

LEGAL NOTICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF
LAND MANAGEMENT
ALASKA
Notice for Publication
(F-14836-A)
Alaska
Alaska Native Claims Selection

Pursuant to the order from the Alaska Native Claims Appeal Board dated May 26, 1976, the following decision of March 18, 1976 (Lands Proper for Selection, Approved for Interim Conveyance), as modified by decision of March 25, 1976 (Decision Modified in Part), is hereby published once in the FEDERAL REGISTER and once a week for four (4) consecutive weeks in the TUNDRA TIMES.

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DECISION

Ukpeagvik Inupiat Corporation:
F-14836-A
Box 427:
Barrow, Alaska 99723: Village
Selection
Lands Proper for Selection
Approved for Interim Conveyance

On November 15, 1973, the Ukpeagvik Inupiat Corporation, the village of Barrow, filed selection application F-14836-A under the provision of section 12(a) of the Alaska Native Claims Settlement Act of December 18, 1971, for the surface estate of lands in the Barrow area. On March 25, 1976, patent was issued for a portion of the lands selected containing 2.80 acres.

The application is properly filed and meets the requirements of the act and of the regulations issued pursuant to it. The selected lands described below are unoccupied and do not include any lawful entry perfected under or being maintained

in compliance with laws leading to acquisition of title.

In view of the foregoing, the surface estate of the following described lands, aggregating approximately 153,791 acres, is considered for acquisition by the Ukpeagvik Inupiat Corporation and is hereby approved for interim conveyance pursuant to section 14(a) of the act:

Umiat Meridian, Alaska (Unsurveyed)
T. 20 N., R. 17 W.
sections 5 through 8, inclusive;
sections 17 through 20, inclusive;
sections 29 and 30, all.

T. 20 N., R. 18 W.
sections 1 through 4, inclusive;
sections 9 through 16, inclusive;
sections 21 through 28, inclusive.
T. 20 N., R. 19 W.
sections 1 through 3, inclusive;
sections 4 through 6, fractional;
section 7, all;
section 8, fractional;
sections 9 through 30, inclusive.

T. 20 N., R. 20 W.
sections 1 through 4, fractional;
section 9, fractional;
sections 16 and 17, fractional;
sections 19 and 20, fractional;
section 21, all;
section 29, all;
sections 30 and 31, fractional.

T. 21 N., R. 16 W.
section 1, fractional;
sections 2 through 10, inclusive;
sections 11 through 15, fractional;
sections 16 through 20, inclusive;
sections 21 through 23, fractional;
sections 24 through 27, inclusive;
section 28, fractional;
sections 29 through 36, inclusive.

T. 21 N., R. 18 W.
sections 1 through 36, inclusive.
T. 21 N., R. 19 W.
section 3, all;
sections 4 and 5, fractional;
section 8, fractional;
section 9, all;
section 16, all;
sections 17 through 19, fractional;

sections 20 and 21, all;
section 28, all;
sections 29 through 35, fractional.

T. 21 N., R. 20 W.
sections 25 and 36, fractional.

T. 22 N., R. 16 W.
sections 16 through 18, fractional;
section 19, all;
sections 20 through 23, fractional;
sections 26 and 27, fractional;
sections 28 through 32, inclusive;
sections 33 through 36, fractional.

T. 22 N., R. 17 W.
sections 4 through 6, fractional;
sections 7 and 8, all;
sections 9 and 10, fractional;
sections 12 through 16, fractional;
sections 17 through 36, inclusive.

T. 22 N., R. 18 W.
section 1, fractional;
section 2, all;
section 3, excluding right-of-way 44 L.D. 513, F-14738;
section 4, excluding U.S. Survey 4227;
section 5, excluding U.S. Survey 4227;
section 6, fractional, excluding U.S. Survey 2244, U.S. Survey 2979, U.S. Survey 4227, and U.S. Survey 4615;

section 7, excluding U.S. Survey 4227 and U.S. Survey 4615, and right-of-way 44 L.D. 513, F-18794 (VOR Site only);
section 8, excluding U.S. Survey 4227;
section 9, excluding U.S. Survey 4227;
section 10, excluding PLO 2344;
section 11, excluding PLO 2344;
section 12, fractional;
section 13, all;

section 14, excluding PLO 2344 and Special Land Use Permit F-7715;
section 15, excluding PLO 2344 and Special Land Use Permit F-7715;
sections 16 through 36, inclusive.

