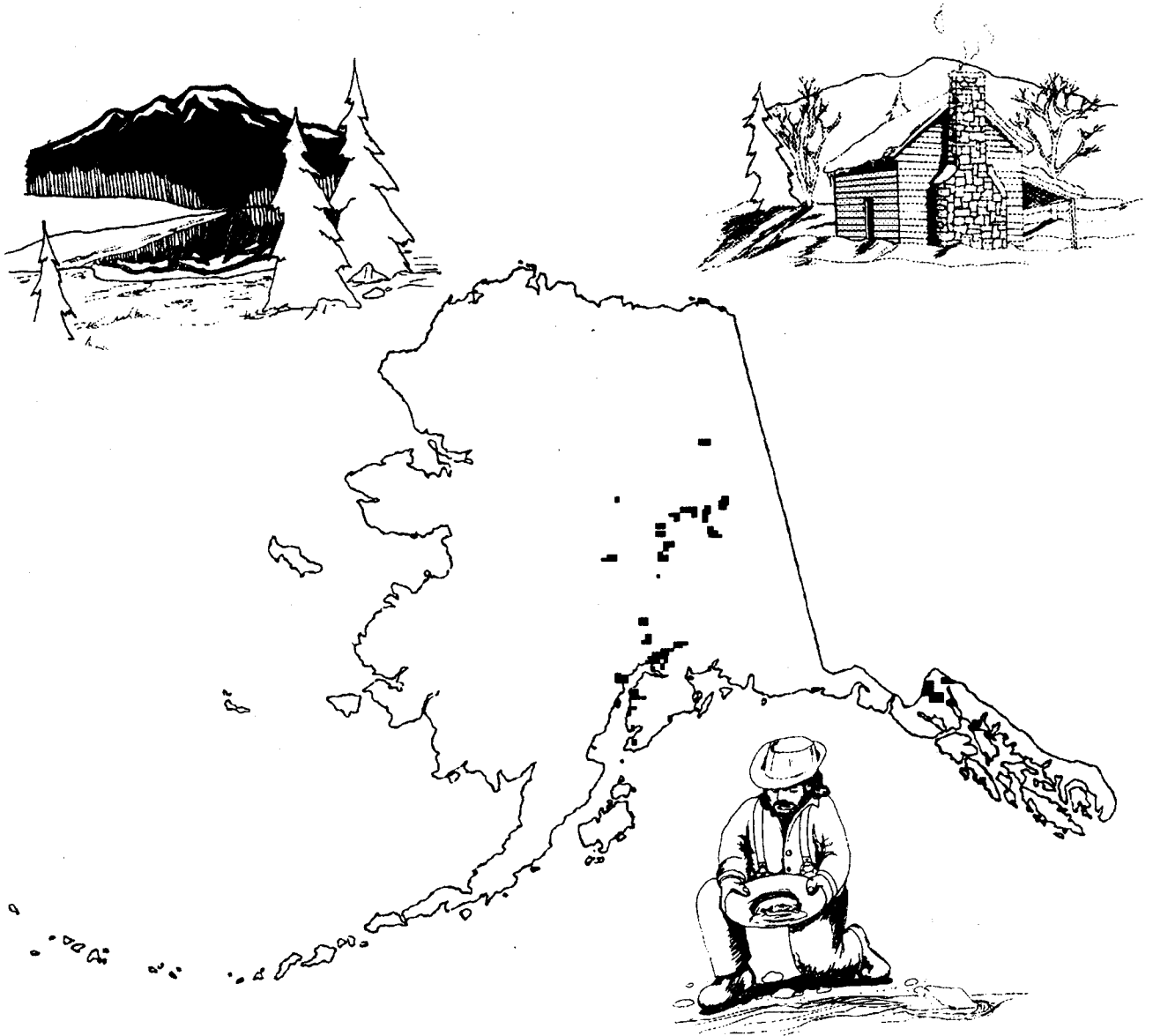


ALASKA MENTAL HEALTH TRUST



LAND ATLAS



Cover created by The Scribe's Guild - 719 East Eleventh Avenue - Anchorage, Alaska 99501 - (907) 272-7500

PREFACE

December 1990

This atlas was prepared and published by the plaintiffs in the Mental Health Trust Lands litigation, Weiss v. State, 4 FA 82-2208 Civ. The purpose of this atlas is to provide a reasonably scaled map to show the location and extent of the one million acres of Mental Health Trust Lands.

