Alaska  
Department of Natural Resources (DNR)  
Division of Mining, Land and Water  
Land Conveyance Section  
550 W. 7<sup>th</sup> Ave., Suite 640  
Anchorage, Alaska 99501-3579

Notice is hereby given that the Division of Mining, Land and Water has made a preliminary decision under AS 38.05.035(e) to reconvey the following erroneously conveyed State land to the United States of America for conveyance to the Native allotment applicant noted below pursuant to AS 38.05.035(b)(9) and in accordance with the Stipulated Procedures for Implementation of Order in *Aguilar v. United States*, 474 F. Supp. 840 (D. Alaska 1979):

Applicant: Lawrence Titus (deceased)  
BLM No.: F 028620  
ADL No.: 421485  
Location: Sections 27, 28, and 34, T. 1 S., R. 9 W., Fairbanks Meridian  
Survey: U.S. Survey No. 10042, containing 159.96 acres, more or less

The public is invited to comment on the proposals to reconvey the land. Copies of the Preliminary Decision are available from the address above. Comments must be in writing and received at the above physical address, faxed to (907) 269-8916, or submitted by email to [danny.hovancsek@alaska.gov](mailto:danny.hovancsek@alaska.gov) before 4:30 pm, August 12, 2021 in order to ensure consideration and appeal in accordance with 11 AAC 02.010(c). Public comments will be reviewed and considered in the Final Finding and Decision. The final decision will be issued on or about August 19, 2021, or thereafter, and will be sent to any person who commented during the thirty-day comment period. The Final Finding and Decision will provide additional information about the appeal procedures.

The State of Alaska, Department of Natural Resources, complies with Title II of the Americans with Disabilities Act of 1990. Individuals with disabilities who may need auxiliary aids, services, or special modifications to participate in this review may call 269-8411 TTY/TTD. Please provide sufficient notice in order for the Department to accommodate your needs.

The DNR, Division of Mining, Land and Water reserves the right to waive technical defects in this notice and will forgo an additional notice and comment period upon issuance of the Final Finding and Decision.

Date of Publication: July 12, 2021

**U. S. SURVEY  
No. 10042, ALASKA**  
THE RETRACEMENT OF A PORTION OF  
U. S. SURVEY No. 4442C

This plot contains the entire survey record. The exterior boundaries of Township 1 South, Range 9 West, Fairbanks Meridian, Alaska, as surveyed by Wayne C. Fields and Frederick W. Ward, Supervisory Cadastral Surveyors, in 1961 through 1968.

U. S. Survey No. 4442C was surveyed by W. F. Van Valkenburgh, Surveying Technician, in 1967.

This survey was executed by Kristine S. Sheffield, Cadastral Surveyor, September 19 through October 4, 1991, in accordance with the specifications set forth in the Manual of Surveying Instructions, 1983; in the Manual of Surveying Instructions, 1988; approved May 10, 1989; and Assignment Instructions dated August 1, 1991.

Field assistants were: Robert H. Elnoran, Jr., Lead Surveyor; Deborah J. McAtee, Lead Surveyor; Scott P. Perchot, Student Trainee (LS)

Area: 159.96 Acres.

The alignment was obtained from the retracement of lines 23 and 34 of U.S. Survey No. 4442C and verified by a direct observation of the sun, using the bear angle method, and refers to the true meridian.

The geographic position of corner No. 4, identical with corner No. 2, U.S. Survey No. 4442C, and corner No. 1, U.S. Survey No. 4442C, as determined from the record of Township 1 South, Range 9 West, Fairbanks Meridian, Alaska, is:

Latitude: 64° 47' 50.94" North  
Longitude: 148° 20' 04.17" West  
MAD 27

The mean magnetic declination was obtained from U.S. Geological Survey quadrangle map "FAIRBANKS (D-3)", Alaska, 1950 edition, with minor revisions in 1985.

This survey is situated near the westerly shore of an unnamed lake, approximately 9 miles southeasterly of the village of Minfo, Alaska.