T. 22 N., R. 19 W.
section 12, fractional, excluding U.S. Survey 4615;
section 13, fractional, excluding U.S. Survey 4615;
section 14, fractional;
sections 22 through 25, fractional;
section 26, all;
section 27, fractional;
sections 33 and 34, fractional;
sections 35 and 36, all.

T. 23 N., R. 16 W.
section 7, fractional;
sections 16 through 18, fractional;
sections 21 through 23, fractional;
sections 25 and 26, fractional.

T. 23 N., R. 17 W.
sections 5 through 5, fractional;
sections 7 and 8, fractional;
section 10, fractional, excluding PLO 2344;
section 11, fractional, fractional, excluding PLO 2344;
section 12, fractional;
section 18, fractional;
section 31, fractional;

T. 23 N., R. 18 W.
section 12, fractional;
section 13, fractional, excluding PLO 2344;
section 24, fractional, excluding PLO 2344;
section 25, fractional, excluding PLO 2344;
section 31, fractional, excluding U.S. Survey 1432, U.S. Survey 4615;
section 32, fractional, excluding U.S. Survey 1432, U.S. Survey 4615, and PLO 2344;
section 33, excluding PLO 2344;
section 34, excluding PLO 2344;
section 35, excluding PLO 2344;
section 36, fractional, excluding PLO 2344.

T. 24 N., R. 17 W.
sections 32 and 33, fractional.

The interim conveyance issued for the surface estate of the lands described above shall contain the following reservations to the United States:

1. A right-of-way thereon for ditches and canals constructed by the authority of the United States. Act of August 30, 1890 (26 Stat. 391); 43 U.S.C. 945.

2. A 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); 43 U.S.C. 975(d).

3. The subsurface estate therein, and all rights, privileges, immunities and appurtenances, of whatsoever nature, accruing into said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688); 43 U.S.C. 1601-1624.

4. Pursuant to section 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688); the following easements referenced by easement identification number (EIN) on the easement map in case file F-14836-EE are reserved to the United States and subject to further regulations thereby:

a. A site easement for public purposes and a road easement for use by the public to gain access to said site. The locations of said easements are:

A five (5) acre site easement covering the Rogers-Post Monument (EIN 9-C4) and a road easement of one hundred (100) feet in width to said site from Barrow-Wainwright Road easement (EIN 3-C5, E), and its use is to be controlled by applicable State and Federal law or regulations.

b. A one (1) acre site easement for public purposes covering the site of the original village of Barrow at Point Barrow (EIN 10-C4), and its use is to be controlled by applicable State and Federal law or regulations.

c. A trail easement twenty-five (25) feet in width for use by the public to gain access to and from public lands south of the selection.

Said easement is located along the route of the existing winter trail along the Chukchi Sea coast from the Division of Aviation tract at Barrow, southerly to the public lands outside the selection and northerly from the boundary of the Navy Arctic Research Laboratory site along the existing trail to Point Barrow and extending beyond to the Arctic Research site at Plover Point (EIN 1-C5, E), and its use is to be controlled by applicable State or Federal law or regulations.

d. A road easement one hundred (100) feet in width for the proposed Barrow-Wainwright Road for use by the public to gain access to and from public lands south of the selection. Said easement is located along the alignment proposed by the Alaska Department of Highways from the Emakous Lake road southerly towards Wainwright, and including a spur to Emakous Lake (EIN 2-C5, E), and its use is to be controlled by applicable State or Federal law or regulations.

e. A road easement one hundred (100) feet in width for use by the public to gain access to and from public lands east of the selection. Said easement is located along the alignment of L.D. 513, right-of-way from the Navy Arctic Research Laboratory site to the Navy gas well and continuing easterly to public lands outside the selection (EIN 4-C5, E), and its use is to be controlled by applicable State or Federal law or regulations.

f. A road easement one hundred (100) feet in width for use by the public to gain access to and from public lands south of the selection. Said easement begins from the Barrow-Wainwright Road easement and runs southeasterly along the west shore of Lake Sungvoak to lands south of the selection (EIN 4b-C5, E), and its use is to be controlled by applicable State or Federal law or regulations.

g. A road easement one hundred (100) feet in width for use by the public to gain access to and from public lands to the south and east of the selection. Said easement begins at Barrow and runs southerly along the route proposed by the village corporation, past the east shore of Lake Sungvoak to lands south of the selection (EIN-C5, M), and its use is to be controlled by applicable State or Federal law or regulations.

h. The following existing 44 L.D. 513 rights-of-way and appurtenances thereto, constructed by the United States through, over, or upon the land herein described and the right of United States, its agents or employees to maintain, operate, repair, or improve the same so long as needed or used for or by the United States (EIN 11-C4, 44 L.D. 513):

- 1) F-013216;
- 2) F-122945;
- 3) F-026975;
- 4) F-031617, Parcels A, B, and C;
- 5) F-035319;
- 6) F-12605;
- 7) F-18794.

i. In addition to the foregoing, the United States reserves:

1) The general right to enter upon the lands herein granted for cadastral, geodetic, or other survey purposes, together with the right to all things necessary in connection therewith.

