

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

STATE OF ALASKA, DEPARTMENT	)
OF TRANSPORTATION & PUBLIC	)
FACILITIES,	)
	)
Plaintiff,	)
vs.	)
	)
2.396 ACRES MORE OR LESS NEAR	)
BETHEL, ALASKA, <u>et al.</u> ,	)
	)
Defendants.	)

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No. 3:20-cv-0306-HRH

FINAL JUDGMENT IN CONDEMNATION

Having considered the Consent for Entry of Final Judgment<sup>1</sup> filed by the parties and other information known to the Court,

IT IS HEREBY ORDERED that judgment is entered as follows:

1. Defendants and property owners Warren Polk, Jason B. Polk, Earl Polk III, and Vincento Polk (the “Polks”) as well as the Estate of Earl Polk II have been paid all just compensation, costs, and attorneys’ fees owing for their interests in Parcels 2 and 3 as described in the Declarations of Taking filed December 16, 2020 (DE# 1-1, 1-2, 1-3, & 1-4).
2. Defendant and property owner Sophie Evan has been paid all just compensation, costs, and attorneys’ fees owed for her interest in Parcel 3 as described below and in the Declaration of Taking filed December 16, 2020 (DE# 1-3 & 1-4).

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<sup>1</sup>Docket No. 74.

3. Any further claims or compensation or damages, attorney's fees, costs, and interest, by any defendant against the State of Alaska related to the acquisition of a defendant's interest in Parcel 2 and Parcel 3 in this litigation are resolved with finality by this judgment.

NOW THEREFORE IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

1. The State of Alaska, Department of Transportation and Public Facilities, holds fee simple title to Parcel 2 and to Parcel 3 as more fully described as:

**Parcel 2**

A parcel of land within Native Allotment F-16158 (Anch.) situated within a portion of BLM Section Lot 2, Section 12, Township 8 North (T8N) Range 72 West (R72W), Seward Meridian, Alaska, Bethel Recording District, Fourth Judicial District, State of Alaska, and more particularly described as follows:

Commencing at the North 1/16 Section Corner common to Section 12, T8N, R72W and Section 7, T8N, R71W, marked with a 3 1/4" BLM Brass Cap Monument; thence along the section line common to Sections 12 and 7, S 0°02'01" E a distance of 0.20 feet to the northerly corner of this ROW parcel and the True Point of Beginning;

Thence continuing along the section line common to Sections 12 and 7, and also the easterly boundary of the ROW parcel S 0°02'01" E 224.95 feet to a point on the easterly ROW parcel line;

Thence, from a tangent which bears S 27°03'38" W, southerly 237.42 feet along the arc of a 3869.72 foot radius curve to the right through a central angle of 3°30'55" to a point the tangency (PT) of the curve;

Thence S 30°34'33" W 744.86 feet to a point on the north boundary of US Survey 3729, which is the southeast corner of this parcel;

Thence along the southerly boundary of this parcel which is common to the north boundary of US Survey 3729, N 66°28'48" W 100.76 feet to a point on the westerly boundary of this parcel;

Thence N 30°34'33" E 288.42 feet to a point of intersection with the southern boundary of Tract A, Plat No. 84-11;

Thence along these common boundaries;  
S 59°25'27" E 23.55 feet to the SE corner of said Tract A;  
N 30°34'33" E 142.00 feet to the NE corner of said Tract A;  
N 59°25'27" W 23.55 feet to a point;

Thence, leaving the common boundary with Tract A, N 30°34'33" E 326.82 feet to the point of curvature (PC) of a normal curve to the left with a 3769.72 foot radius;

Thence northerly 103.86 feet along the arc of said curve through a central angle of 1°34'43" to a point;

Thence N 70°00'00" E 18.25 feet to a point;

Thence from a tangent which bears N 28°47'19" E, northerly 52.91 feet along the arc of a 3781.72 foot radius curve to the left through a central angle of 0°48'06" to a point;

Thence N 10°00'00" W 19.55 feet to a point;

Thence from a tangent which bears N 27°45'10" E, northerly 98.86 feet along the arc of a 3769.72 foot radius curve to the left through a central angle of 1°30'09" to the PT;

Thence N 26°15'01" E 146.97 feet to the northerly corner of the ROW parcel and the True Point of Beginning for this parcel.

Said parcel containing 2.396 acres, more or less.

### **Parcel 3**

A parcel of land within TRACT A, Plat 84-11, Bethel Recording District, situated within a portion of BLM Section Lot 2, Section 12, Township 8 North (T8N) Range 72 West (R72W), Seward Meridian, Alaska, Bethel Recording District, Fourth Judicial District, State of Alaska, and more particularly described as follows:

Beginning at the Southeast Corner of said TRACT A and running N 59°25'27" W along the southern boundary of said TRACT A for a distance of 23.55 feet to a point;

Thence N 30°34'33" E 142.00 feet to a point on the northern boundary of said TRACT A;

Thence S 59°25'27" E along said northern boundary 23.55 feet to the Northeast Corner of said TRACT A;

Thence S 30°34'33" W along the eastern boundary of said TRACT A a distance of 142.00 feet to said Southeast Corner and the point of beginning.

Said parcel containing 3,344 square feet, more or less.

The State of Alaska, Department of Transportation and Public Facilities holds these interests free and clear of all interests previously held or claimed by defendants.

DATED at Anchorage, Alaska, this 12th day of May, 2023.

/s/ H. Russel Holland  
United States District Judge