

H B

206

Introduced: 3/13/85  
Referred: Resources and  
Finance

BY KOPONEN, M.M. MILLER, SUND,  
GOLL, MARTIN, UEHLING AND  
JENKINS

1 IN THE HOUSE

2 HOUSE BILL NO. 286

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to <sup>survey requirements for</sup> access ~~to~~ state land intended for  
7 disposal and to the description of the land."

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

9 \* Section 1. AS 38.04.045(b) is amended to read:

10 (b) Before the conveyance of surface rights to state land, an  
11 official cadastral survey shall be accomplished, unless a comparable,  
12 acceptable survey exists that has been conducted by the federal Bureau  
13 of Land Management. The rectangular survey section corner positions  
14 shall be monumented and shown on a cadastral survey plat approved by  
15 the state. [HOWEVER, FOR THOSE AREAS WHERE THE STATE MAY WISH TO  
16 CONVEY SURFACE ESTATE OUTSIDE OF AN OFFICIAL CADASTRAL SURVEY GRID,  
17 THE DIRECTOR MAY WAIVE MONUMENTATION OF ALL INDIVIDUAL SECTION CORNER  
18 POSITIONS AND SUBSTITUTE AN OFFICIAL CONTROL SURVEY WITH CONTROL  
19 POINTS BEING MONUMENTED AND SHOWN ON CONTROL SURVEY PLATS APPROVED BY  
20 THE STATE. NO PORTION OF LAND TO BE CONVEYED MAY BE LOCATED MORE THAN  
21 TWO MILES FROM SUCH A SURVEY CONTROL MONUMENT EXCEPT THAT THE COMMIS-  
22 SIONER MAY WAIVE THIS REQUIREMENT ON A DETERMINATION THAT TOPOGRAPHIC  
23 FEATURES, DIFFUSE SETTLEMENT, OR THE PUBLIC INTEREST DO NOT JUSTIFY  
24 THE REQUIREMENT.] The lots and tracts in state subdivisions shall be  
25 monumented and the cadastral survey and plats for the subdivision  
26 shall be approved by the state. Where land is located within a munic-  
27 ipality with planning, platting, and zoning powers, plats for state  
28 subdivisions shall comply with local ordinances and regulations in the  
29 same manner and to the same extent as plats for subdivisions by other

1 landowners. State subdivisions shall be filed in the district re-  
2 corder's office. The requirements of this section do not apply to  
3 land made available through a cabin permit system, material sales, or  
4 short-term leases; however, for short-term leases the lessee must  
5 comply with local subdivision ordinances unless waived by the munic-  
6 ipality under procedures specified by ordinance.

7 \* Sec. 2. AS 38.09.010(b) is amended to read:

8 (b) The commissioner shall complete a cadastral survey of home-  
9 stead entry state land under AS 38.04.045 before disposing of state  
10 land for homestead entry. A homestead entry parcel shall be estab-  
11 lished in aliquot parts of a surveyed section or as lots or tracts  
12 that are fractions of aliquot parts of a surveyed section. The com-  
13 missioner shall ensure practical access to each homestead entry parcel  
14 [BUT THE COMMISSIONER MAY WAIVE THE CADASTRAL SURVEY ON A DETER-  
15 MINATION THAT TOPOGRAPHIC FEATURES, DIFFUSE SETTLEMENT, OR THE PUBLIC  
16 INTEREST DO NOT JUSTIFY OR REQUIRE THE CADASTRAL SURVEY].

17 \* Sec. 3. AS 38.09.020(a) is amended to read:

18 (a) A homestead entry permit entitles an applicant to enter land  
19 within an area designated under AS 38.09.010 and to [SURVEY,] occupy  
20 [,] and improve the land in order to qualify for a patent under this  
21 chapter.