2) A continuous linear easement twenty-five (25) feet in width upland and parallel to the mean high tide line, in order to provide public access to and along the marine coastline and use of such shore for the purposes such as the beaching of watercraft or aircraft, travel along the shore, recreation, and other similar uses (EIN 6-C5). Deviations from the waterline are permitted when specific conditions so require, e.g., impassable topography or waterfront obstruction. This easement is subject to the right of the owner of the servient estate to build upon such easement a facility for public or private purposes, such right to be exercised reasonably and without undue or unreasonable interference with or obstruction of the easement. When access along the marine coastline easement is to be obstructed, the owner of the servient estate will be obligated to convey to the United States an acceptable alternate access route at no cost to the United States, prior to the creation of such obstruction.

3) An easement for the transportation of energy, fuel, and natural resources which are the property of the United States or which are intended for delivery to the United States or which are produced by the United States. This easement also includes the right to build any related facilities necessary for the exercise of the right to transport energy, fuel, and natural resources including those related facilities necessary during periods of planning, locating, constructing, operating, maintaining, or terminating transportation systems. The specific location of this easement shall be determined only after consultation with the owner of the servient estate. Whenever the use of such easement will require removal or relocation of any structure owned or authorized by the owner of the servient estate, such use shall not be initiated without the consent of the owner of such improvement; provided, however,

that the United States may exercise the right of eminent domain if such consent is not given. Only those portions of this easement that are actually in use or that are expressly authorized on March 3, 1996, shall continue to be in force.

j. Furthermore, the United States incorporates by reference the agreement of May 14, 1974, between the United States Department of the Navy and the Arctic Slope Regional Corporation and four native village corporations, and reserves those easements necessary to implement said agreement. A copy of the agreement is located in Bureau of Land Management file F-14836-EE.

The grant of lands by the interim conveyance shall be subject to:

1. Issuance of a patent confirming the boundary description of the lands granted after approval and filing by the Bureau of Land Management of the official plan of survey covering such lands.

2. Valid existing rights therein, including but not limited to those created by any lease (including a lease issued under section 6(g) of the Alaska Statehood Act (72 Stat. 339, 341), contract, permit, right-of-way, or easement and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him.

3. Requirements of section 14(c) of the Alaska Native Claims Settlement Act, 85 Stat. 688, 703; 43 U.S.C. 1613(c), that the grantee hereunder convey those portions of land hereinafter granted, as prescribed in said section.

Interim conveyance to the lands remaining in the application will be made at a later date. Conveyance to the lands in T. 22 N., R. 18 W., Umiat Meridian covered by special land use permit F-7715 will be made after the permittee has met the stipulations contained in the permit and the lands are restored to their former condition. It should be noted that no interim conveyance will be issued to the Arctic Slope Regional Corporation for the subsurface estate of these lands, since the lands involved are located within Naval Petroleum Reserve No. 4. Section 12(a)(1) of the Alaska Native Claims Settlement Act provides that when a village corporation selects the surface estate to lands within Naval Petroleum Reserve No. 4, the regional corporation may make lieu selections of the subsurface estate, in an equal acreage, from other lands withdrawn by subsection 11(a) of the act. Enclosed is a current status plat showing the lands approved for interim conveyance.

The Ukpeagvik Inupiat Corporation has the right of appeal to the Alaska Native Claims Appeal Board in accordance with regulations in 43 CFR 4.900. If an appeal is taken, the notice of appeal must be filed with the Alaska Native Claims Appeal Board, P.O. Box 2433, Anchorage, Alaska 99501 and a copy served upon the Bureau of Land Management and the Regional Solicitor, Office of the Solicitor, 1016 West Sixth Avenue, Suite 201, Anchorage, Alaska 99501, within 30 days from receipt of this decision. To avoid summary dismissal of the appeal, there must be strict compliance with the regulations. See enclosed ASO Form 2650-4.

