

Interim Conveyance

Anchorage Recording District.

WHEREAS, pursuant to Sec. 604(b)(1)(B) of the Alaska Railroad Transfer Act of 1982 (96 Stat. 2556 et seq.; hereinafter referred to as "ARTA"), the Alaska Railroad Corporation is entitled to an interim conveyance for real property of the Alaska Railroad including both the right-of-way of the Alaska Railroad (railroad right-of-way) and other railroad lands (railroad parcels); this interim conveyance is hereby issued for the real property described below:

Railroad Parcels:Seward Meridian, AlaskaTps. 8 and 9 N., R. 3 E. (Portage)

(PLO 571/835) - all right, title and interest:
A tract of land 1420 feet wide and 3.30 miles long, 1320 feet on the east side of and parallel to and 100 feet on the west side of and parallel to the centerline of the present main line of The Alaska Railroad between mileage 61.30 and 64.60, bounded on the south by the southerly boundary line of the Turnagain Arm Townsite Reserve, established by E.O. 8480, dated July 12, 1940, the north boundary being a line at right angles to the centerline of the railroad at mileage 64.60.

Containing approximately: 575.00 acres.

(PLO 571/835) - all right, title and interest:
A tract of land 1/2 mile wide and 1.81 miles long, 1/4 mile on each side of and parallel to the centerline of The Alaska Railroad Passage Canal Connection, between mileage F-10.12 and F-11.93, bounded on the southeast by the easterly boundary line of the Turnagain Arm Townsite Reserve, established by E.O. 8480, dated July 12, 1940, and bounded on the northwest by the easterly boundary line of the parcel described above.

Containing approximately: 579.00 acres.

T. 9 N., R. 3 E.

(PLO 1425) - all right title and interest:
A tract of land approximately 3,200 feet long and
720 feet wide, lying easterly of the main tract of the
Alaska Railroad near Portage, Alaska, and more
specifically described as follows:

Beginning at a point on the easterly side of the
Alaska Railroad Reserve, Parcel No. 1, PLO 571 which
bears N. 09°15' W., 600 feet from the northwesterly
corner of Parcel No. 2, PLO 571; thence northwesterly,
1,250 feet along the easterly boundary of Parcel No. 1
to the southeasterly bank of Twentymile River;
northeasterly, 2,800 feet along the southeasterly bank
of Twentymile River; S. 49°21'15" E., 720 feet;
S. 40°38'45" W., 3,200 feet to the point of beginning.

Containing approximately: 46.00 acres.

(PLO 5576) - all right, title and interest:
In the SW4 Sec. 28, T. 9 N., R. 3 E. (unsurveyed),
beginning at what will be, when surveyed, the section
corner common to Sections 28, 29, 32 and 33; thence
east 759.00 feet; thence north 721.00 feet to a point
which is the true point of beginning; thence north
220.00 feet; thence east 495.00 feet; thence south
220.00 feet; thence west 495.00 feet to the point of
beginning.

Containing approximately: 2.50 acres.

T. 8 N., R. 4 E., (Whittier)

U.S. Survey No. 2559 - all right, title and interest:

Excluding lot 2, Block 2;

Also excluding the following described lands:

Beginning at the point for corner No. 1, located on
line 2-3, U.S. Survey No. 2559, and on the westerly
right-of-way of Midway Avenue; thence N. 17°30' E., on
the westerly right-of-way of Midway Avenue,
approximately 22.57 chains (1,489.70 feet) to corner
No. 2, identical with the northeast corner of Lot 17,
Block 1, U.S. Survey No. 2559; thence S. 78°51' E.,

