

Offered: 3/17/86
Referred: Rules

Original sponsors: Cotten and Marrou

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2

CS FOR HOUSE BILL NO. 321 (Finance) am

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IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to adverse claims and boundary
7 disputes; and providing for an effective date."

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

9 * Section 1. AS 09.25.050 is amended by adding a new subsection to
10 read:

11 (b) Except for an easement created by Public Land Order 1613,
12 adverse possession will lie against property that is held by a person
13 who holds equitable title from the United States under paragraphs 7
14 and 8 of Public Land Order 1613 of the Secretary of the Interior
15 (April 7, 1958).

16 * Sec. 2. AS 09.45 is amended by adding a new section to read:

17 Sec. 09.45.015. PRESUMPTION IN CERTAIN CASES. (a) A conveyance
18 of land after April 7, 1958, that, at the time the conveyance was
19 made, adjoined a highway reservation listed in section 1 of Public
20 Land Order 1613 of the Secretary of the Interior (April 7, 1958), is
21 presumed to have conveyed land up to the center-line of the highway
22 subject to any highway reservation created by Public Land Order 601
23 and any highway easement created by Public Land Order 1613.

24 (b) The burden of proof in litigation involving land adjoining a
25 highway reservation created by Public Land Order 601 or a highway
26 easement created by Public Land Order 1613 is on the person who claims
27 that the conveyance did not convey an interest in land up to the
28 center-line of the highway.

29 * Sec. 3. This Act takes effect immediately in accordance with

1 AS 01.10.070(c).