



# LAWS OF ALASKA

1971

Source

Chapter No.

HR 387

35

## AN ACT

Relating to the disposal of property and vacating of lands by the Department of Highways.

### BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

\* Section 1. AS 38.05.030(b) is amended to read:

(b) The provisions of this chapter do not apply to any power, duty or authority now or in the future granted to the Department of Public Works and the Department of Highways in the name of the state, to acquire, use, lease, dispose of, or exchange real property, or any interest in real property. Lands assigned by the division of lands to the Department of Public Works and the Department of Highways shall be returned to the management of the division of lands when they are no longer needed for the purposes assigned.

\* Sec. 2. AS 38.05.030(d) is amended to read:

(d) Real property acquired by, and under the management of, the agencies referred to in (a) and (b) of this section, which is no longer needed for its intended use, shall be returned to the jurisdiction of the division of lands, except that the Department of Highways may dispose of real property acquired by it under AS 19.05.040(2) and AS 19.05.080 - 19.05.120.

\* Sec. 3. AS 19.05.040(8) is amended to read:

(8) dispose of property acquired for highway purposes;

\* Sec. 4. AS 19.05.070 is repealed and re-enacted to read:

Sec. 19.05.070. VACATING AND DISPOSING OF LANDS AND

RIGHTS IN LAND. (a) The department may vacate land, or part of it, or rights in land acquired for highway purposes, by executing and filing a deed in the appropriate recording district. Upon filing, title to the vacated land or interest in land inures to the owners of the adjacent real property in the manner and proportion considered equitable by the commissioner and set out by him in the deed.

(b) Whenever the department determines that land or rights in land acquired by the department are no longer necessary for highway purposes the department may:

(1) transfer the land or rights in land to the Department of Natural Resources for disposal, or

(2) sell, contract to sell, lease, or exchange land or rights in land according to terms, standards and conditions established by the commissioner.

(c) Proceeds received from disposal of land or rights in land as authorized by this section shall be credited to the funds from which the purchase of the land was made originally.