Rabbit Creek Community Council
1057 W. Fireweed Ln. Ste. 100, Anchorage, AK 99503

April 29, 2016

William Falsey
Office of the Municipal Attorney
PO BOX 196650
Anchorage, AK 99519

Re: Legal Clarification on Homestead Roads

Dear Mr. Falsey,

At our meeting on April 14, the membership of the community council voted unanimously to request clarification from your office and the Attorney General's office as to the legal status of public-use access of established homestead roads. Members of our Community Council have long used the Stewart Homestead Road in upper Potter Valley and are seeking solutions to allow continued legal use, as well as solutions to any impacts to nearby property owners.

Specifically, we hope to receive clarification on the following questions:

1) What laws or codes, if any, apply specifically to the status of homestead roads?
2) Under what circumstances would such a road qualify as public property or be legally recognized as, or encompassing, a public-use easement?
3) What rights do public users have on such roads and under what circumstances do they have recourse to them?
4) What restrictions or regulations could be set on such an easement and what individual or body has authority over them?

Recently, I received a request from a member of the council area to discuss an issue involving this subject at our next meeting of May 12. If practicable, I do hope we can receive a written response by May 11 to best inform the discussion.

Sincerely,

Adam S. Lees

Adam S. Lees, Chair