approximately 9.31 chains (614.43 feet) to corner No. 3; thence N. 11°09' E., approximately 1.14 chains (75.00 feet) to corner No. 4; thence S. 78°51' E., approximately 2.35 chains (155.00 feet) to corner No. 5; thence N. 11°09' E., approximately 0.61 chains (40.00 feet) to corner No. 6, located on line 1-9, U.S. Survey No. 2559, and approximately 9.09 chains (600.00 feet) N. 89°51' W., of corner No. 9, U.S. Survey No. 2559; thence S. 89°51' E., on a portion of line 1-9, U.S. Survey No. 2559, approximately 9.09 chains (600.00 feet) to corner No. 7, identical with corner No. 9, U.S. Survey No. 2559; thence N. 76°29' E., 0.64 chains (42.18 feet) to corner No. 8; thence N. 55°39' E., approximately 21.60 chains (1,425.77 feet) to corner No. 9; thence N. 34°21' W., approximately 0.23 chains (15.00 feet) to corner No. 10, on line 9-8, U.S. Survey No. 2559, approximately 1.52 chains (100.00 feet) S. 55°39' W., of corner No. 8, U.S. Survey No. 2559; thence N. 55°29' E., on line 9-8, approximately 1.52 chains (100.00 feet) to corner No. 11, identical with corner No. 8, U.S. Survey No. 2559; thence S. 34°21' E., on line 8-7, U.S. Survey No. 2559, approximately 6.67 chains (440.00 feet) to corner No. 12, identical with corner No. 7, U.S. Survey No. 2559; thence S. 55°39' W., on line 7-6, U.S. Survey No. 2559, approximately 18.56 chains (1,224.97 feet) to corner No. 13, identical with corner No. 6, U.S. Survey No. 2559; thence S. 81°19' W., on line 6-5, approximately 14.14 chains (933.47 feet) to corner No. 14, identical with corner No. 5, U.S. Survey No. 2559; thence S. 48°00' W., on line 5-4, U.S. Survey No. 2559, approximately 14.21 chains (937.68 feet) to corner No. 15, identical with corner No. 4, U.S. Survey No. 2559; thence S. 36°00' W., on line 4-3, U.S. Survey No. 2559, approximately 7.73 chains (510.04 feet) to corner No. 16, identical with corner No. 3, U.S. Survey No. 2559; thence N. 78°50' W., on a portion of line 3-2, U.S. Survey No. 2559, approximately 6.55 chains (432.10 feet) to corner No. 1, the point of beginning.

Containing approximately: 27.05 acres.

PLO 1410 - all right, title and interest:

Beginning at Corner No. 2 of PLO 1056, dated January 18, 1955, which bears N. 02°29.75' E., 630.60 feet thence N. 11°09' E., 337.20 feet from U.S.L.M. No. 2559, Whittier Townsite; thence, from the point of beginning N. 11°09' E., 375.00 feet; thence S. 68°00'17" E., 713.43 feet to Corner No. 4 of PLO 1056; thence S. 56°09' W., 500 feet to Corner No. 3 of PLO 1056; thence N. 60°51' W., 365.00 feet to Corner No. 2 of PLO 1056, the point of beginning.

Containing approximately: 4.88 acres.

PLO 1056 - all right, title, and interest:

Beginning at the point of intersection of the line of mean high water of Passage Canal with the easterly boundary line of Parcel No. 6 as described in PLO 587 of May 23, 1949, which is located N. 11°09' E., 372.57 feet from a point in the center line of the main track of the Alaska Railroad at Survey Station "B" 15 plus 68.00. From the point of beginning, U.S.L.M. No. 2559, Whittier Townsite, bears S. 2°29.75' W., 630.69 feet; thence from the point of beginning N. 11°09' E., 337.20 feet; S. 60°51' E., 365.00 feet; N. 56°09' E., 500.00 feet; S. 61°21' E., 280.00 feet; S. 56°09' W., 809.73 feet to a point on line of mean high tide. Northwesterly, 405.00 feet approximately along line of mean high tide to point of beginning.

Containing approximately: 6.52 acres.