22 \* Sec. 4. AS 38.09.040(a) is amended to read:

23 (a) A homestead entry permit may be revoked by the commissioner  
24 for any substantial breach of the permit conditions or the require-  
25 ments of this chapter, including

26 (1) an assignment, conveyance, or transfer of the permit  
27 not authorized under AS 38.09.030(c);

28 (2) failure of the permit holder to submit an aliquot parts  
29 description of the homestead entry [A PLAT OF SURVEY] to the

1 commissioner within two years after the issuance of the permit or  
2 under (b) of this section;

3 (3) failure of the permit holder to erect a dwelling in the  
4 time required under AS 38.09.050(a), except that if the commissioner  
5 finds that the dwelling has been nearly completed and progress toward  
6 completion is being made at the expiration of the time required, the  
7 commissioner may extend the time required for completion for not more  
8 than one year;

9 (4) failure to brush the boundaries of the land within 90  
10 days after issuance of the homestead entry permit;

11 (5) failure to clear and either put into production or  
12 prepare for cultivation 25 percent of the land classified for agricul-  
13 tural use within five years after the issuance of the permit.

14 \* Sec. 5. AS 38.09.050(a) is amended to read:

15 (a) The commissioner shall issue a patent to homestead entry  
16 land if the permit holder

17 (1) resides and lives on the homestead entry land for not  
18 less than 25 months within five years after the issuance of the home-  
19 stead entry permit;

20 (2) submits an aliquot parts description [COMPLETES AN  
21 APPROVED SURVEY] of the land within two years after the issuance of  
22 the permit or under AS 38.09.040(b);

23 (3) erects a habitable, permanent dwelling on the homestead  
24 within three years after the issuance of the homestead entry permit;

25 (4) brushes the boundaries of the land within 90 days after  
26 the issuance of the permit;

27 (5) clears and either puts into production or prepares for  
28 cultivation either 25 percent of the land classified for agricultural  
29 use or 50 percent of the land having class II or III soils, whichever

1 is less, within five years after issuance of the permit.

2 \* Sec. 6. AS 38.09.040(b) is repealed.

COMMITTEE REPORT

1/24

HOUSE

(9)

FURTHER: FINANCE

3/13/85

Date: 1/22/86

The Committee on RESOURCES has had HB 286

"An Act relating to access to state land intended for disposal and to the description of the land."

under consideration and recommends:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for HR 78 (Res)  same title  
 new title
- and recommends do pass
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation  Zero Fiscal Note Attached  
*w/analysis Sup # 76*
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING DO PASS

MEMBERS HAVING OTHER RECOMMENDATIONS:

Cato \_\_\_\_\_

Pearce Kevin Pearce

Jankins [Signature]

Thompson David Thompson

Miller(NP) M.W. Miller

Shultz [Signature]

Sund [Signature]

Udo Herrmann No Rec  
Herrmann

Karl Wallis No Rec  
Wallis

[Signature]  
Co-CHAIRMAN Shultz

STATE OF ALASKA 1986 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date : \_\_\_\_\_

**REQUEST**

**FISCAL DETAIL**

Bill/Resolution No. : HB 286  
 Title : An Act relating to access to State land intended for disposal and to the description of the land.  
 Sponsor : Koponen, M.M. Miller, Sund  
 Requestor : Goll, Martin, Uehling, Jenkins  
 Date of Request : 1/16/86

Agency Affected : Natural Resources  
 BRU : Information/Records Mgmt.  
 Components : Information/Records Mgmt.

**EXPENDITURES/REVENUES : (Thousands of Dollars)**

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0	0	0	0	0	0

<b>CAPITAL</b>	0	0	0	0	0	0
----------------	---	---	---	---	---	---

<b>REVENUE</b>	0	0	0	0	0	0
----------------	---	---	---	---	---	---

**FUNDING : (Thousands of Dollars)**

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

**POSITIONS :**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS :** Attach a separate page if necessary

Survey appropriations for land offerings currently are funded annually by the Legislature. The effect of this bill would be felt in 2 to 3 years by the reduction of operating budgeted State employees and expenditures currently required to administer the long-term effects of other types of survey monumentations.

