

29 September 1972

ATTORNEY'S REPORT ON TITLE

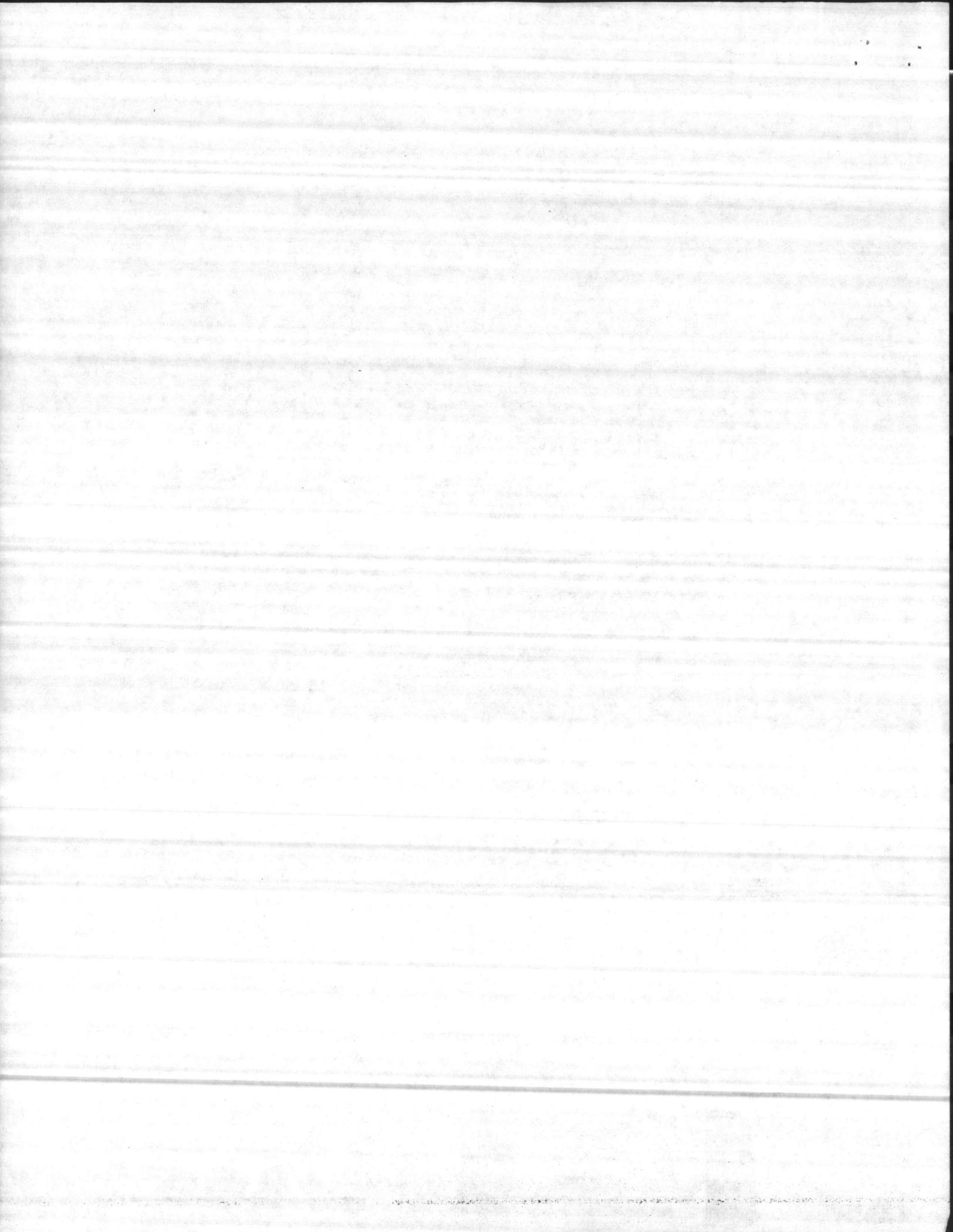
**Disposal of 374 acres of land,
more or less, and improvements thereon
located at Marine Corps Base
Camp Lejeune, Onslow County, North Carolina,
Consisting of four separate parcels of land as follows:**

Midway Park Parcel No. 1	90 acres, more or less
Midway Park Parcel No. 2	83 acres, more or less
Hubert By-Pass area	46 acres, more or less
Bear Creek Area	<u>155</u> acres, more or less
Total	<u>374</u> acres, more or less

Prepared by:

**R. C. Hudson
Assistant Counsel
Atlantic Division
Naval Facilities Engineering
Command
Norfolk, Virginia 23511**

ENCLOSURE (1)



CERTIFICATE AND TITLE REPORT

I, R. C. Hudson, Assistant Counsel for the Atlantic Division, Naval Facilities Engineering Command, Norfolk, Virginia, do hereby certify that I have examined all of the records, affecting the title to the property hereinafter described, of the Atlantic Division, Naval Facilities Engineering Command, which is the cognizant office in charge of real estate records of the Department of the Navy pertaining to said property; that such examination included a careful and diligent search for all instruments, correspondence, and other information affecting title to the property; that based upon the examination, it is hereby certified that a fee simple estate in said lands and the improvements thereon are vested in the United States of America with no liens, encumbrances or restrictions thereon, except those contained in this report.