/s/ Robert E. Sorenson
Chief, Branch of Lands
and Minerals Operations

Enclosures
ASO Form 2650-4
Regulations
Plats

In accordance with Departmental regulation 43 CFR 2650.7(d), notice of this decision is being published once in the FEDERAL REGISTER and once a week, for four (4) consecutive weeks, in the TUNDRA TIMES. Any party claiming a property interest in land affected by this decision may appeal the decision to the Alaska Native Claims Appeal Board, P.O. Box 2433, Anchorage, Alaska 99501 and with a copy served upon the Bureau of Land Management and the Regional Solicitor, Office of the Solicitor, 1016 West Sixth Avenue, Suite 201, Anchorage, Alaska 99501; also:

1. Any party receiving actual notice of this decision shall have 30 days from the receipt of actual notice to file an appeal.

2. Any unknown parties, any parties unable to be located after reasonable efforts have been expended to locate, and any parties who failed or refused to sign a receipt for actual notice, shall have 30 days from the date of publication in the FEDERAL REGISTER, which is August 30, 1976, to file an appeal.

3. Any party or unknown who may claim a property interest which is adversely affected by this decision shall be deemed to have waived their rights which were adversely affected unless an appeal is timely filed with the Alaska Native Claims Appeal Board.

To avoid summary dismissal of the appeal, there must be strict compliance with the regulations governing such appeal. Further information on the manner of, and requirements for, filing an appeal may be obtained from the Bureau of Land Management, 555 Cordova Street, Anchorage, Alaska 99501.

Robert E. Sorenson
Chief, Branch of Lands
and Minerals Operations

Pub.: Sept. 8, 15, 22 & 29, 1976.

LEGAL NOTICE

NORTH SLOPE BOROUGH
NOTICE OF EXISTING BONDED INDEBTEDNESS

This Notice of Existing Bonded Indebtedness pertains to the bond election being held October 5, 1976 by the North Slope Borough. The following is in compliance with Alaska Statutes 29.58.160(b) and the Home Rule Charter of the North Slope Borough.

(1) The amount of bonds and purpose of their issuance and length of time within which bonds shall mature is as follows:

Amount	Purpose	Ord.	Estimated Maturity	Estimated Annual Debt Service
\$10,000,000	School Construction	76-17	30 years	\$ 805,864.04
10,655,000	Road Construction	76-18	30 "	" 859,454.00
667,000	Airport & Aviation Facilities	76-19	30 "	" 53,751.13
830,000	Urban Renewal & Development	76-20	30 "	" 66,886.72
4,123,000	Light, Power & Heating Systems	76-21	30 "	" 332,257.74
127,000	Public Safety Facilities	76-22	30 "	" 10,234.47
540,000	Telephone Facilities	76-23	30 "	" 43,516.66
136,000	Sewage Treatment & Disposal Facilities	76-24	30 "	" 10,959.75
136,000	Water Facilities	76-25	30 "	" 10,959.75
270,000	Sanitary Facilities—Solid Waste	76-26	30 "	" 21,758.33
\$27,494,000				\$2,215,642.59

(2) The estimated annual debt service on the proposed bonds at an estimated interest rate of 7 per cent assuming a level debt service for the issue over an estimated maximum maturity of 30 years would be as reflected in the last column above entitled "Estimated Annual Debt Service."

(3) The current total general obligation indebtedness (August 31, 1976) of the Borough, including authorized but unsold general obligation bonds is as follows:

Bonds Outstanding	\$34,000,000
Bonds Authorized—Unsold	\$33,269,000

(4) The current year's (FY 1976-77) debt service on the outstanding general obligation bonds of the Borough is \$3,826,150.

(5) The current total assessed valuation within the Borough as of January 1, 1976 is: \$1,767,009,050.

Lloyd Ahvakana
Borough Clerk

Pub.: September 8, 15, 22, & 29, 1976.

LEGAL NOTICE

Notice is hereby given that the Commissioner of the Department of Highways, State of Alaska, has determined it is not feasible for the Department of Highways to perform certain soils analyses and subsurface interpretations of foundation data for a major bridge crossing of a tidal estuary.

Notice is further given that the Department will enter into a contract with a private firm for the performance of such functions in accordance with AS 44.44.030.

This work will consist of examining boring data collected by State forces to aid in establishing seismic criteria and to determine the earthquake response of certain soils. This

work may also include the performance or direction of supplementary field work in conjunction with the foregoing studies.

Interested consultants should submit information on their qualifications and experience on similar work performed. Such submissions will be considered if received on or before September 27, 1976.

H. D. Scougal
Commissioner of Highways
Alaska Department of Highways
P.O. Box 1467
Juneau, Alaska 99801

Pub: Sept. 22, 1976