Prepared by : Joseph C. Burch Phone : 762-2400  
 Division : Technical Services Date : 1/17/86

Approved by Commissioner : [Signature] Date : 1/22/86  
 Agency : Natural Resources

**Distribution (by Agency preparing fiscal note) :**

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

## GLOSSERY OF TERMS

**CADASTRAL SURVEY:** has particular reference to extensive rural land surveys made for the purpose of locating property lines and improvements in detail, primarily for use in connection with value, ownership and transfer of land.

**ALIQOT:** contained an exact number of times in something else, used of a divisor or part, (5 is an aliquot part of 15), to divide a quantity into equal parts.

**METES AND BOUNDS:** the boundaries of land established by reference to natural or artificial monuments along it (as a stream, ditch, ridge, or road) as distinguished from those established by beginning at a fixed point and running therefrom by stated compass courses and stated distances.

**TOWNSHIP:** a unit of land in the U.S. land survey, six miles square, containing 36 mile-square section.

**MONUMENTS:** a physical artifact of the surveyor's work, a boundary marker, usually a brass capped metal pipe.

Alaska State Legislature  
Representative Niilo Koponen  
District 21, Democrat

S.R. 10059  
Fairbanks, Alaska 99701  
479-6782

Pouch V  
Juneau, Alaska 99811  
465-4992

MEMORANDUM

January 18, 1986

SUBJECT: Sectional Analysis, HB 286  
TO: House Resources Committee  
FROM: Doug Yates, staff to Rep. Koponen

Re: AS 38.04.045(b), rectangular survey section corner positions will be monumented and shown on a plat prior to conveyance of surface rights to state lands. Metes and bounds surveys tied to control monuments will no longer be allowed.

Re: AS 38.09.010, homestead entry parcels will be aliquot parts of sections monumented in accordance with AS 38.04.045(b), except when practical and legal access exists adjoining a boundary or through a designated route. Such access would include public roads created in platted subdivisions. Access to aliquot parts parcels is insured by AS 38.04.050.

RE: AS 38.09.020, since section corner positions will be monumented and platted prior to conveyance (AS 38.04.045(b)), and homestead entry parcels will be aliquot parts of those sections (AS 38.09.010), the State should not require an applicant to survey the land. The aliquot parts description of the monumented section provides a complete description of each unique parcel, with no encumbrance of surrounding lands.

RE: AS 38.09.040(a)(2), an aliquot parts description of the homestead entry, along with the plat prepared in accordance with AS 38.04.045(b), will eliminate the need for a plat of survey prepared by the permit holder

RE: AS 38.09.040(b), since a plat of survey would not be required, the need for the time extensions to complete the plat of survey is eliminated.

RE: AS 38.09.050(a)(2), again, the aliquot parts description of a parcel within a monumented and platted section eliminates the need for an applicant to obtain an approved survey for issuance of a patent.

DY/dy

Representative Koponen's Position Paper HB 286

HB 286 is a measure that will implement proven land management goals in regard to the continuing disposal of State lands to Alaskan citizens.

In the past land disposals were made without the benefit of boundaries being monumented and identified on the ground. In the name of expediency and false economy land was released with no regard to a proven identification system that has been in use in the Federal system for 200 years.

This system is the cadastral rectangular land survey which allowed any parcel to be readily identified, plotted accurately on status maps, and virtually eliminated boundary disputes. Federal law prescribes that all public domain lands will be physically surveyed and monumented in conformance with the rectangular survey and aliquot part system prior to disposal. This cadastral system has been followed in all public domain states except Alaska.

The rectangular cadastral system is understood by surveyors, title companies, lending institutions, recording offices, attorneys, and most citizens. It is the backbone of all land record systems and has procedural manuals adopted and in place.