A. LEGAL DESCRIPTION OF EXCESS PROPERTY:

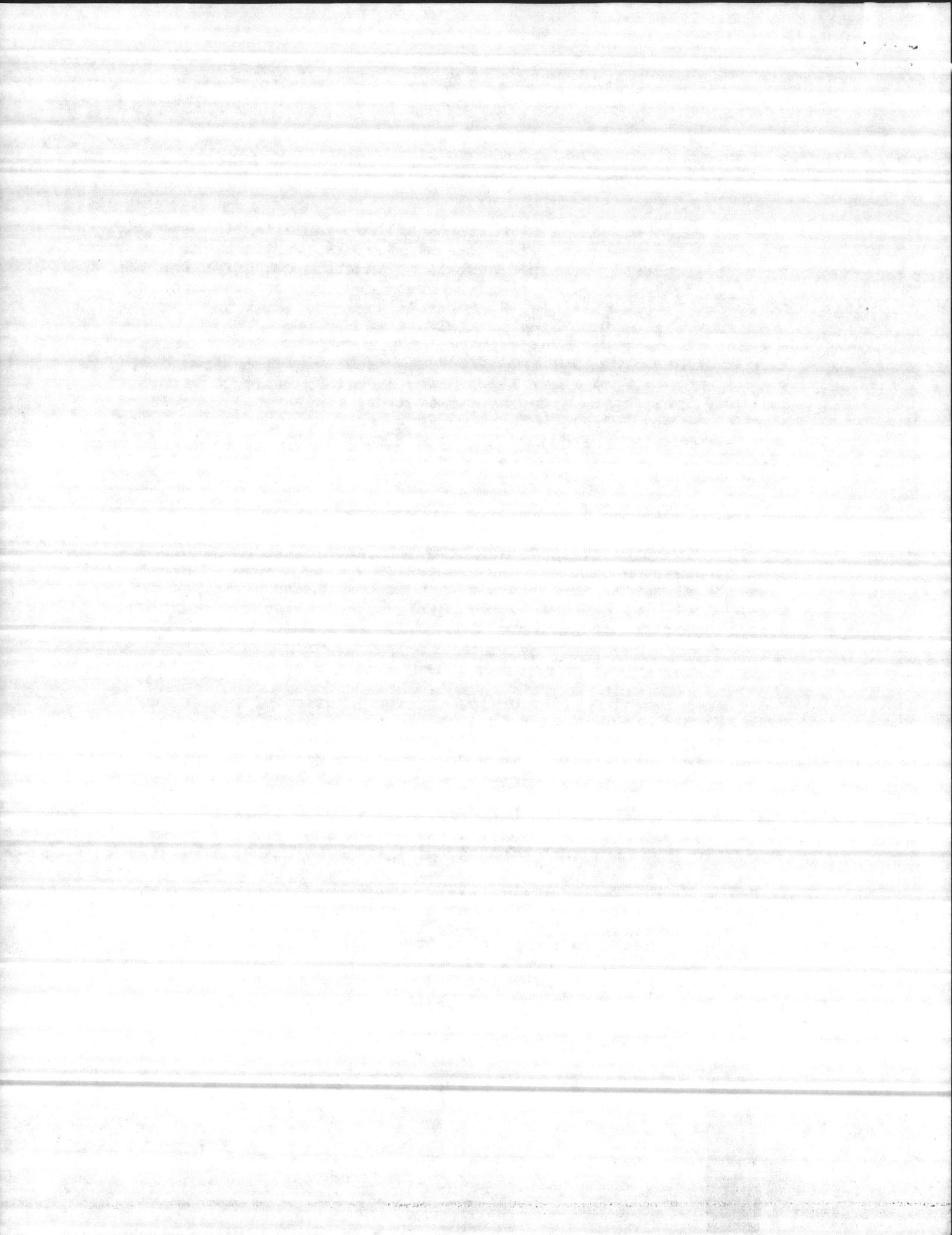
The property proposed to be declared excess consists of four separate parcels of land located in Onslow County, North Carolina along the northern and eastern boundaries of Marine Corps Base, Camp Lejeune each separate parcel being more particularly described as follows:

MIDWAY PARK PARCEL NO. 1

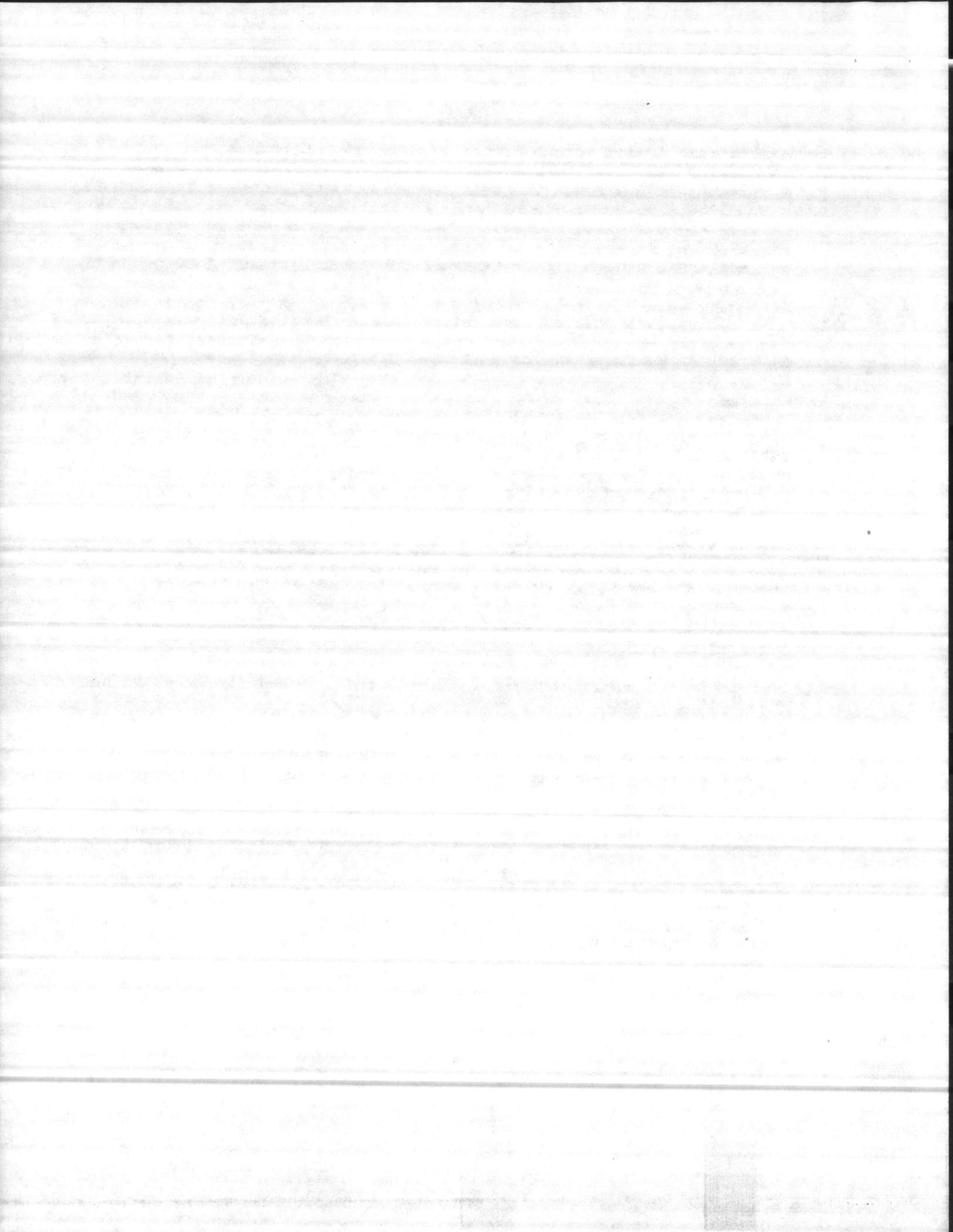
Beginning at a point defined by the junction of Deep Branch with Lamotts Creek; thence in a northeasterly direction along the various courses of Lamotts Creek approximately 1,400 feet to an iron stake in the stream bed; thence S 61° 15' E, 2,105 feet to an iron stake; thence S 28° 45' W, 1,774.94 feet to an iron stake; thence N 48° 30' W, 523.79 feet; thence N 62° 55' W, 385 feet; thence in a northwesterly direction approximately 2,400 feet along the various courses of the centerline of Deep Branch to the point of beginning; containing 90 acres, more or less, as shown on copy of Marine Corps Base Camp Lejeune, North Carolina P. W. Drawing number 13015, dated 30 June 1971, entitled, "EXCESSED PROPERTY MIDWAY PARK AREA - PARCEL NO. 1" attached hereto as Exhibit "A".

MIDWAY PARK PARCEL NO. 2

Beginning at a point of intersection of the centerline of Lamotts Creek and the Western right-of-way line of North Carolina



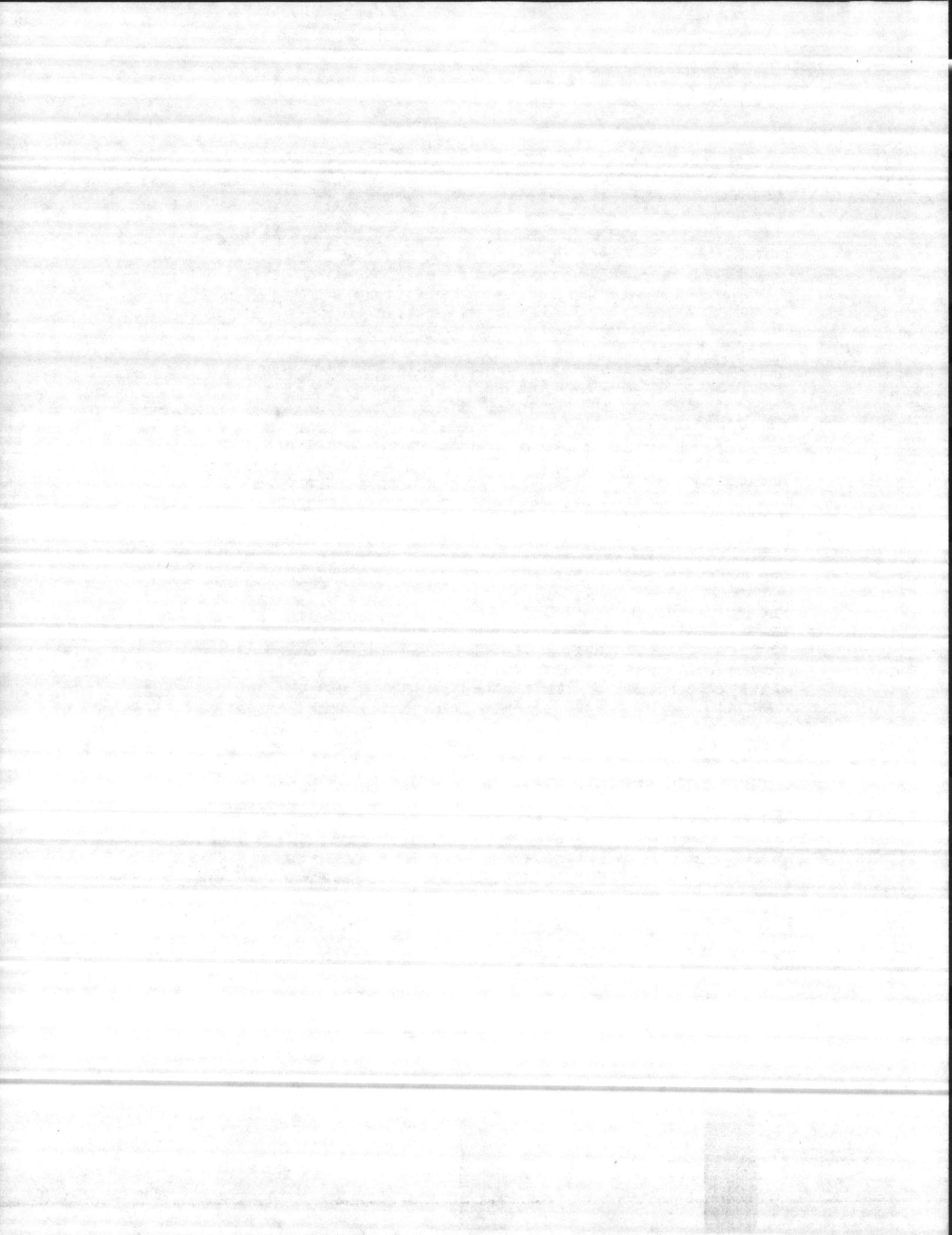
Road 1413, said western right-of-way line running parallel with and 30 feet normal to the center of pavement of said road; thence S 3° 45' W with said western right-of-way 470 feet; thence N 86° 15' W, 95.3 feet; thence S 38° 20' W, 139.7 feet; thence S 3° 45' W, 135 feet; thence S 86° 15' E, 175 feet to the said western right-of-way; thence S 3° 45' W with said western right-of-way 373 feet to the point of intersection of said western right-of-way and the northern right-of-way of the Government-owned Camp Lejeune-Cherry Point Railroad; thence S 72° 15' W with the said northern right-of-way 9.5 feet; thence N 52° 03' W, 433 feet; thence S 11° 40' W, 593 feet to the center gage of the said Railroad; thence S 11° 40' W, 313 feet; thence S 62° 35' W, 249 feet; thence S 0° 50' E, 94 feet; thence S 15° 00' W, 272 feet; thence S 56° 50' W, 520 feet to a point in the northern right-of-way of North Carolina Highway #24, said point being located approximately 1,200 feet, as measured in a westwardly direction along the last said northern right-of-way, from the center of North Carolina Road 1413; thence with the last said northern right-of-way along a curve to the right, said curve having a radius of 5,679.53', for an arc distance of approximately 1,555 feet to a point situate 265 feet normal to and northwestwardly of the center of gage of said Railroad; thence N 73° 23' E, parallel with and 265 feet normal to the said center of gage for a distance of 731 feet; thence N 1° 36' W, 1,025 feet; thence N 44° 11' W, 1,247 feet; thence N 72° 20' E, 1,180 feet; thence S 2° 38' W, 1,301 feet; thence S 76° 20' E, 997 feet to a ditch; thence N 28° 00' E with said ditch 279.53 feet; thence N 25° 27' E with said ditch 290.75 feet; thence N 44° 24' E with said ditch 115.75 feet; thence N 34° 05' E with said ditch 137.15 feet; thence N 19° 53' E with said ditch 90.56 feet; thence N 53° 50' E 202.40 feet to Lamotts Creek; thence S 41° 07' E with Lamotts Creek 227.60 feet; thence N 82° 11' E with Lamotts Creek 176.75 feet to the point of beginning. EXCEPTING AND EXCLUDING THEREFROM, HOWEVER, the fee simple title in and to a strip of land 215 feet wide presently comprising the Government-owned Camp Lejeune-Cherry Point Railroad right-of-way traversing the aforescribed property, said strip of land having a northern boundary running parallel with and 165 feet normal to the center of gage of said Railroad and a southern boundary running parallel with and 50 feet normal to the center of gage of said Railroad, containing 83 acres, more or less, all as shown on copy of Marine Corps Base, Camp Lejeune, North Carolina P. W. Drawing number 13016, last revised 20 Sept 1972, entitled "EXCESSED PROPERTY MIDWAY PARK AREA - PARCEL NO. 2" attached hereto as Exhibit "B".



HUBERT BY-PASS AREA

Bounded on the north and west by N. C. Highway 24 passing through Hubert, as established by North Carolina State Highway Commission Project No. 3695, hereinafter referred to as Project 3695; on the south by N. C. Highway 24 (Hubert By-Pass), as established by North Carolina State Highway Commission Project 6.801743, hereinafter referred to as Project 6.801743, and on the east by the centerline of an old dirt road leading from Piney Green to Swansboro, hereinafter referred to as the old dirt road, and being more particularly described as follows:

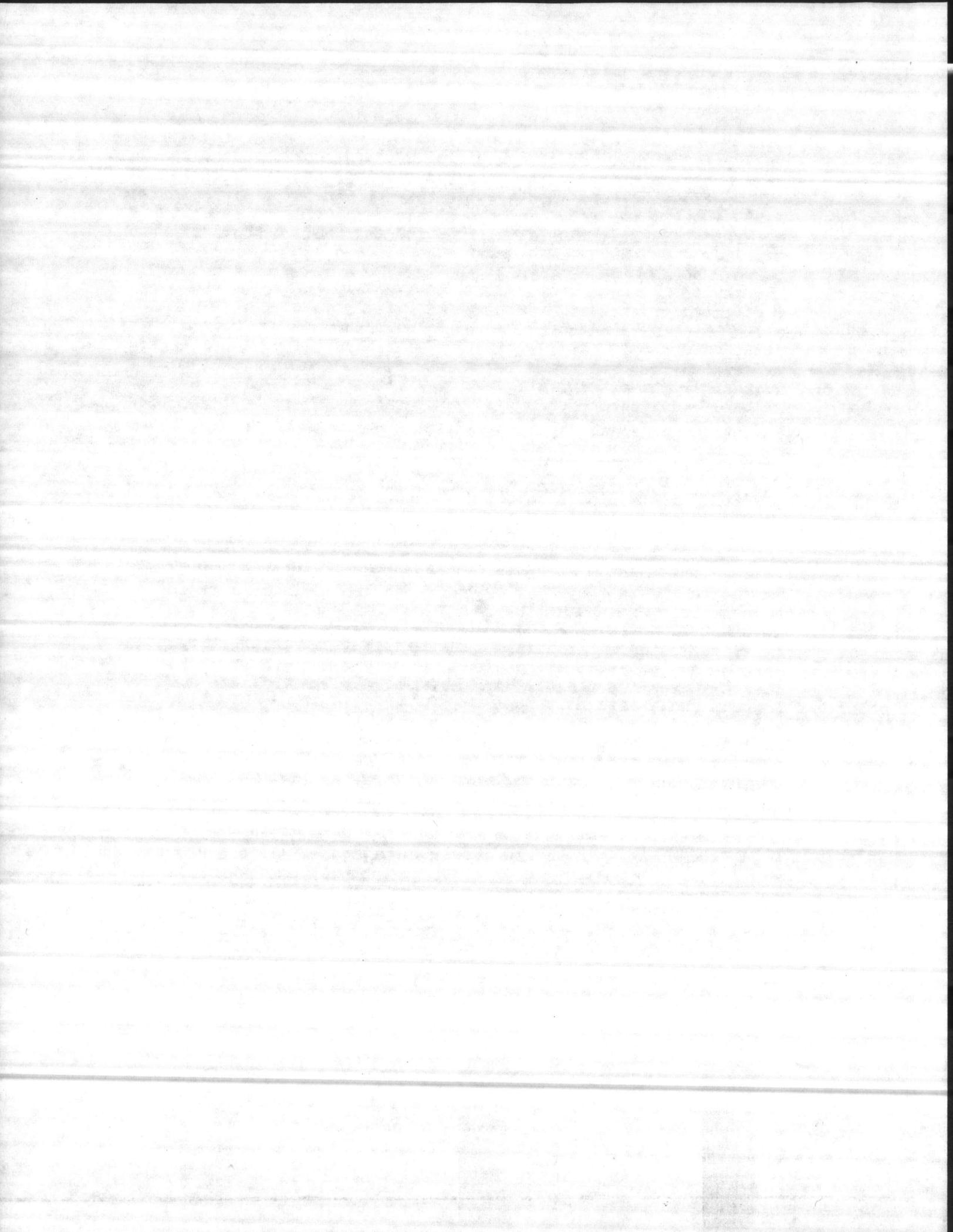
Beginning at the western point of intersection of the southern right-of-way line of N. C. Highway 24 as established by Project 3695 and the northern right-of-way line of N. C. Highway 24 as established by Project 6.801743, said point being located 50 feet southerly of and normal to survey station 18+50 survey line Y-18 as established by Project 6.801743, said survey station having coordinates N354328.2513 and E2523425.2520; thence along and with Project 6.801743 northern right-of-way line S 01° 02' 52" W, 83.95 feet to a point, said point being located 100 feet north of and normal to survey station 360+00 survey line L Left Lane, said survey station having coordinates N354100.2915 and E2523460.8899; thence N 80° 45' 46" E, 726.10 feet to a point of spiral, said point being located 152 feet north of and normal to survey station 367+26.10 survey line L Median = survey station 367+26.10 survey line L Left Lane, said survey station 367+26.10 survey line L Median having coordinates N354165.5211 and E2524185.9212; thence along a spiral to the right said spiral having a chord running N 80° 55' 48" E, 201.33 feet to a point of curve, said point being located 152 feet north of and normal to survey station 369+26.10 survey line L Median said survey station having coordinates N 354197.0511 and E2524383.4195; thence along an arc of a curve to the right, said curve having a radius of 11,559.16 feet, for a distance of 1,669.31 feet to a point of spiral, said point being located 152 feet north of and normal to survey station 385+73.54 survey line L Median, said survey station having coordinates N354329.5935 and E 2526024.1005; thence along a spiral to the right, said spiral having a chord running N 89° 49' 58" E, 201.33 feet to a point of tangency, said point being located 152 feet north of and normal to survey station 387+73.54 survey line L Median, said survey station having coordinates N 354330.1753 and E2526224.0990; thence due east 2,326.25 feet to a point in the centerline of the old dirt road said point being located 152 feet north of and normal to



survey station 410+99.79 survey line L Median, said survey station having coordinates N354330.1753 and E2528550.3372; thence leaving said northern right-of-way line and running with the centerline of the old dirt road in a northwestwardly direction approximately 2,550 feet to the said southern right-of-way line as established by Project 3695; thence along and with the said southern right-of-way line N 87° 59' W, 240 feet, more or less, to a point of curve; thence with a curve to the left to a point of tangency, said curve having a radius of 2,815 feet and an arc distance of 1,056 feet; thence S 70° 31' W, 213 feet, more or less; thence S 19° 29' E perpendicular to the said southern right-of-way, 215 feet; thence S 70° 31' W, parallel with the said southern right-of-way 200 feet; thence N 19° 29' W, perpendicular with the said southern right-of-way, 215 feet to a point in the said southern right-of-way; thence S 70° 31' W with the said southern right-of-way 1,127 feet, more or less, to the point of beginning; containing 46 acres, more or less, as shown on copy of Marine Corps Base, Camp Lejeune, North Carolina P. W. Drawing number 13017, last revised 17 November 1971, entitled, "EXCESSED PROPERTY HUBERT BY-PASS AREA" attached hereto as Exhibit "C".

BEAR CREEK AREA

Bounded on the west by North Carolina Highway #172; on the north and east by Bear Creek and on the south by a Camp Lejeune road connecting the Bear Creek Bridge at the western terminal of North Carolina Road 1503 to North Carolina Highway #172, and being more particularly described as follows: Beginning at the point of intersection of the western shoreline of Bear Creek and the northern right-of-way line of said Camp Lejeune road, said northern right-of-way line lying parallel with and 50 feet normal to the center of pavement of the said Camp Lejeune road; thence with the said northern right-of-way line in a westwardly direction 2,700 feet, more or less, to the point of intersection of said northern right-of-way line and the eastern right-of-way line of North Carolina Highway #172, said eastern right-of-way line lying parallel with and 50 feet normal to the center of pavement of the said North Carolina Highway #172; thence in a northerly direction with said eastern right-of-way line 3,800 feet, more or less, to the southern shoreline of Bear Creek; thence downstream in a southeasterly direction with said shoreline of Bear Creek approximately one mile to the point of beginning, containing 155 acres, more or less, as shown



on copy of Marine Corps Base Camp Lejeune, North Carolina P. W. Drawing number 13018, dated 30 June 1971, entitled "EXCESSED PROPERTY BEAR CREEK AREA" attached hereto as Exhibit "D".