The B.L.M. Location Tag was found. The position of this survey was determined from the description given in the Land Examiner's report.

The land is gently rolling hills, forested by spruce, birch, poplar, alder and willow; with occasional marshy areas.

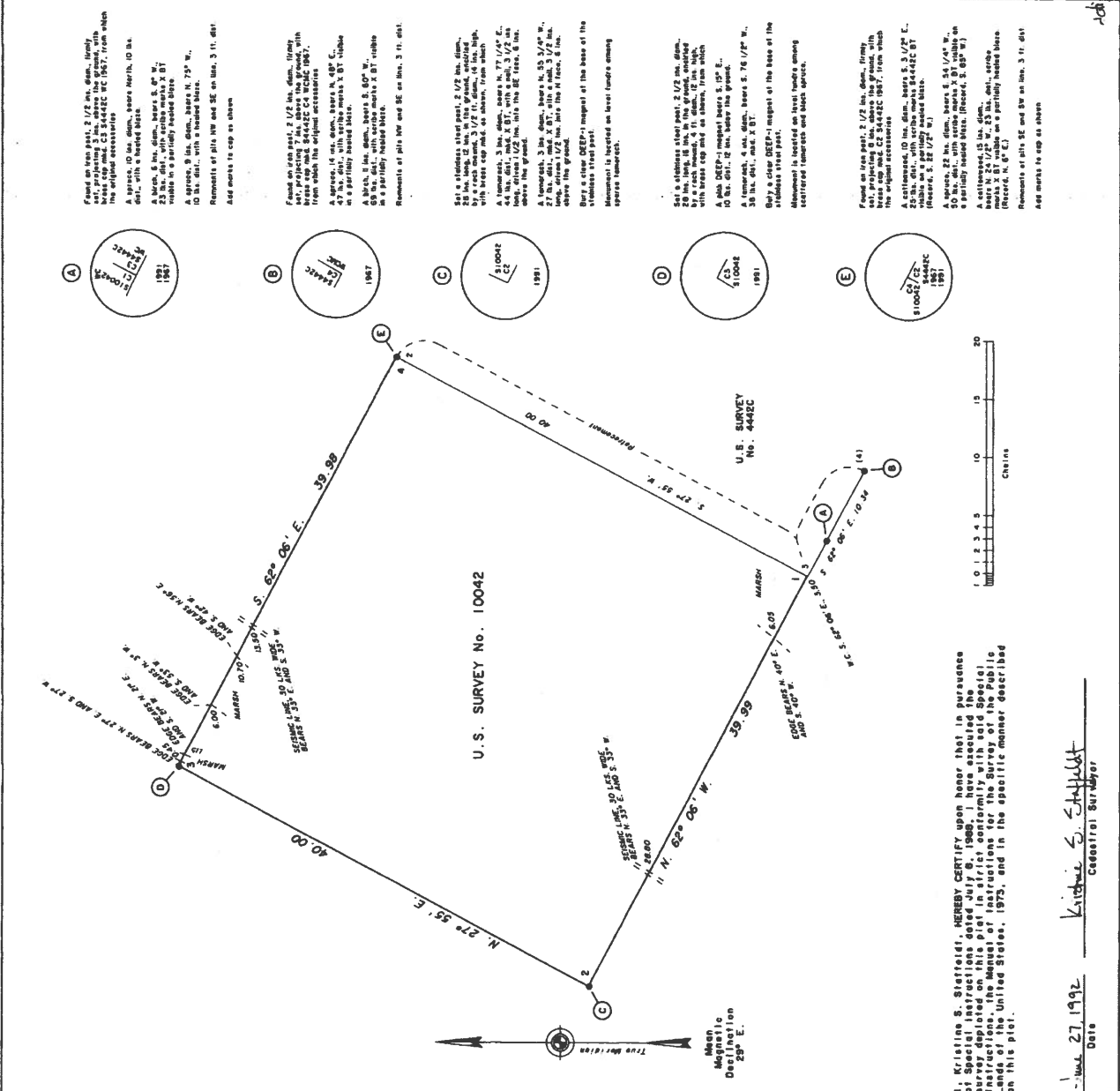
The term DEEP-1 magnet refers to a magnetic marker composed of a stream of molten iron in a color coded plastic container. The units are 1 inch diameter and 2 1/2 inches long.

Access to this survey was by helicopter. Acceptance of this survey does not purport to indicate any interest in submerged lands to which the Outer Continental Shelf Lands Act, the Outer Continental Shelf Lands and Section 6(m) of the Alaska Statehood Act, P.L. 85-508, notwithstanding the use, location, or absence of meander lines to depict water bodies.

UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
Anchorage, Alaska

The survey represented by this plot, having been correctly accepted in accordance with the requirements of the regulations of this Bureau, is hereby accepted.

For the Director  
*Kristine S. Sheffield*  
Cadastral Surveyor



1. Kristine S. Sheffield, HEREBY CERTIFY upon honor that in pursuance of the provisions of the Manual of Surveying Instructions, 1983; in the Manual of Surveying Instructions, 1988; and the Manual of Instructions for the Survey of the Public Lands of the United States, 1973, and in the specific manner described on this plot.

Date June 27, 1992  
*Kristine S. Sheffield*  
Cadastral Surveyor

For the Director  
*Kristine S. Sheffield*  
Cadastral Surveyor

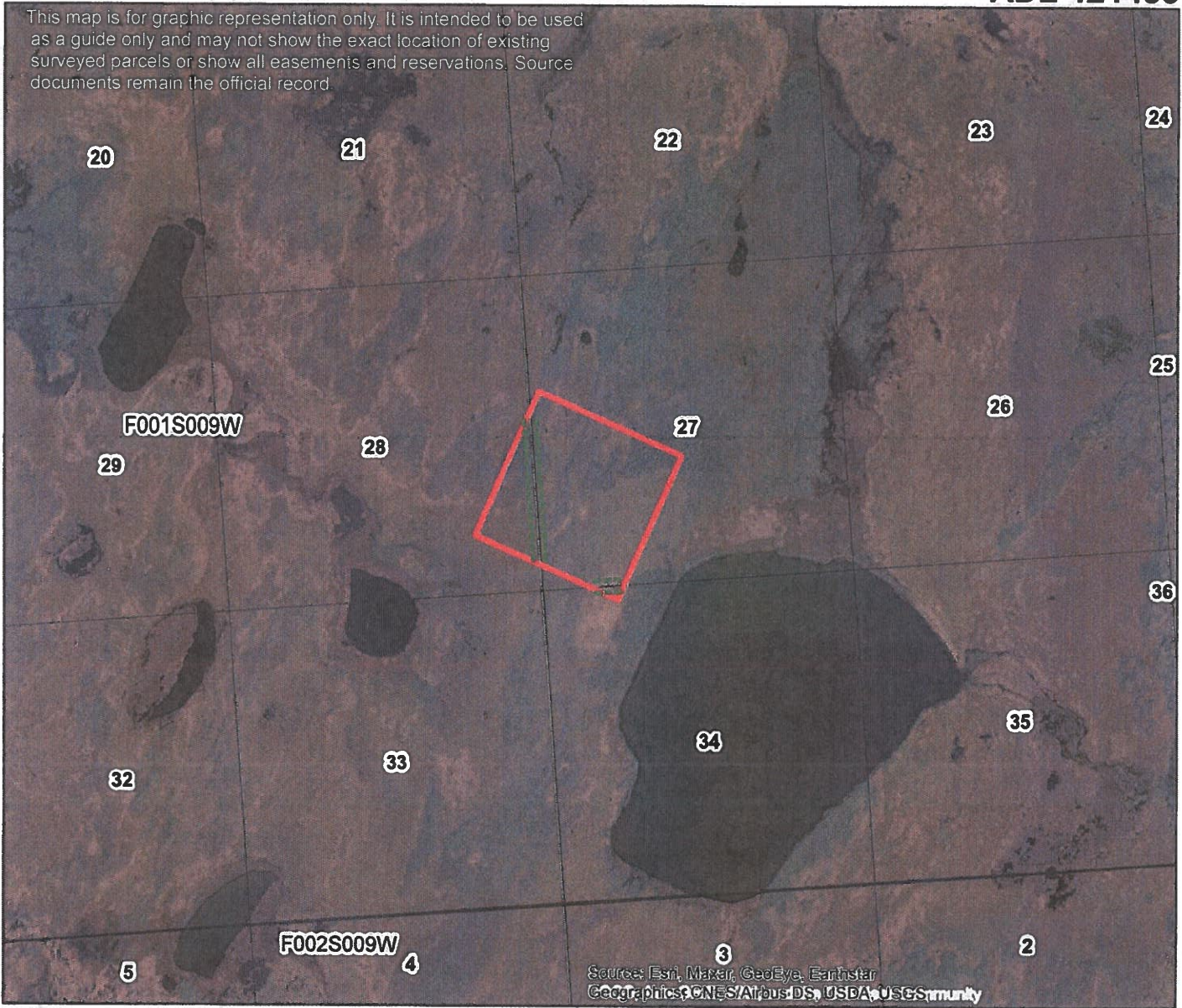
Pat: F-10-3-7-15 R. 9-00 F M  
Fairbanks D-5