PLO 1113 - all right, title and interest:

Beginning at a point which bears S. 88°39' W., 200 feet from the most southerly corner of Parcel No. 7 of Public Land Order No. 587 as withdrawn on 23 May 1949; thence N. 88°39' E., 200 feet to said most southerly corner of Parcel No. 7; thence N. 34°21' W., 77.20 feet to the most westerly corner of Parcel No. 7; thence N. 55°39' E., along the northwest line of Parcel No. 7 a distance of 1,746.18 feet to a point on said northwest line which is S. 55°39' W., 25.95 feet from the most northerly corner of Parcel No. 7; thence S. 70°09' W., 1,846.96 feet to a point; thence N. 60°51' W., 300 feet to a point; thence S. 56°09' W., 525 feet more or less to a point on the

south line of the West Camp access road; thence in a southeasterly direction along the south line of said access road 885 feet more or less to the point of beginning, excluding any lands above the mean high water mark of Passage Canal.

Containing approximately: 15.93 acres.

Seward Meridian, Alaska

T. 13 N., Rs. 3 and 4 W. (Anchorage)

Certificate of Approval in accordance with the conditions set forth in the Tideland Agreement entered into by the Alaska Railroad and the City (Municipality) of Anchorage, on March 3, 1975, as depicted on the map recorded in the Anchorage Recording District - Book 691, page 135.

Containing approximately: 350.00 acres.

Parcels aggregating approximately: 1606.88 acres.

Railroad Right-of-way as defined by Section 603(11) of ARTA:

U.S. Survey No. 4597, Tract A excluding PLO 835 - all right, title and interest.

Containing approximately: 2.33 miles or 56.48 acres.

Seward Meridian, Alaska

Potter Hill (located within T. 12 N., R. 3 W.) - all right, title and interest:

All that portion of Tract One (1) Block One (1), TURNAGAIN PARK SUBDIVISION, according to Plat P-160 included within a parcel of land in the Anchorage Recording District, Third District, State of Alaska, described as follows: Beginning at the most Westerly corner of said Tract 1, and running thence N. 49°59'50" E. along the Northwesterly boundary of said Tract 1 for a distance of 78.02 feet; thence S. 42°57'00" E. 123.90 feet; thence S. 30°34'00" W. 78.38 feet to a point on Southwesterly boundary of said Tract 1; thence in a Northwesterly direction along the Southwesterly boundary of said Tract 1 for a distance of 150.00 feet, m/l, to the point of

beginning; all bearings being based on the Alaska State Plane Coordinate System Zone 4; said parcel of land being situated in the Northeast one-quarter (NE 1/4) of the Southeast one-quarter (SE 1/4) of Section 32, T. 12 N., R. 3 W., Seward Meridian.

Containing approximately: 0.24 acre.

All that portion of Tract Two (2), Block One (1), TURNAGAIN PARK SUBDIVISION, according to Plat P-160 lying southwesterly of the line designated as "Take Line", on that certain map titled Potter Hill Relocation, Alaska Railroad, designated as Plat 64-108 in the Anchorage Recording District, Third District, State of Alaska.

Containing approximately: 0.29 acre.

All that portion of Tract Three (3), Block One (1), TURNAGAIN PARK SUBDIVISION, according to Plat P-160 lying southwesterly of the line designated as "Take Line", on that certain map titled Potter Hill Relocation, Alaska Railroad, designated as Plat 64-108 in the Anchorage Recording District, Third District, State of Alaska.

Containing approximately: 0.22 acre.

All that portion of Tract Four (4), Block One (1), TURNAGAIN PARK SUBDIVISION, according to the recorded plat thereof, lying southwesterly of the line designated as "Take Line", on that certain map titled Potter Hill Relocation, Alaska Railroad, designated as document #64-108 in the Office of the Recorder, Anchorage Recording District, Third District, State of Alaska.

Containing approximately: 0.40 acre.

All that portion of Tract Five (5), Block One (1), TURNAGAIN PARK SUBDIVISION, according to the recorded plat thereof, lying southwesterly of the line designated as "Take Line" on that certain map titled Potter Hill Relocation, Alaska Railroad, designated as document #64-108 in the Office of the Recorder, Anchorage Recording District, Third District, State of Alaska.

Containing approximately: 0.26 acre.

All that portion of Tract Six (6), Block One (1), TURNAGAIN PARK SUBDIVISION, according to the recorded plat thereof, lying southwesterly of the line designated as "Take Line", on that certain map titled Potter Hill Relocation, Alaska Railroad, designated as document #64-108.