The Mental Health Lands Trust was established by Congress in 1956 to provide Alaska with a permanent funding source for Alaska's Mental Health Program.¹ During the ten years after passage of the Alaska Mental Health Enabling Act, the lands considered capable of producing the most revenue were selected for the Trust. Thus, lands in and around all of the major communities in the state, and resource lands were selected for and received by the Trust. Due to the nature of the Trust Lands, many parties desire to acquire them, which, of course, was the reason for selecting these particular lands for the Trust.

Instead of managing the Trust Lands to produce funds in support of the Mental Health Program, however, the state began transferring Trust Lands or using them for the state's own purposes, without compensating the Trust. At the same time, the state consistently was rated near the bottom of the fifty states for the quality of its Mental Health Program.

In 1978, the Legislature purported to abolish the Trust² and in 1982 the current litigation was commenced to rectify this situation. In 1985 the Alaska Supreme Court ruled that the 1978 statute purporting to abolish the Trust was invalid and ordered that the "trust must be reconstituted to match as nearly as possible the holdings which comprised the trust when the 1978 law became effective."³

By that time, the state had entered into approximately 6,500 transactions involving Mental Health Trust Lands which the plaintiffs challenged as invalid. The state and the plaintiffs agreed in 1987 to a settlement mechanism which included ratifying these previous questionable transactions. This settlement mechanism provided for a valuation of the Trust Lands, an equal value exchange of lands so that all of the Trust's holdings would be lands within legislative designations, such as parks, refuges, etc., and with the state paying 8% per year "rent" on the lands, to be redetermined at least every five years. The value was to be determined under procedures approved by the Interim Mental Health Trust Commission.

1. Sec. 202, Alaska Mental Health Enabling Act, Public Law 84-830, 70 Stat. 709.

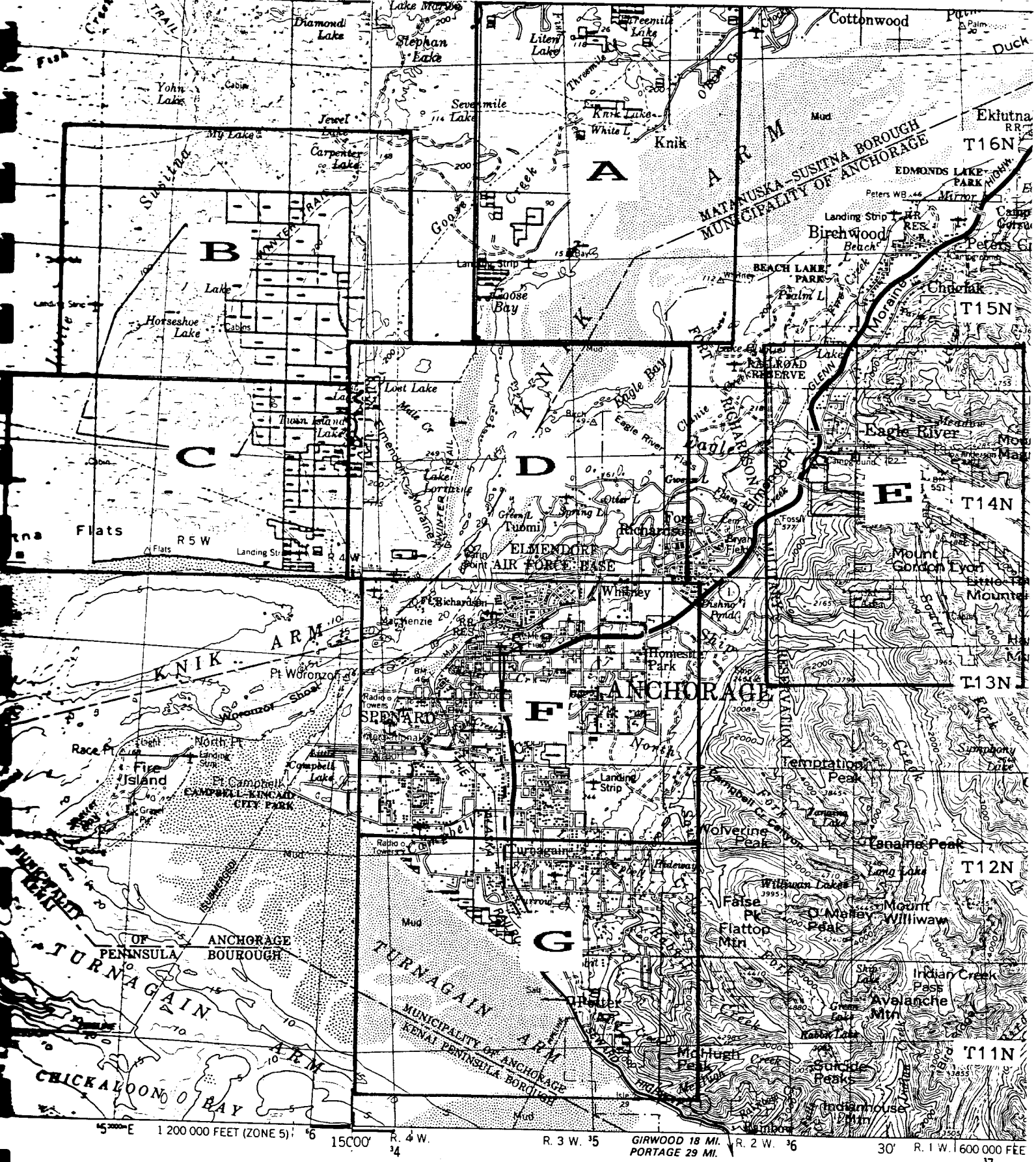
2. Chapters 181 & 182 Session Laws of Alaska 1978.