B. ACQUISITION OF TITLE BY THE UNITED STATES:

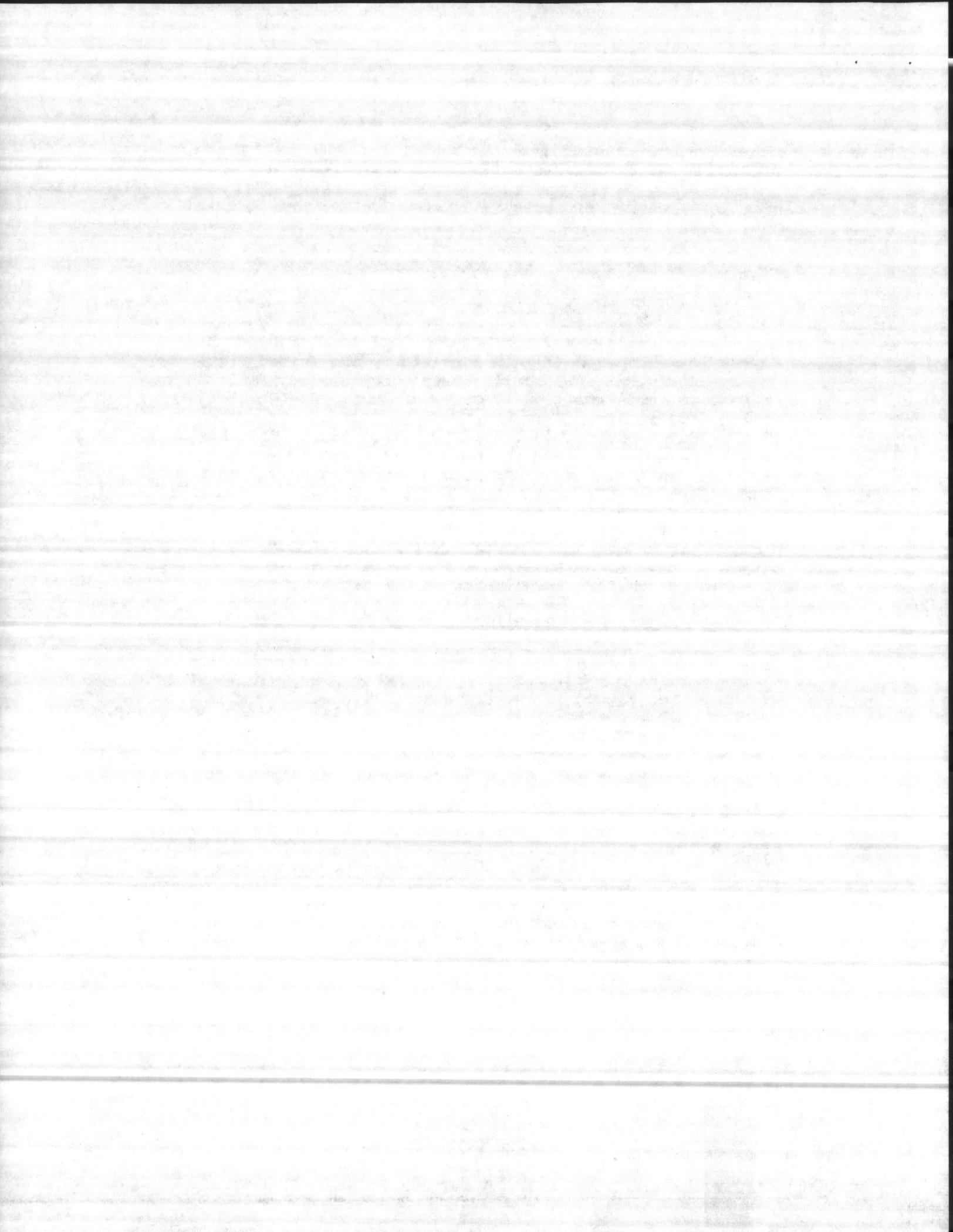
Title to each of the aforescribed separate parcels of land was acquired by the United States of America as follows:

1. MIDWAY PARK PARCEL NO. 1:

Title to the aforescribed land identified as Midway Park Parcel No. 1 was acquired by the United States of America through a condemnation proceeding styled, "United States of America, Petitioner v. 90 acres of land, more or less, in Onslow County, North Carolina, John L. Roper Lumber Company, et al., Defendants", Civil No. 138, filed in the District Court of the United States For the Eastern District of North Carolina, New Bern Division. Upon the payment on 22 January 1945 to the Clerk of said Court of estimated just compensation in the sum of \$1,700.00 and the filing on the same date of the Declaration of Taking, title to the aforescribed land identified as Midway Park Parcel No. 1 vested in fee simple in the United States of America on 22 January 1945. An abstract of the condemnation proceeding is attached as Exhibit "E".

2. MIDWAY PARK PARCEL NO. 2:

Title to the aforescribed land identified as Midway Park Parcel No. 2, along with other land, was acquired by the United States of America through two condemnation proceedings. One condemnation proceeding was filed by the Commissioner of the Federal Public Housing Authority and is styled, "United States of America, Petitioner v. 15.23 acres of land, more or less, in Onslow County, North Carolina, Jay Hamilton, et al., Defendants", Civil No. 112, filed in the District Court of the United States For the Eastern District of North Carolina, New Bern Division. Upon the payment on 16 April 1943 to the Clerk of said Court of estimated just compensation in the sum of \$1,700.00 and the filing on the same date of the Declaration of Taking, title to a part (approximately 14.42 acres) of the aforescribed land identified as Midway Park Parcel No. 2 vested in fee simple in the United States of America on 16 April 1943, subject to the right of way and easement of Jones - Onslow Electric Membership Corporation to construct, operate, maintain