Containing approximately: 0.26 acre.

All that portion of Tract Seven (7), Block One (1), TURNAGAIN PARK SUBDIVISION, according to Plat P-160, lying Southwesterly of the line designated as "Take Line", on that certain map titled Potter Hill Relocation, Alaska Railroad, designated as Plat 64-108, in the Anchorage Recording District, Third District, State of Alaska.

Containing approximately: 0.25 acre.

All that portion of Tract Eight (8), Block One (1), TURNAGAIN PARK SUBDIVISION, according to Plat P-160 lying southwesterly of the line designated as "Take Line", on that certain map titled Potter Hill Relocation, Alaska Railroad, designated as Plat 64-108 in the Anchorage Recording District, Third District, State of Alaska.

Containing approximately: 0.29 acre.

All that portion of Tract Nine (9), Block One (1), TURNAGAIN PARK SUBDIVISION, according to the recorded plat thereof, lying Southwesterly of the line designated as "Take Line", on that certain map titled Potter Hill Relocation, Alaska Railroad, designated as document #64-108, in the Office of the Recorder, Anchorage Recording District, Third District, State of Alaska.

Containing approximately: 0.28 acre.

All that portion of Tract Ten (10), Block One (1), TURNAGAIN PARK SUBDIVISION, according to Plat P-160 lying southwesterly of the line designated as "Take Line", on that certain map titled Potter Hill Relocation, Alaska Railroad, designated as Plat 64-108 in the Anchorage Recording District, Third District, State of Alaska.

Containing approximately: 0.28 acre.

All that portion of Tract Eleven (11), Block One (1), TURNAGAIN PARK SUBDIVISION, according to the recorded plat thereof, lying southwesterly of the line designated as "Take Line", on that certain map titled Potter Hill Relocation, Alaska Railroad, designated as document #64-108 in the Anchorage Recording District, Third District, State of Alaska.

Containing approximately: 0.23 acre.

All that portion of Tract Twelve (12), Block One (1), TURNAGAIN PARK SUBDIVISION, according to Plat P-160, lying Southwesterly of the line designated as "Take Line", on that certain map titled Potter Hill Relocation, Alaska Railroad, designated as Plat 64-108 in the Anchorage Recording District, Third District, State of Alaska.

Containing approximately: 0.02 acre.

All that portion of the Southwest one-quarter (SW 1/4) of Section 29, T. 12 N., R. 3 W., Seward Meridian, Alaska, included within a tract of land described as follows:

BEGINNING at the most westerly corner of Lot Twenty-One (21) in Block Three (3), SUNSET HILLS WEST SUBDIVISION, according to the recorded plat thereof, and running thence N. 89°51'30" E. 47.81 feet along the northerly line of said Lot 21; thence N. 46°45'00" W. 233.84 feet; thence N. 43°15'00" W. 392.94 feet; thence N. 39°45'00" W. 294.74 feet; thence N. 36°35'00" W. 294.73 feet; thence S. 36°26'20" E. 525.41 feet; thence S. 40°35'00" E. 455.00 feet; thence S. 46°28'00" E. 204.81 feet to the point of beginning, all bearings being based on the Alaska State Plane Coordinate System, Zone 4.

Containing approximately: 0.441 acre.

Lots Six (6), Eleven (11), and Twelve (12) in Block Three (3) of SUNSET HILLS WEST SUBDIVISION, according to the official plat thereof recorded July 17, 1961, under Plat No. P-600 in the Anchorage Recording District, Third District, State of Alaska.

Containing approximately: 1.08 acres.

Lot Ten (10) in Block Three (3) of SUNSET HILLS WEST SUBDIVISION, according to the official plat thereof recorded July 17, 1961, under Plat P-600 in the Anchorage Recording District, Third District, State of Alaska.

Containing approximately: 0.355 acre.

Lot Five (5), in Block Three (3), of SUNSET HILLS WEST SUBDIVISION, according to the official plat thereof filed July 17, 1961, under Plat No. P-600 in the Anchorage Recording District, Third District, State of Alaska.

Containing approximately: 0.45 acre.