What is occurring in Alaska however, is a system of metes and bounds, the least desirable of all possible land identification systems. It creates a patch-work of oddly shaped and irregularly adjoining parcels to which access and intelligent utility distribution is next to impossible. It creates slivers of unclaimed State land that become worthless to the citizens of the State. It is expensive and difficult to survey accurately, creates voluminous land records, and makes it impossible to plot parcels correctly on a status map without a field survey and encumbers all residual land within a township until all applicant's parcels are surveyed.

For the new landowner under a system of metes and bounds the problems are just starting. He must shoulder the burden of having an adequate survey made in preparation of a legal description of the land. A legal description is necessary to obtain financing for improvements, and clear title from a title company. Boundary problems with neighbors often occur and the landowner may find no legal or practical access to the parcel.

HB 286 will eliminate these inequities and shortcomings. It will set in place a proven and recognized system of land identification that acknowledges the State's responsibility to carefully manage our lands slated for disposal. A law of parallel intent (HB 170 Chapter 32 SLA 85) for privately held lands is already in place.

JUSTIFICATION  
AMENDMENTS TO AS 38

Sections AS 38.04.045(b) and AS 38.09.010(b) Requiring Cadastral Surveys and Aliquot Part Description

During the rewrite of the Title 38 legislation last year, the provisions allowing waiver of cadastral surveys and control surveys were considerably expanded over the belated opposition of the surveyors, mappers, and photogrammetrists in the State. These professionals' concerns appear to have been amply justified as the Division of Land and Water Management has subsequently distributed a draft of their implementing policy (attached). It, for all practical purposes, will allow nearly all disposals in the future to occur without prior survey whatsoever, ignoring the fact that history reveals settlement prior to survey creates many problems paramount to chaos. They are forgetting land boundaries must be monumented and identified on the ground in order for their own land managers to know what they are managing, that section line access right-of-ways are legally and practically useless without surveys, that a nightmare of cost, access, and boundary problems are being dumped on citizens who receive parcels, and that title to thousands of acres of residual State land becomes tainted and of no value for years. In the name of expediency and false economy they are abandoning a proven land identification system in favor of a system that is destined to bring chaos into the management of Alaska lands and disillusionment to the citizens who will obtain lands under the future disposal programs.

The State of Alaska is failing to observe and benefit from the experience of the United States Government and our sister states in this matter. Early in the history of our Federal Government it was recognized that a system must be adopted to not only transfer public lands into private hands, but to allow the recipient to physically identify his boundaries, assure access, protect him to the maximum extent from conflicts with neighboring properties, and provide a method of description to assure ease of conveyance, financing or other procedures. The resultant system was the rectangular land survey system which allowed any parcel to be readily identified, plotted accurately on status maps even without survey, eliminated the excess or deficiency in acreage problem, virtually eliminated boundary disputes and provided a single set of survey procedures for establishment. Federal law prescribes that all public domain lands will be physically surveyed and monumented in conformance with the rectangular survey system prior to disposal, acknowledging the fact that this was a governmental responsibility that should not be forfeited or passed to private entities. This system has been followed in all public domain states except Alaska.

The rectangular survey system has historical precedent of 200 years in the United States, is understood by surveyors, title companies, lending institutions, recording offices, attorneys, and most citizens, is utilized as the backbone of all land record systems and has procedural manuals already adopted and in place. It, however, is gradually being discarded in Alaska. In its place basically a metes and bounds system is being adopted, the least desirable of all possible land identification systems. This system is outlawed in most boroughs as a means of subdividing property, as they see first hand the problems it manifests. It creates a patchwork of oddly-shaped and irregularly-adjoined parcels to which access and intelligent utility distribution is next to impossible. It creates slivers of unclaimed State land that become of zero value to the citizenship of the State as a whole. It is expensive and difficult to survey accurately, creates voluminous land records, makes it impossible to plot parcels accurately on a status map without field survey and encumbers all residual land within a township (36 square miles or 23,040 acres) until all applicants' parcels are surveyed. It is the worst of all possible methods and should only in specific, exceptional cases be allowed to be utilized in the disposal of State lands.

