

Alaska State Legislature

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Supporting Documents for House Bill 136

1. Congressman Don Young Letter on ARTA (2018)
2. Alaska Railroad Act (1914)
3. Alaska Railroad Transfer Act (1983)
4. Anchorage Townsite Homestead Land Patent (1924)
5. Sperstad Homestead Patent (1948)
6. Dept of Interior Solicitor Opinion (2022)
 - a. Rights of Way granted under the 1875 General Railroad Right of Way Act are easements rather than grants of full title
 - b. Railroads covered by the 1875 Act do not possess the authority to unilaterally permit third-party uses within these rights-of-way if such uses are unrelated to railroad purposes
7. Summary of *Reeves v Godspeed Properties* – Alaska Supreme Court (2022)
 - a. Land covered by an easement can be used by the underlying landowner so long as the use does not interfere with purposes of the easement
8. *Reeves v Godspeed Properties* – Alaska Supreme Court (2022)
9. Summary of *Brandt Revocable Trust v United States* – US Supreme Court (2014)
 - a. When a railroad abandons a right-of-way granted under the 1875 Act, the easement terminates and full title reverts to the underlying landowner, not the federal government
10. *Brandt Revocable Trust v. United States* – US Supreme Court (2014)
11. Summary of *Great Northern Railway Co v United States* – US Supreme Court (1942)
 - a. Railroad rights-of-way granted under the 1875 Act are easements only, not fee simple interests, and therefore do not include subsurface mineral rights
12. *Great Northern Railway Co. v United States* – US Supreme Court (1942)
13. Alaska Railroad Corporation v Flying Crown – 9th Circuit Opinion (2023)
14. ARRC-related Costs paid by DOT&PF (2025)
15. Newspaper Article on ARRC Charging Rent to Talkeetna Historical Society
16. Jack Brown OpEd ADN - "Alaska Railroad is a bad neighbor on right of way" (2015)
17. Alaska Public Media - "Alaska Railroad Adopts New Right of Way Use Policy" (2013)
18. General Aviation News - "Alaskan Airpark is being Railroaded" (2021)