Lot Seven (7), Block Three (3) of SUNSET HILLS WEST SUBDIVISION, according to the official plat thereof filed July 17, 1961, under Plat No. P-600 in the Office of the District Recorder for the Anchorage Recording District, Third District, State of Alaska.

Containing approximately: 0.35 acre.

Lot Eight (8), Block Three (3) of the SUNSET HILLS WEST SUBDIVISION, according to the official plat thereof filed July 17, 1961 under Plat No. P-600 in the Office of the District Recorder for the Anchorage Recording District, Third District, State of Alaska.

Containing approximately: 0.35 acre.

Lot Nine (9) in Block Three (3) of SUNSET HILLS WEST SUBDIVISION, according to the official plat thereof filed July 17, 1961, under Plat No. P-600 in the Office of the District Recorder for the Anchorage Recording District, Third District, State of Alaska.

Containing approximately: 0.35 acre.

All that portion of Lot Nineteen of Block Three, SUNSET HILLS WEST SUBDIVISION, according to the recorded plat thereof, lying southwesterly of the line designated as "Take Line", on that certain map titled Potter Hill Relocation, Alaska Railroad, designated as document #64-105 in the Office of the Recorder, Anchorage Recording District.

Containing approximately: 0.35 acre.

All that portion of Lot Twenty-One (21), Block Three of the SUNSET HILLS WEST SUBDIVISION, according to the official plat thereof filed October 9, 1964, under Plat P-600, lying southwesterly of the line designated as "Take Line", on that certain map titled Potter Hill Relocation, Alaska Railroad, designated as document #64-105 in the Office of the District Recorder, Anchorage Recording District, Third District, State of Alaska.

Containing approximately: 0.51 acre.

T. 10 N., R. 2 E.

That portion of Tract A more particularly described as protracted:

Secs. 19, 20, 29, 32 and 33 - not less than an exclusive use easement.

Containing approximately: 4.00 miles or 96.96 acres.

T. 11 N., R. 2 W.

Secs. 30 to 33, inclusive - not less than an exclusive use easement.

Containing approximately: 3.24 miles or 78.54 acres.

T. 11 N., R. 3 W.

Secs. 4, 9, 10, 15, 22, 23, 25 and 26 - not less than an exclusive use easement.

Containing approximately: 6.42 miles or 155.62 acres.

T. 12 N., R. 3 W.

Secs. 6 and 7 - not less than an exclusive use easement;

Sec. 18, and the West seventeen feet of that portion of lots 6, 7, 8 and 9, WILSON SUBDIVISION, according to the official plats thereof on file in the Office of the District Recorder, Anchorage Recording District, Alaska, located East of the Alaska Railroad right-of-way - not less than an exclusive use easement;

And the West seventeen feet of that portion of the N2SE4SE4 located East of the Alaska Railroad right-of-way - not less than an exclusive use easement;

And a strip of land located within Tract 13A, NIGH SUBDIVISION, according to the official plat thereof on file in the Office of the District Recorder, Anchorage Recording District, Alaska, described as follows:

Beginning at the Southwest corner of Tract 13A; thence S. 62°03'36" E., 18.50 feet; thence N. 10°37'16" W., 150.78 feet; thence S. 04°41'22" E., 140.00 feet to the point of beginning - not less than an exclusive use easement;

Sec. 19, and the West seventeen feet of that portion of Block 3, lots 1-10, inclusive, TURNAGAIN SUBDIVISION No. 2, and lot 3, JUNCTION SUBDIVISION, according to the official plats thereof on file in the Office of the District Recorder, Anchorage Recording District, Alaska - not less than an exclusive use easement;

And the West seventeen feet of that portion of the NE4NE4 located East of the Alaska Railroad right-of-way - not less than an exclusive use easement;

Sec. 20, 29, 30 and 32 - not less than an exclusive use easement.

Containing approximately: 5.83 miles or 146.66 acres.

T. 12 N., R. 4 W.

Sec. 1 - not less than an exclusive use easement.

Containing approximately: 0.40 mile or 9.69 acres.

