

What you see here is a Homestead Patent. This patent is the supreme title to the land and is irrefutable. It is "vested". It is "previously conveyed". It is "uncontested". It is 100% undisputed and fully protected by both our State and Federal Constitutions.

Within the Homestead Patent is spelled out the right of way language as defined in the 1914 Alaska Railroad Act, which mirrors the language Congress used in the General Railroad Act of 1875. This is the law of the land as defined by the US Supreme Court, and our Alaska State Supreme Court as recently as January, 2018.

**."And there is, also, reserved to the United States a right-of-way for the construction of railroads, telegraph and telephone lines in accordance with the Act of March 12, 1914...."**

As far as the private property of Alaskans is concerned, this Homestead Patent indisputably represents exactly ALL of what the Federal Government "owned" before the transfer to give or "convey" to the State of Alaska. This right-of-way also represents numerous and valuable property rights which are also guaranteed by the constitution. One example would be the legal right for the property owner to use that portion of the right-of-way (with obvious restrictions) which the RR doesn't need to safely take care of their business in the right-of-way.

Another very valuable property right would be the "right of reversion", which basically protects the private property owner if the RR is abandoned, which has happened frequently over the years in our country. It's a possibility for any RR. The Homestead Patent 1914 right-of-way gives the property owner a very strong voice in the disposition of the right-of-way in the event that the RR is abandoned. In most cases, the property owner retains fee simple title to their land right up to the old track centerline. This right is CRITICAL if private property owners want to have a voice if the RR or the State wants to turn private property into a "rails to trails" or some other venture.

### Homestead Patent Example

**The United States of America,**  
To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the District Land Office at Anchorage, Alaska, is now deposited in the Bureau of Land Management, whereby it appears that pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Thomas W. Sperstad has been established and duly consummated, in conformity to law for the following described land:

Seward Meridian, Alaska.

T. 12 N., R. 3 W.,  
Sec. 29, 30, 31, 32;  
Sec. 30, 31, 32, 33.

The area described contains 120 acres, according to the Official Plat of the Survey of the said Land, on file in the Bureau of Land Management:

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States. And there is, also, reserved to the United States a right of way for the construction of railroads, telegraph and telephone lines in accordance with the Act of March 12, 1914 (38 Stat. 305). Excepting and reserving, however, to the United States a right of way for the construction of railroads, telegraph and telephone lines in accordance with the Act of March 12, 1914 (38 Stat. 305). Excepting and reserving, however, to the United States, pursuant to the provisions of the Act of August 1, 1946 (60 Stat. 755) all uranium, thorium or any other material which is or may be determined to be peculiarly essential to the production of fissionable materials, whether or not of commercial value, together with the right of the United States through its authorized agents or representatives at any time to enter upon the land and prospect for, mine, and remove the same. And there is reserved from the lands hereby granted, a right of way thereon for roads, roadways, highways, tramways, trails, bridges, and appurtenant structures constructed or to be constructed by or under authority of the United States or of any State created out of the Territory of Alaska, in accordance with the Act of July 24, 1947 (61 Stat., 418)

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1946 (62 Stat., 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the **FIFTEENTH** day of **FEBRUARY** in the year of our Lord one thousand nine hundred and **FIFTY** and of the Independence of the United States the one hundred and **SEVENTY-FOURTH**.

For the Director, Bureau of Land Management.  
By *Joe H. Hower*  
Chief, Patents Section.

[SEAL]

Patent No. 1128320

U. S. GOVERNMENT PRINTING OFFICE 16-51673-1

Competing with the Homestead Patent and clouding the title is now one of 46 new Federal land patents. Take a look at the section marked by the flag. All valuable rights reflected above were either taken by the RR or placed in legal jeopardy. These illegal patents were created completely outside of the constitutionally mandated due process of law, with zero notification to the private property owners. Backroom, no oversight, no external legal review, no notification of ANY kind to property owners or traditional public users of the right-of-way.

**The United States of America**

*To all to whom these presents shall come, Greeting.*

**Patent**

AA-55130-2

This Patent is issued by the UNITED STATES, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, S.W., Washington, D.C. 20590, as GRANTOR, to the Alaska Railroad Corporation, P.O. Box 107500, Anchorage, Alaska, 99510-7500, as GRANTEE, for lands in the Palmer Recording District.

**WHEREAS**

Alaska Railroad Corporation

Pursuant to Sec. 604(b)(2) and Sec. 604(b)(3) of the Alaska Railroad Transfer Act of 1982, 45 U.S.C. 1201, et seq., (hereinafter referred to as "ARTA"), the Alaska Railroad Corporation is entitled to a patent 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), title to which was vested by Interim Conveyance on January 5, 1985, recorded in the Palmer Recording District, Book 398, Pages 238-248. This patent is hereby issued for the real property described below:

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

Lots 1 through 13 inclusive, U. S. Survey No. 9024, Alaska.

Containing 237.26 acres, as shown on plat of survey officially filed January 17, 1992.

Lots 1, 2, and 3, U. S. Survey No. 9025, Alaska.

Containing 94.50 acres as shown on plat of survey officially filed September 22, 1988.

Aggregating 331.76 acres.

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hereditaments, improvements, facilities, trackwork, roadbed, buildings,

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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 tracks, fixtures, and structures to such lands and to exclude other persons from all or part of such lands.



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 be not less than an exclusive use easement as defined in Sec. 603(6) of ARTA.

Reservations and Conditions:

1. The conveyance to the Alaska Railroad Corporation shall be subject to the following rights and interests granted by the United States prior to conveyance:
  - a. Any interest in the highway system transferred to the State of Alaska by the quit claim 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 the Palmer-Matanuska-Wasilla Road within Secs. 17, 18, 23, and 24, T. 17 N., R. 1 E., and Secs. 4, 5, 7, 8, 18, and 19, T. 17 N., R. 2 E., Seward Meridian.
  - b. A right-of-way, A-021429, for a transmission line, issued to the Matanuska Electric Association, Inc., within Sec. 34, T. 17 N., R. 1 E., Seward Meridian, under the Act of February 15, 1901, 43 U.S.C. 959.
2. Subject to the right, title, and interest, if any, that has otherwise vested in the State of Alaska in any submerged lands among the above-described lands which are situated beneath nontidal navigable waters up to the ordinary high water mark or which are permanently or periodically covered by tidal waters up to the line of mean high tide.
3. 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).

ARTA:

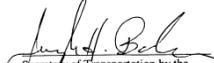
- 1) an area extending not less than one hundred feet on both sides of the center line of any main line or branch line of the Alaska Railroad; or
- 2) an area extending on both sides of the center line of any main line or branch line of the Alaska Railroad that, as a result of military jurisdiction over, 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.

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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 8 day of June 2005.

UNITED STATES OF AMERICA

  
Secretary of Transportation by the  
Administrator of the Federal Railroad  
Administration

Accepted: