

#77

RIGHT-OF-WAY DEED

THIS INDENTURE, made the 28th day of February, in the year one thousand nine hundred and fifty one, between Dominic Kelly of Seward Recording District of the Third Judicial Division, Territory of Alaska, grantor, party of the first part, and the Territory of Alaska, grantees, party of the second part

WITNESSETH:

That for and in consideration of one dollar (\$1) in hand paid, receipt whereof is hereby duly acknowledged, the party of the first part does hereby grant, bargain, sell, convey, and confirm unto the United States of America, an easement and right-of-way in gross over the following tract, lot, piece, or parcel, of land, situate, lying and being in Lot F of U.S. Survey #2533 approximately 20 1/2 miles North of Seward on the Seward-Anchorage Highway in the Seward Recording District of the Third Judicial Division, Territory of Alaska, and bounded and described as shown on plat attached hereto and made a part hereof.

The said right-of-way hereby granted is for the maintenance, and full, free, and quiet use and enjoyment by the Territory of Alaska for any and all purposes by it deemed necessary or beneficial for on in connection with the construction, maintenance and operation of a public highway, and, so far as may be with that enjoyment compatible, by the general public as a public highway of a certain road or way heretofore formed, and traversing the above described premises according to the said plat hereto attached and made a part of this instrument.

This grant shall be effective only so long as said easement shall be actually used for any of the purposes above specified, and so long as said road or way shall be maintained and kept in repair and in good and passable condition by either the United States of America or the Territory of Alaska, or by those acting in their behalf, but all rights hereunder shall revert to the owner of the fee as soon as the said use thereof shall be abandoned and discontinued.

The grantee shall at all reasonable times have the right to enter for the purpose of constructing, repairing, and patrolling said right-of-way, doing as little damage as possible.

IN WITNESS WHEREOF, the party of the first part has hereunto subscribed his name and affixed his seal, the day and year first hereinabove written.

Signed, Sealed and Delivered) Dominic Kelly
:
in the presence of) Dominic Kelly
William Halgettegan

Individual Acknowledgment

UNITED STATES OF AMERICA)
:
STATE OF WASHINGTON)

THIS IS TO CERTIFY that on this 28th day of February 1951 before me the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Dominic Kelly to me known to be the person described in and who executed the above and foregoing instrument, and acknowledged to me that he signed and sealed the same freely and voluntarily for the uses and purposes therein mentioned.

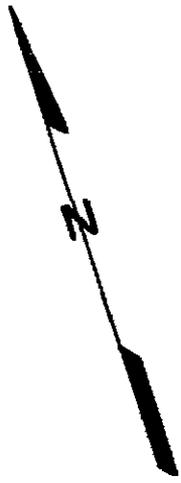
WITNESS my hand and official seal the day and year in this certificate first above written.

Signe N. King
Notary Public for Washington. My commission expires Sept. 5, 1952

(Notary Seal)

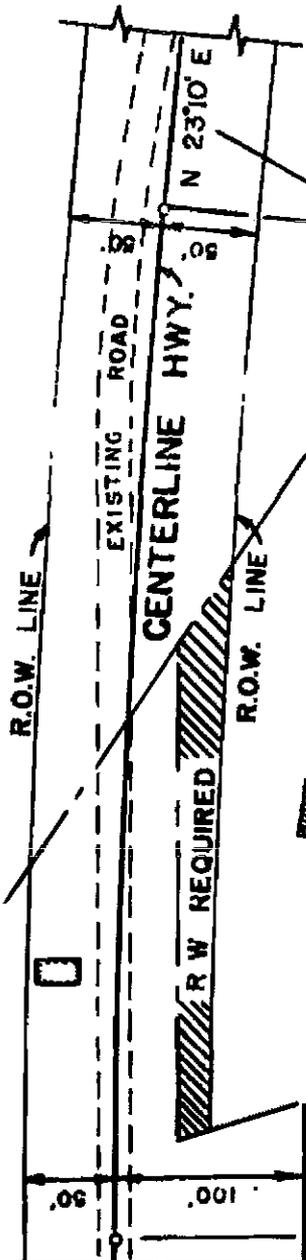
Filed for record at 3:00 o'clock P.M. March 1, 1951, at request of B.M. French

Anna B. Douchard
U.S. Commissioner and ex-officio Recorder



J. H. Wesley

B.P.R. CINDER SHED



J. H. Wesley

$A = 5^{\circ}26'$
 $D = 1^{\circ}00'$
 $T = 271.9$
 $L = 543.3$

U.S.S. N^o 2533 LOT F

Dominic Kelly

MAP

Showing

RIGHT OF WAY REQUIRED

through

U.S.S. N^o 2533 LOT F

Seward-Anchorage Highway