The planners and land managers in the Division of Lands and Waters Management may feel comfortable in having small-scale, inaccurate, topographic maps in their hands to manage the lands in their jurisdiction. The individual or entity obtaining the lands, however, has little need or use for a map that only marginally represents his property's characteristics and provides no benefits in assisting him in identifying his specific parcel or legally describing its boundaries. It is at this point he suddenly finds the "cheap" land he obtained from the State to be a tremendously expensive parcel when the cost of an adequate survey and preparation of legal description is contemplated. The fact that he will usually seek and contract for this survey as an individual, instead of becoming the beneficiary of a vast survey of many thousands of acres as would be done in a State-performed survey, gives him no benefit whatsoever of economies of scale. He finds difficulty obtaining financing for improvements, runs into title problems with title companies, boundary conflicts with his neighbors, and often finds he has no legal or practical access. He becomes disillusioned, and, instead of the State having a citizen that is pleased with the State's stewardship of its natural resources, he instead feels he has been misled and tricked by his government.

In addition to the land recipient's problems, the surrounding public domain for years remains in a "no man's land," unable to be properly and accurately platted on a status map, and, as a result, preventing it from being utilized in any useful manner by private citizens or governmental agencies.

The State must face its responsibilities to its citizens. It must amend AS 38 to again require minimal cadastral surveys be performed prior to disposal and the aliquot part method be utilized to the maximum extent to convey ownership, especially to the larger homestead parcels. Our lands with their resources are of such value that the need for efficient land management far outweighs the cost of survey.

DRAFT POLICY  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF LAND AND WATER MANAGEMENT

Regional Offices may recommend the Commissioner waive cadastral survey requirements of homestead entry lands under AS 38.09.010(b) upon making one or more of the following findings:

**Topographic Features:**

The presence of features such as swamps or steep hills escalate the cadastral survey costs above the benefits to be obtained from such survey.

**Diffuse Settlement:**

The settlement pattern resulting from the State's proposed disposal program will result in private ownership of less than 30 percent of the land within the minimum rectangle encompassing the land to be disposed.

**Public Interest:**

1. The cost associated with a cadastral survey is greater than the direct benefit in increased land values that would accrue to the public from such a survey and the public benefit to be derived from the disposal is greater than the cadastral survey cost.
2. The time to complete a cadastral survey will significantly impact the State disposal program and the benefit from such survey does not equal or exceed the benefit from accomplishing the State's public interest land disposal goals.



Alaska Section  
AMERICAN CONGRESS ON SURVEYING AND MAPPING

P. O. BOX 376  
ANCHORAGE, ALASKA 99510

FISCAL IMPACT ANALYSIS RESULTING FROM  
PROPOSED AMENDMENTS TO AS 38

This paper presents an analysis by a joint Legislative Committee of the American Congress on Surveying and Mapping, Alaska Section, the American Society of Photogrammetry, Alaska Region and the Alaska Society of Professional Land Surveyors, of the cost impact to the State of Alaska if the proposed amendments to AS 38, as recommended by the professional groups, are passed. The analysis will show that the proposed amendments present little, if any, additional fiscal impact to the State while providing a broad range of short and long term benefits.

The fiscal impact data, as presented, was derived from an analysis of actual cost to the State during FY85 and includes direct survey costs relative to the disposal program and the cost incurred by the Division of Technical Services, Department of Natural Resources, to administer and technically monitor the survey projects. These costs are then extrapolated to determine acreage that can be surveyed under current proposed budgeting for FY86 and appropriate budget levels for surveying in future years.

