

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
Division of Mining, Land and Water
Division of Agriculture
May 3, 2006

PUBLIC INFORMATION ONLY

What You Should Know before
Subdividing State-Conveyed Agricultural Land

Alaska Statute (AS) 38.05.321 governs the sale, lease, or other disposal of state-owned agricultural land and pertains to these agricultural lands even after patent (state conveyance). That is because agricultural covenants, conditions, restrictions, and/or reservations required by AS 38.05.321 are included in every patent (or other state conveyance document) issued by the state and are binding upon the land. Subsequent conveyances and transfers of the land, whether in-whole or in-part, must uphold those covenants, conditions, restrictions, and/or reservations forever.

Persons wanting to subdivide state-conveyed agricultural land should first consult with the Department of Natural Resources prior to submitting any agricultural subdivision plat or subdivision document to the appropriate State of Alaska Platting Authority for approval. This is because those portions of the Alaska Statutes and Alaska Administrative Code concerning subdivision of state-conveyed agricultural land are quite complex and may require application and payment to the state for housing rights among other requirements. Any State of Alaska Platting Authority who receives an agricultural subdivision plat or subdivision document for approval is encouraged to require the applicant to secure a "non-objection" from the department prior to issuing such approval.

Please be advised that any "non-objection" issued by the department to persons seeking the approval of a subdivision plat or subdivision document of state-conveyed agricultural land will be made subject to inclusion of this advisory note on the subdivision plat or subdivision document:

The parcels shown/described hereon are agricultural parcels and as such are subject to statutory, regulatory, and title restrictions, including restrictions on subdivision. Please contact the Division of Agriculture, Department of Natural Resources, State of Alaska, for further information.

This is to ensure that future owners of the land are informed of the agricultural conditions and restrictions associated with the land and to provide those future owners with the legally-designated point of contact for assistance with those conditions and restrictions.

For additional information or assistance with state forms and procedures for subdividing state-conveyed agricultural land, please contact the Department of Natural Resource, Division of Mining, Land and Water, Land Sales and Contract Administration Section at 550 West 7th Avenue, Suite 640, Anchorage, Alaska 99501; or at (907) 269-8594, whichever is most convenient. Alternatively, questions may be directed to the Department of Natural Resources, Division of Agriculture at 1800 Glenn Highway, Suite 12, Palmer, Alaska 99645; or at (907) 761-3863.