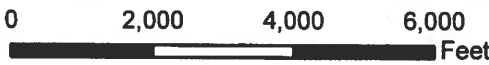
# Attachment C: Vicinity & Easement Map Lawrence Titus ADL 421485

This map is for graphic representation only. It is intended to be used as a guide only and may not show the exact location of existing surveyed parcels or show all easements and reservations. Source documents remain the official record.



**Legend**

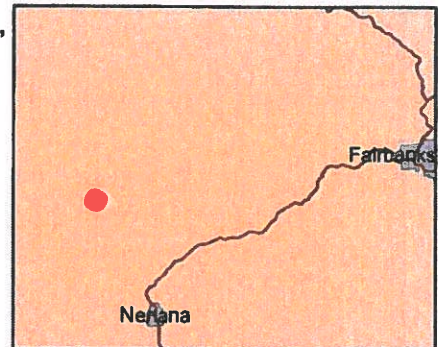
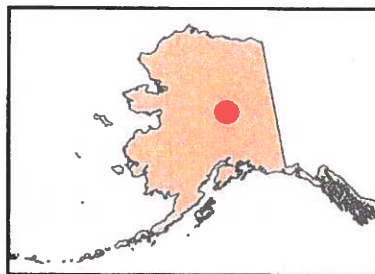
- Lawrence Titus Native Allotment
- 100 Foot Section Line Easement



DLH 6/2/2021

**Sections 27, 28, & 34, Township 1 South, Range 9 West, Fairbanks Meridian**

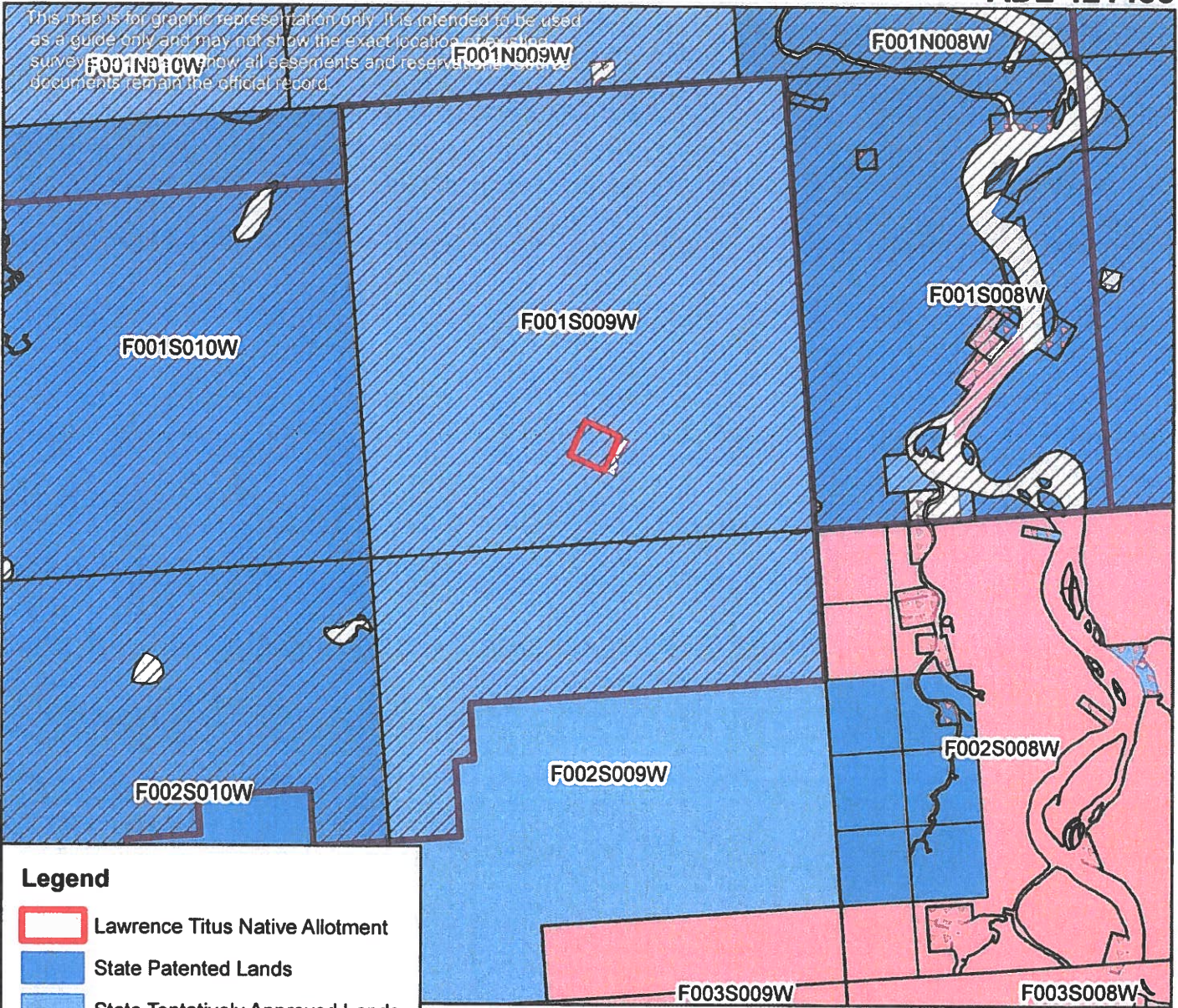
USGS QUAD 1:63,360 Fairbanks D-5  
For more information contact:  
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Email: [danny.hovancsek@alaska.gov](mailto:danny.hovancsek@alaska.gov)





# Attachment D: Ownership Map Lawrence Titus ADL 421485

This map is for graphic representation only. It is intended to be used as a guide only and may not show the exact location of existing survey. F001N010W, F001N009W, F001S010W, F001S009W, F001S008W, F002S010W, F002S009W, F002S008W, F003S009W, F003S008W. All easements and reservations shown on documents remain the official record.



### Legend

-  Lawrence Titus Native Allotment
-  State Patented Lands
-  State Tentatively Approved Lands
-  ANCSA Patented Lands
-  Minto Valley State Game Refuge
-  Nearby Native Allotments



DLH 6/2/2021

Sections 27, 28, & 34, Township 1 South, Range 9 West, Fairbanks Meridian

USGS QUAD 1:63,360 Fairbanks D-5  
 For more information contact:  
 Daniel Hovancsek  
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