During FY85, the State appropriated \$3.5 million for surveys to expedite the State land disposal programs. These monies were expended in the following manner:

Function	Amount	Percent of Total
State of Alaska personnel administering and technically monitoring the survey projects	\$ 423,000.00	12.09%
Travel (by State employees)	20,000.00	00.57%
Commodities (expendable supplies furnished by State of Alaska)	10,000.00	00.29%
Equipment (purchased by State of Alaska for internal use)	14,000.00	00.40%
Professional survey contracts (to accomplish the required field and platting procedures)	3,032,700.00	86.65%
Totals	\$3,500,000.00	100.00%

Of the above, approximately half was utilized to conduct rectangular cadastral surveys similar to those which would be required under the proposed legislation. The remainder was utilized to perform small lot subdivisional and control surveys. These small lot surveys are now being phased out in favor of the larger parcel homestead program and the control survey would be generally eliminated by the proposed legislative amendments. The majority of future appropriations, therefore, would be available to conduct the recommended rectangular cadastral surveys.

To determine the current cost of performing rectangular cadastral surveys similar to those that would be required under the Title 38 amendments, we utilized contracts awarded by the Division of Technical Services, Department of Natural Resources, State of Alaska, during FY85 as historical data. The projects analyzed consist of the following, all of which were awarded during the study year.

#### FY85 Rectangular Cadastral Surveys

Project	Contracting Firm	Contract Cost	Gross Acreage	Per Acre Cost
Kobe/Clear Sky	Stutzmann Engineering	\$206,500	9,210	\$22.42
Two Mile Lake	Laurence Irving	25,900	2,504	10.34
Willow Creek	Silvers Engineering	23,800	1,160	20.52
Cosna	Roen Design	289,700	17,920	16.17
Southwind/Windy	ABC	221,000	10,000	22.10
Homer	Branch/Sharp	65,000	2,480	26.21
Talkeetna Foothills	Max Stevens	139,900	5,760	24.25
Cannery Creek	Quadra Engineering	318,900	13,856	23.02
South Bank	Itech	157,000	6,834	22.97
		-----	-----	-----
		\$1,447,500	69,724	\$20.76 avg

From the above historical data, it becomes apparent the average per acre cost for rectangular cadastral surveys as performed during FY85 was \$20.76 per acre. To this must be added an overhead percentage of 13.35% to reflect personnel, equipment, commodities and travel costs of the Department of Technical Services resulting in a historical total cost per acre surveyed of \$23.53.

The Sheffield Administration has proposed funding for surveying activities during FY86 relative to the land disposal program in

the approximate same amount as FY85 (\$3.5 million). Based upon historical data, it is clear that if this funding was utilized 100% to perform cadastral rectangular surveys, a total of 148,746 acres could be surveyed. As the stated goal of the administration is to dispose of 35,000 acres during FY86, it is also clear that approximately 4.25 times the stated goal could be surveyed. In other words, only 23.53% of the land surveyed must be disposed to meet the target goal. If 23.53% of the acreage of the lands surveyed are not suitable for disposal, we feel there is a land selection and management problem as lands that obviously have little potential for disposal are being targeted for survey.

It should also be noted that the FY85 projects utilized to develop historical costs involved not only setting section corners, as would be required by the proposed legislation, but also quarter corners, effectively doubling the field monumentation. All of the projects also required brushing section lines, not required by the legislation, but a useful function serving the needs of both the potential entryman and land managers in the future. These lines greatly simplify the identification of land boundaries on the ground. The projects represent a good cross section as to location, difficulty and accessibility. Due to the quarter corner monumentation requirement, it can be fairly stated that the above projects represent a "worst case" cost scenario. In the future, rectangular cadastral projects can likely be done for less per acre cost.

If the rectangular cadastral survey program were adopted as an ongoing program, larger size projects could be awarded, allowing for economies of scale to reduce the per acre cost considerably. Moreover, if past experience is an example, once the surveying industry recognizes that the rectangular system will be adopted as State policy for the long term, it will invest in capabilities allowing it to perform such surveys more efficiently, hence lowering the cost even further.