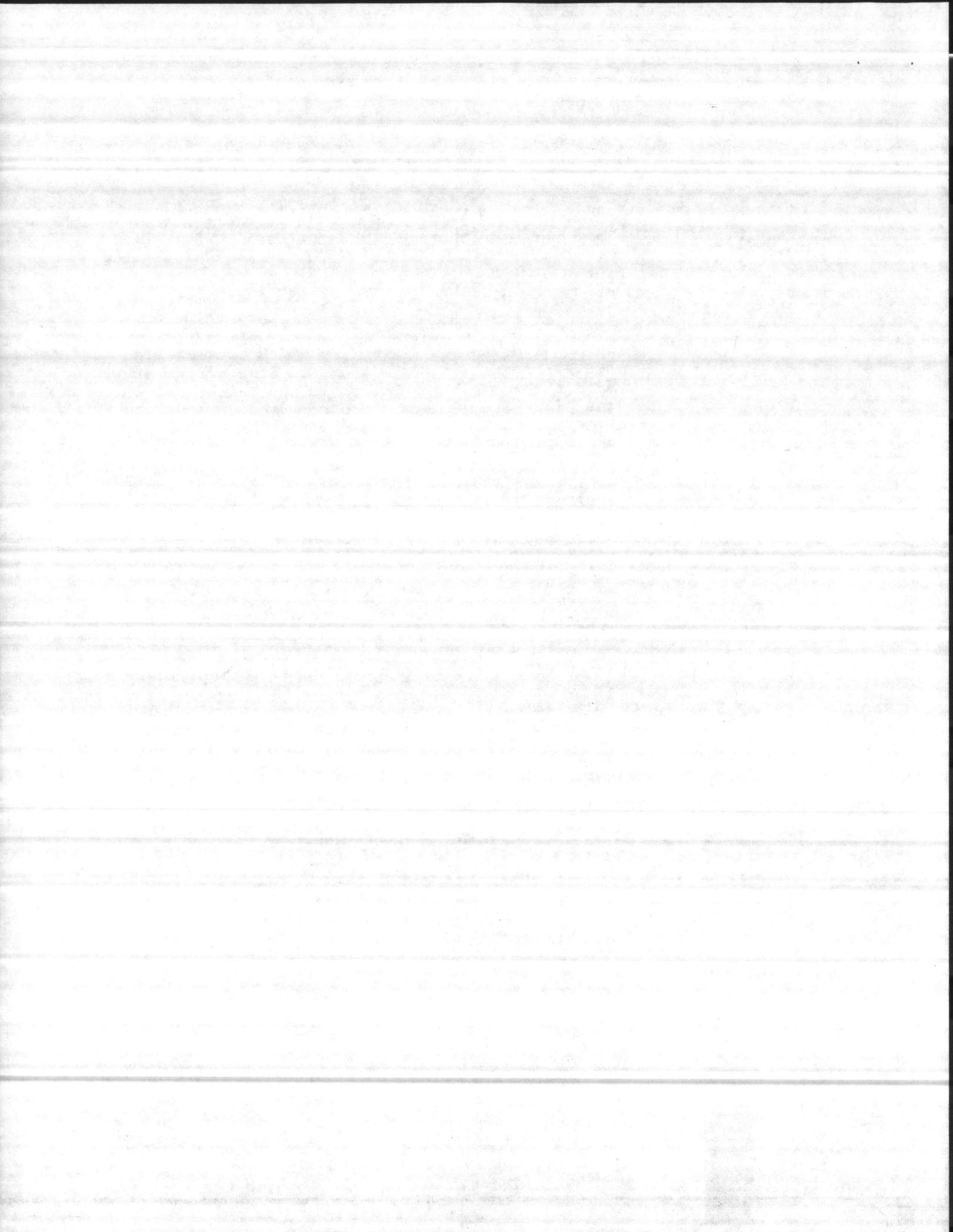
and repair electric power lines and poles over and across the following described two portions thereof:

First: Beginning at a point on the line between the property of Mrs. L. B. Farnell and the tract of land known as the Jay Hamilton 15.23 acre tract, hereinafter known as Tract No. 1, said point being N 52° 03' W, 120.91' from the center line of the Piney Green-Pumpkin Center Road at its intersection with the said line between the property of Mrs. L. B. Farnell and Tract No. 1; thence crossing said tract No. 1, N 10° 15' E, 883.37' to the easterly boundary line of the above said Tract No. 1 which lies in the center line of the Piney Green-Pumpkin Center Road.

Second: Beginning at a point on line between the 2.40 acre tract of the U. S. Government (Navy Department - New River Marine Base), hereinafter known as Tract No. 3, and the Jay Hamilton 15.23 acre tract hereinafter known as Tract No. 1, said point being N 77° 22' W, 8.95' from the common corner between the 7.96 acre tract of Mrs. L. B. Farnell, Tract No. 3 and Tract No. 1; thence crossing Tract No. 1, N 52° 03' W, 475.94', to a point on the westerly boundary of Tract No. 1, said point on the westerly boundary being N 28° 00' E, 210.64' from the common corner between the Lucy Kellum tract, Tract No. 3 and Tract No. 1.

An abstract of the condemnation proceeding is attached as Exhibit "F". Administrative jurisdiction over said property was transferred from the Federal Public Housing Authority to the Department of the Navy by letter dated June 29, 1943, a copy of which is attached as Exhibit "G".

The other condemnation proceeding was filed by the Acting Federal Works Administrator of the Federal Works Agency and is styled, "United States of America, Petitioner v. certain parcels of land in the County of Onslow, State of North Carolina, John L. Roper Lumber Company, et al., Defendants," Civil No. 60, filed in the District Court of the United States For the Eastern District of North Carolina, New Bern Division. Upon the payment on 11 September 1941 to the Clerk of said Court of estimated just compensation in the sum of \$5,776.10 and the filing on the same date of the Declaration of taking, title to a part (approximately



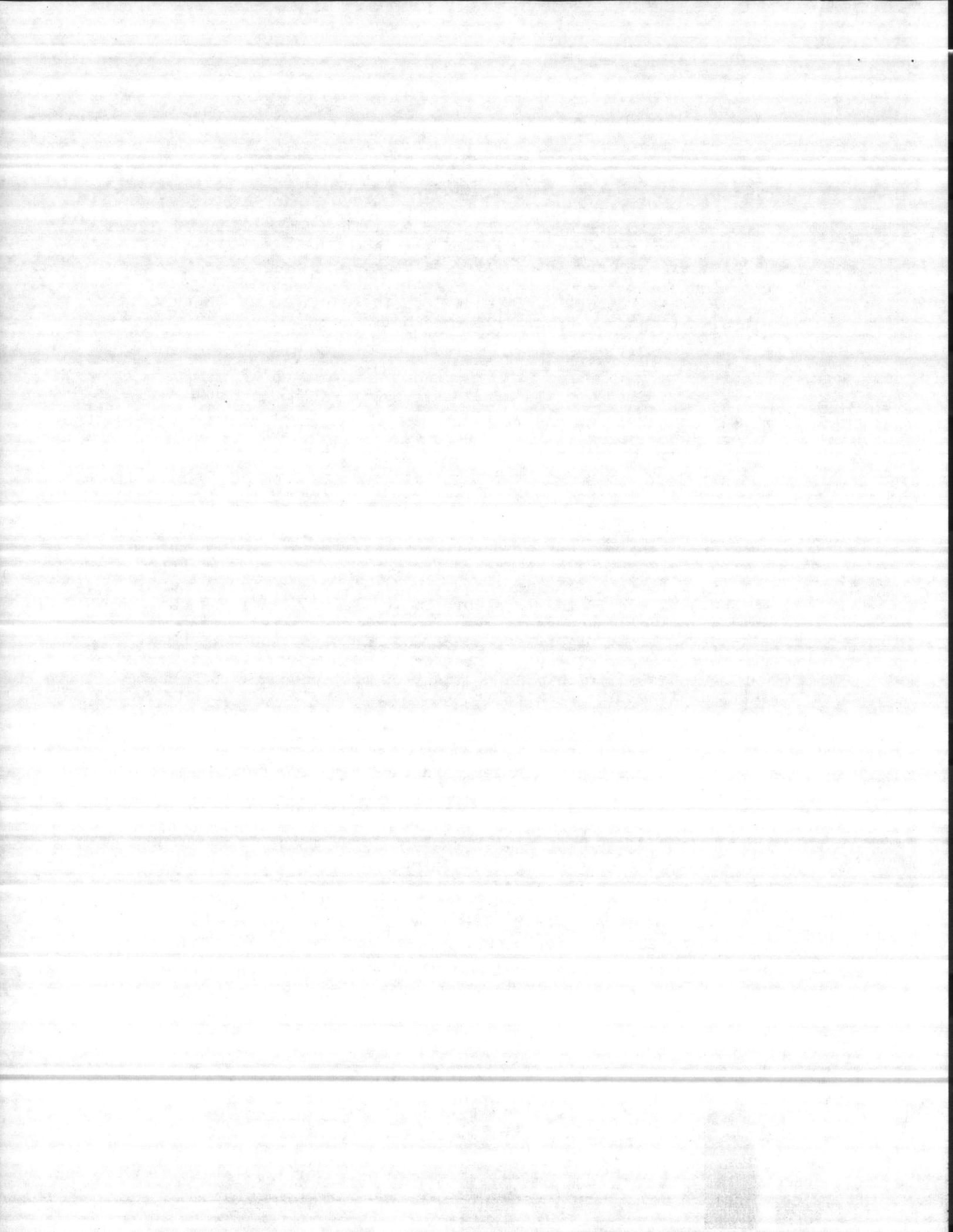
68.58 acres) of the aforescribed land identified as Midway Park Parcel No. 2 vested in fee simple in the United States of America on 11 September 1941, subject to existing easements for electric power lines of Jones - Onslow Electric Membership Corporation along the southern line of said property. An abstract of the condemnation proceeding is attached as Exhibit "H". Administrative jurisdiction over said property was transferred to the Department of the Navy by letter dated 1 August 1942; however, this letter is not contained in said records, and, accordingly, a copy ~~is~~ is not attached hereto.