T. 13 N., R. 4 W.

Secs. 23, 24, 25 and 26 - not less than an exclusive use easement;

Sec. 34, lot 12, SE4NE4, SE4NW4 - not less than an exclusive use easement;

Sec. 35, lots 3 and 4, NE4, N2S2 - not less than an exclusive use easement;

Sec. 36 - not less than an exclusive use easement.

Containing approximately: 6.99 miles or 139.14 acres.

T. 15 N., R. 2 W.

Sec. 24 - not less than an exclusive use easement;
Sec. 25, NW4 - not less than an exclusive use easement.

Containing approximately: 1.50 miles or 36.36 acres.

T. 15 N., R. 1 W.

Sec. 5, lots 3, 14, 17, 25, 26, 31, 53 and 65 - not less than an exclusive use easement;
Sec. 7, lots 8, 19, 24, 25, 34, 35, 40, 41, 63, 70, 71, 91, 92 and NE4NE4 - not less than an exclusive use easement;
Sec. 18, lots 11, 27, 28, 42, 57, 76, 88, 108, 118, 138, 144, 162, 164, 185 and 200 - not less than an exclusive use easement;
Sec. 19, lot 4 - not less than an exclusive use easement.

Containing approximately: 2.534 miles or 42.844 acres.

T. 16 N., R. 1 W.

Sec. 24, lot 4, SE4NE4, SW4SW4 and S2NW4SE4 - not less than an exclusive use easement;
Sec. 25, W2NW4 - not less than an exclusive use easement.

Containing approximately: 0.93 mile or 22.54 acres.

T. 16 N., R. 1 E.

Sec. 19, lots 4, 5, NE4SW4 and W2NW4SE4 - not less than an exclusive use easement.

Containing approximately 0.545 mile or 13.21 acres.

Aggregating approximately: 34.72 miles or 805.30 acres.

Total aggregate for parcels and right-of-way: 2412.18 acres.

NOW KNOW YE that the United States of America has given and granted, and by these presents in conformity with ARTA does give, grant and convey unto the Alaska Railroad Corporation, its assigns and successors the real property described above to have and to hold forever. The right, title, and interest hereby granted and conveyed in and to the real property described above are the full and complete right, title and interest of the United States in and to said real property, subject to the Reservations and Conditions

set out below. Pursuant to Sec. 606(b)(4)(B) of ARTA, the right, title and interest granted by the United States in the above-described real property that is located within the right-of-way of the Alaska Railroad shall not be less than an exclusive-use easement as defined in Sec. 603(6) of ARTA.

The force and effect of this interim conveyance is to vest in the Alaska Railroad Corporation exactly the same right, title and interest in and to the real property described above as the Alaska Railroad Corporation would have received had it been issued a patent for said real property.

Upon completion of the survey of the real property hereby granted and conveyed, a patent for said real property will be issued by the United States to the Alaska Railroad Corporation pursuant to Secs. 604(b)(2) and (3) of ARTA.

Reservations and Conditions

1. Pursuant to Sec. 610 of ARTA, this conveyance is subject to the following conditions:
 - a. Pursuant to Sec. 610(a) of ARTA, if, within ten years after the date of transfer, the Secretary of Transportation finds that all or part of the real property transferred to the State of Alaska under said Act is converted to a use that would prevent the State-owned railroad from continuing to operate, the real property (including permanent improvements to the real property) shall revert to the United States, or at the option of the State (as defined in Sec. 603(14) of ARTA), the State shall pay to the United States an amount determined to be the fair market value of that property at the time its conversion prevents continued operation of the railroad.
 - b. Pursuant to Sec. 610(b) of ARTA, if, after January 5, 1985, the State discontinues use of any land within the right-of-way, the interest hereby conveyed in such land shall revert to the United States when:
 - (1) The Governor of Alaska delivers to the Secretary of the Interior a notice of such discontinuance, including a legal description of the property subject to the notice, and a quitclaim deed thereto; or