Any proposed legislation should be viewed in terms of not only what is possible today, but what will be possible in the near future. Long term historical data shows that the cost per acre for cadastral surveys has decreased dramatically over the last ten year period, mainly due to the rapid advancement of new technologies, greater use of modern transportation and the

development of innovative techniques. Greater advances are expected in the next two to five year period. The Global Positioning System (GPS) technology will become widely available during this time frame, likely reducing the cost of rectangular cadastral surveys by a factor of 25% or more. Legislation should be in place to take advantage of this rapidly developing technological progress.

If State provided rectangular surveys to section corner level were mandated and the State enacted the accompanying provisions of the amendment allowing aliquot part described lands to be patented to the entryman without further survey, additional savings in other administrative monies would accrue to the State. An officially adopted procedural manual for surveying the section into aliquot part parcels already exists. Therefore, the need for providing individual survey instructions for each entryman's survey, as is currently done, would be eliminated. In addition, the need for technical monitoring and checking of these individual surveys could be eliminated. This would allow considerable savings in personnel costs to administer the disposal program. Similarly, the State record keeping system would be less costly due to simpler and less voluminous property legal descriptions.

The reduction in cost to individual applicants should also be considered. Adoption of the proposed legislation would allow patent to be issued to the individuals without further survey activities by the State or the applicant after the rectangular survey is completed. Not only could title be transferred to the applicant, but it would be good marketable title, recognized by banks, title insurance companies and totally acceptable for all related land transactions. Only if the applicant deems it necessary, at his own time, convenience and expense would further surveys be undertaken. Such surveys would be far less expensive than those presently required of the applicant to secure title from the State. Any such survey, totally funded and at the discretion of the entryman, would also have the side benefit of at least partially defining all other parcels within the section, whether in private ownership or remaining in State ownership. Thus, all such privately funded surveys would provide for multiple benefits and savings. In the present control survey and metes and bounds method often used, each survey stands alone and provides little mutual benefit or savings. The absence of a rectangular survey also adversely impacts the

title to remaining lands in a township, as the location of the metes and bounds survey (by section) is indeterminate until the sections are surveyed. This very condition is causing delays in transfer of title of federal lands due to the presence of metes and bounds U.S. surveys for native allotment, headquarters sites and homesteads within townships not subdivided into sections by rectangular methods.

It is not the intent of this committee to recommend or encourage the rectangular survey of all State lands. Obviously, the majority of lands in or coming into State ownership are of such character, remoteness or potential use as to totally eliminate the need for any surveys whatsoever except, perhaps, for surface mapping purposes. That small percentage of lands, however, that may be suitable for disposal should be carefully inventoried, prioritized as to suitability for disposal and an ongoing rectangular cadastral survey program should be required as a matter of State policy. A minimal funding level should be allocated annually allowing a reservoir of lands to be always available, surveyed to the section boundary level, to be utilized to meet disposal needs as may arise to satisfy the needs of Alaska residents in the future.

Based on the historical data presented and the probable cost per acre for rectangular surveys in the future it appears that the current level of funding is sufficient to support this program if the lands for disposal are selected with reasonable care. The State should no longer spend substantial sums to address short term needs in a manner which creates greater future problems. The rectangular surveys, once completed, would serve many functions and be suitable for nearly any type of disposal program. The proposed legislation would allow for a more orderly disposal of Alaska lands over the longer period at much less cost and greater benefit to the entrymen while simultaneously meeting the technical requirements for adequate land management and identification.

Respectfully submitted,

*Clarence A. Heselback*

Alaska Section,  
American Congress on Surveying  
and Mapping

*Ronald J. Colman*

Alaska Region,  
American Society of Photogrammetry

*Ray D. L...*

Alaska Society of Professional  
Land Surveyors