3. State v. Weiss, 706 P.2d 681, 686.

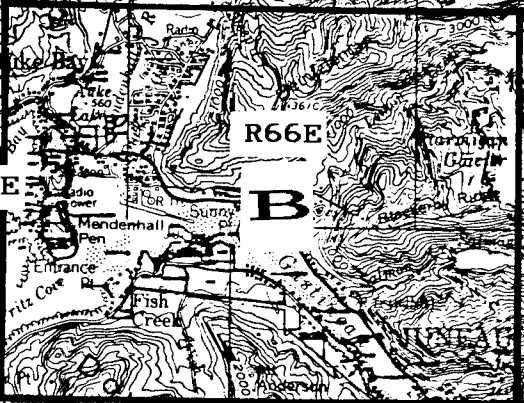
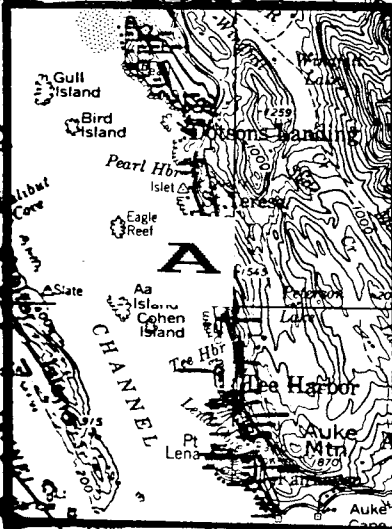
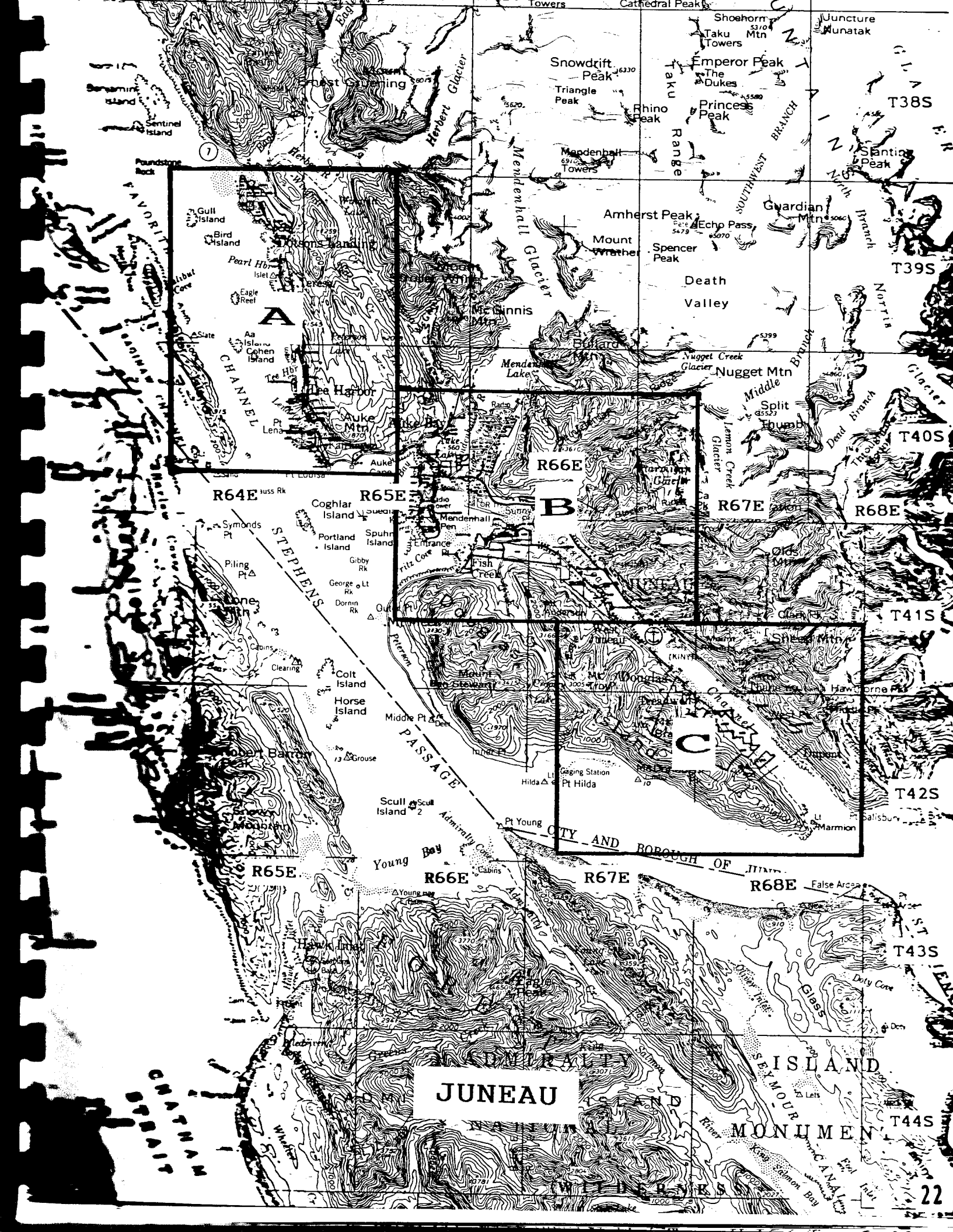
In 1990 the state refused to follow the procedures for valuing the Trust approved by the Interim Mental Health Trust Commission and purported to unilaterally change the terms of the settlement in a manner that clearly did not fairly compensate the Trust. At the plaintiffs request the court then imposed a "land freeze" on additional transfers of Mental Health Trust Lands and permitted the plaintiffs to "cloud the title" to the million acres of Mental Health Trust Land. Litigation over the status of title is ensuing and settlement negotiations have since been reopened.

A number of interested persons have expressed their desire to more easily identify the original one million acres of Mental Health Trust Lands, and this atlas has been prepared to facilitate this. The number shown in each parcel relates to numbers assigned in the valuation process conducted by the Interim Mental Health Trust Commission.

The map base consists of the parcel boundaries overlain on one inch to the mile U.S. Geological Survey quadrangle maps as drawn by the Alaska Department of Natural Resources. The plaintiffs make no express or implied warranties with respect to the completeness, character, function or capabilities of the map base or its appropriateness for any user's purpose. For any actual determination of land status, resort to official records must be made. The Alaska Department of Natural Resources, although providing the base maps, also expressly makes no warranties. In no event will the plaintiffs, or their agents, be liable for any incidental, direct, indirect, special, consequential, or other damages suffered by any person or entity from the use of this atlas.



ANCHORAGE



JUNEAU