- (2) The State has made no use of the land for a continuous period of eighteen years for transportation, communication, or transmission purposes. Pursuant to Sec. 610(b)(2) of ARTA, notice of such discontinuance shall promptly be published in the Federal Register by the Secretary of Transportation, the Secretary of the Interior, or the Secretary of Agriculture, and reversion shall be effected one year after such notice, unless within such one year period the State brings an appropriate action in the United States District Court for the District of Alaska to establish that the use has been continuing without an eighteen-year lapse. Any such action shall have the effect of staying reversion until exhaustion of appellate review of the final judgment in that action or termination of the right to seek such review, whichever first occurs.
2. Pursuant to Sec. 604(c)(2) of ARTA, the following existing easements for administration are reserved to the United States under the jurisdiction of:
- Secretary of Agriculture:
- Portage Creek Trail which is a 25-foot wide trail within U.S. Survey 4597, Tract A (PLO 835) (AA-953).
- Secretary of Defense:
- An easement for a pipeline within T. 10 N., R. 2 E., Tract A, Seward Meridian (A-067518).
- Such easements and the use of such easements shall not interfere with railroad operations or support functions of the State-owned railroad, as defined in Sec. 603(14) of ARTA.
3. The grant of the above-described real property is subject to the following rights and interests granted by the United States prior to this conveyance:
- a. The granted license under Power Project 2170 as to those lands herein conveyed within U.S. Survey No. 4597 (PLOs 571/835), Tract A (Tps. 8 and 9 N., R. 3 E., Seward Meridian); T. 10 N., R. 2 E., Tract A, Seward Meridian.

- b. Any interest in the Anchorage International Airport Road transferred to the State of Alaska by the quitclaim deed dated June 30, 1959, executed by the Secretary of Commerce under the authority of the Alaska Omnibus Act, Public Law 86-70 (73 Stat. 141) as to Secs. 34, 35 and 36, T. 13 N., R. 4 W., Seward Meridian.
- c. Any interest in the Glenn Highway transferred to the State of Alaska by the quitclaim deed dated June 30, 1959, executed by the Secretary of Commerce under the authority of the Alaska Omnibus Act, Public Law 86-70 (73 Stat. 141) as to Sec. 19, T. 16 N., R. 1 E., Seward Meridian.
- d. Any interest in the Seward/Anchorage Highway transferred to the State of Alaska by the quitclaim deed dated June 30, 1959, executed by the Secretary of Commerce under the authority of the Alaska Omnibus Act, Public Law 86-70 (73 Stat. 141) as to U.S. Survey No. 4597, Tract A (Tps. 8 and 9 N., R. 3 E., Seward Meridian); T. 10 N., R. 2 E., Tract A; Secs. 30 to 33, inclusive, T. 11 N., R. 2 W.; Secs. 10, 15, 22, 23, 25 and 26, T. 11 N., R. 3 W.; Secs. 19, 20, 29 and 30, T. 12 N., R. 3 W., Seward Meridian.
- e. Any interest in the Spenard Road transferred to the State of Alaska by the quitclaim deed dated June 30, 1959, executed by the Secretary of Commerce under the authority of the Alaska Omnibus Act, Public Law 86-70 (73 Stat. 141) as to Sec. 25, T. 13 N., R. 4 W., Seward Meridian.
- f. There is excepted and reserved any element of ownership from Secs. 24 and 25, T. 16 N., R. 1 W., and Sec. 19, T. 16 N., R. 1 E., Seward Meridian, conveyed by the United States pursuant to the Alaska Communications Disposal Act approved November 14, 1967 (40 U.S.C. 771-792) (AA-6187).
- g. A right-of-way, AA-8095, for highway purposes, issued to the State of Alaska, Department of Highways (now Department of Transportation and Public Facilities) within Sec. 19, T. 16 N., R. 1 E., Seward Meridian, under the Act of August 27, 1958, as amended (23 U.S.C. 317).
- h. A right-of-way, A-021429, for a transmission line, issued to the Matanuska Electric Association, Inc. within Sec. 5, T. 15 N., R. 1 W., Seward Meridian, under the Act of February 15, 1901 (43 U.S.C. 959).

- i. A right-of-way, A-029885, for an electric distribution line, issued to the Chugach Electric Association, Inc., within T. 10 N., R. 2 E., Tract A; Sec. 25, T. 11 N., R. 3 W., Seward Meridian, under the Act of February 15, 1901 (43 U.S.C. 959).
 - j. A right-of-way, A-059784, for a transmission line issued to Chugach Electric Association, Inc. within PLO 835 (T. 8 N., R. 3 E., Seward Meridian) under the Act of February 15, 1901 (43 U.S.C. 959).
 - k. A right-of-way, A-051647, for a natural gas pipeline, issued to the Alaska Pipeline Company, within Sec. 10, T. 11 N., R. 3 W., Seward Meridian, under the Act of February 25, 1920 (30 U.S.C. 185).
 - l. A right-of-way, A-064192, for highway purposes, issued to the State of Alaska, Department of Highways (now Department of Transportation and Public Facilities) within U.S. Survey No. 4597, Tract A (T. 9 N., R. 3 E., Seward Meridian), under the Act of August 27, 1958, as amended (23 U.S.C. 317).
4. Pursuant to Sec. 604(c)(1) of ARTA, there is excluded from this conveyance any unexercised right-of-way that may exist under 43 U.S.C. 975(d).

Definitions

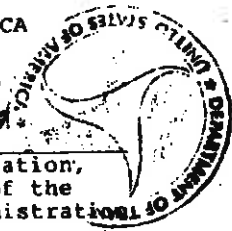
1. "Real property," as used herein, means land and all of the appurtenances, hereditaments, improvements, facilities, trackwork, roadbed, buildings, franchises, ways, waters, minerals, rights, privileges, fixtures, licenses, lease-holds, reversions, easements, rights under operating, trackage and joint facilities agreements, rents, issues, profits and other interests and items belonging to or in any way appertaining to the above-described land.
2. All of the terms used in this instrument that are defined in Sec. 603 of ARTA have the same meaning herein as provided in said section including but not limited to the following terms:
 - a. "Exclusive use easement," as used herein, means as provided by Sec. 603(6) of ARTA an easement which affords to the easement holder the following:

- (1) the exclusive right to use, possess, and enjoy the surface estate of the land subject to this easement for transportation, communication, and transmission purposes and for support functions associated with such purposes;
 - (2) the right to use so much of the subsurface estate of the lands subject to this easement as is necessary for the transportation, communication, and transmission purposes and associated support functions for which the surface of such lands is used;
 - (3) subjacent and lateral support of the lands subject to the easement; and
 - (4) the right (in the easement holder's discretion) to fence all or part of the lands subject to this easement and to affix track, fixtures, and structures to such lands and to exclude other persons from all or part of such lands;
- b. "Right-of-way," as used herein, means as provided in Sec. 603(11) of ARTA:
- (1) an area extending not less than one hundred feet on both sides of the centerline of any main line or branch line of the Alaska Railroad; or
 - (2) an area extending on both sides of the centerline of any main line or branch line of the Alaska Railroad appropriated or retained by or for the Alaska Railroad that, as a result of military jurisdiction over, or non-Federal ownership of, lands abutting the main line or branch line, is of a width less than that described in subparagraph (1) of this paragraph.

IN WITNESS WHEREOF, the undersigned authorized officer of the Department of Transportation has in the name of the United States, set his/her hand and caused the seal of the Department to be hereunto affixed on this 5th day of January, 1985, in Nenana, Alaska.

UNITED STATES OF AMERICA

Secretary of Transportation,
by the Administrator of the
Federal Railroad Administration



Accepted:

ALASKA RAILROAD CORPORATION

By: [Signature]
Its: Chairman of the Board
Dated January 5, 1985

January 9, 1985

Dear District Recorder,

After recording please return the attached documents to:

Alaska Railroad Corporation

Pouch 7-2111

Anchorage, Alaska 99510-7069

Attention: James O. Campbell, Chairman
Board of Directors

Thank you.

85-001597
NR

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ANCHORAGE REG.
DISTRICT

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REQUESTED BY ALASKA RAILROAD CORP,
ADDRESS _____