3. HUBERT BY-PASS AREA:

Title to the aforescribed land identified as the Hubert By-Pass Area, along with other land, was acquired by the United States of America through a condemnation proceeding styled, "United States of America, Petitioner v. 10,866.93 acres of land, more or less, in Onslow County, North Carolina, P. L. Wynne, et al., Defendants," Civil No. 51, filed in the District Court of the United States For the Eastern District of North Carolina, New Bern Division. Upon the payment on 18 June 1941 to the Clerk of said Court of estimated just compensation in the sum of \$129,500.00 and the filing on the same date of the Declaration of Taking, title to the aforescribed land identified as Hubert By-Pass Area vested in fee simple in the United States of America on 18 June 1941, subject to existing public utility easements, if any, and right of way for roads and highways, and subject also to the right of way easement of the Jones - Onslow Electric Membership Corporation. An abstract of the condemnation proceeding is attached as Exhibit "I".

4. BEAR CREEK AREA:

Title to the aforescribed land identified as the Bear Creek Area, along with other land, was acquired by the United States of America through a condemnation proceeding styled, "United States of America, Petitioner v. 12,921.63 acres of land, more or less, in Onslow County, North Carolina, Margaret R. Riggs, et al., Defendants," Civil No. 52, filed in the United States District Court for the Eastern District of North Carolina, New Bern Division. Upon the payment on 29 June 1941 to the Clerk of said Court of estimated just compensation in the sum of \$114,928.00 and the filing on the same date of the Declaration of Taking, title to the aforescribed land identified as the Bear Creek Area vested in fee simple in the United States of America on 20 June 1941, subject to existing public utility easements, if any, and rights of way for roads and highways,



and subject to the right of way easement of the Jones - Onslow Electric Membership Corporation. An abstract of the condemnation proceeding is attached as Exhibit "J".

C. OUTSTANDING INTERESTS AND RESTRICTIONS:

Outstanding interests and restrictions affecting each of the aforescribed separate parcels of land are set forth below:

1. MIDWAY PARK PARCEL NO. 1:

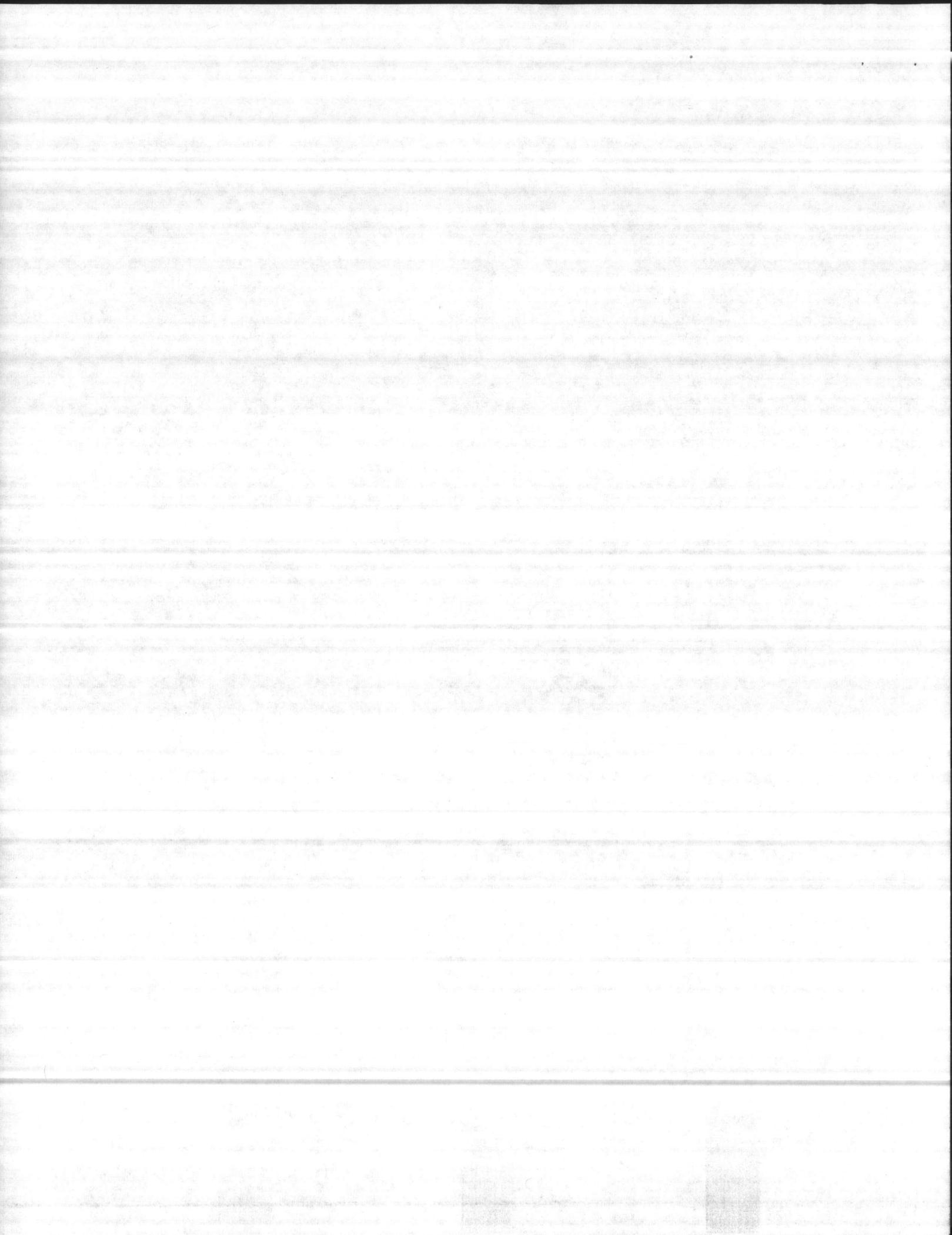
a. None

2. MIDWAY PARK PARCEL NO. 2:

a. The right of way and easement, if any, existing on 16 April 1943 of Jones - Onslow Electric Membership Corporation to construct, operate, maintain, and repair electric power lines and poles over and across the following described two portions thereof:

First: Beginning at a point on the line between the property of Mrs. L. B. Farnell and the tract of land known as the Jay Hamilton 15.23 acre tract, hereinafter known as Tract No. 1, said point being N 52° 03' W, 120.91' from the center line of the Piney Green-Pumpkin Center Road at its intersection with the said line between the property of Mrs. L. B. Farnell and Tract No. 1; thence crossing said tract No. 1, N 10° 15' E, 883.37' to the easterly boundary line of the above said Tract No. 1 which lies in the center line of the Piney Green-Pumpkin Center Road;

Second: Beginning at a point on line between the 2.40 acre tract of the U. S. Government (Navy Department - New River Marine Base), hereinafter known as Tract No. 3, and the Jay Hamilton 15.23 acre tract hereinafter known as Tract No. 1, said point being N 77° 22' W, 8.95' from the common corner between the 7.96 acre tract of Mrs. L. B. Farnell, Tract No. 3 and Tract No. 1; thence crossing Tract No. 1, N 52° 03' W, 475.94' to a point on the westerly boundary of Tract No. 1, said point on the westerly boundary being N 28° 00' E, 210.64' from the common corner between the Lucy Kellum tract, Tract No. 3 and Tract No. 1;



b. The easements, if any, existing on 11 September 1941 of Jones - Onslow Electric Membership Corporation for electric power lines along the southernline of the land described above and identified as Midway Park Parcel No. 2.

3. HUBERT BY-PASS AREA:

a. The easements, if any, existing on 18 June 1941 for public utilities.

b. The rights of way for roads and highways existing on 18 June 1941.

c. The right of way easement of the Jones - Onslow Electric Membership Corporation for power lines existing on 18 June 1941.

d. All abutter's existing, future and potential rights of access to, from and between the right of way granted by the United States of America to the State Highway Commission of the State of North Carolina for N. C. Route No. 24 and the land described above and identified as Hubert By-Pass Area as more particularly set forth in Amendment To Grant of Easement dated 17 February 1972, recorded in the office of the Register of Deeds of Onslow County, North Carolina in Deed Book 414, page 17 and Map Book 12, pages 50, 55, 56 and 57; a copy of which is attached as Exhibit "K".

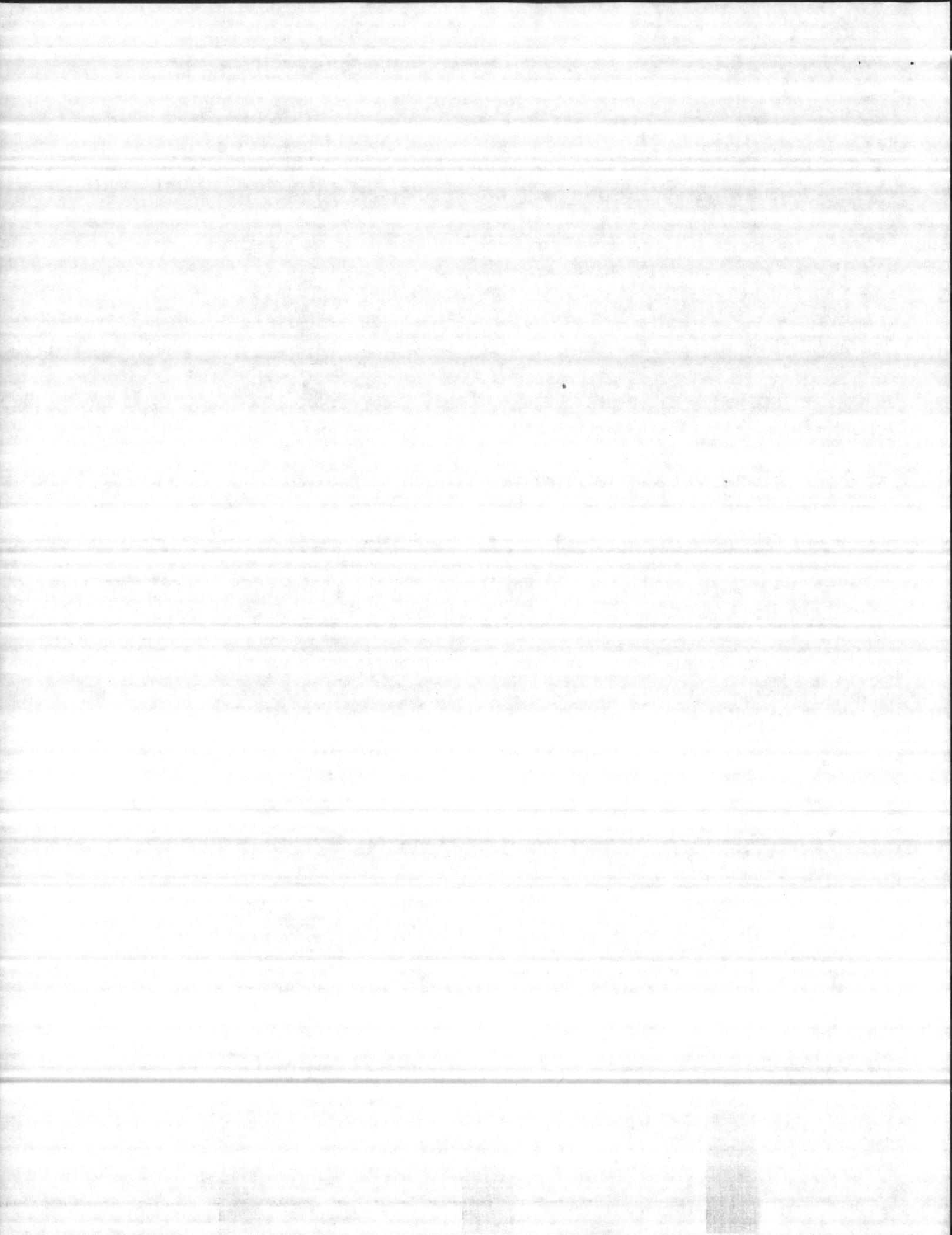
4. BEAR CREEK AREA:

a. The easements and rights of way, if any, existing on 20 June 1941 for roads and highways.

b. The easements, if any, existing on 20 June 1941 for public utilities.

c. The right of way and easement of the Jones - Onslow Electric Membership Corporation for power lines existing on 20 June 1941.

d. As a miscellaneous comment it is observed that the course of Bear Creek may have been altered near the bridge along N. C. Highway 172 as revealed by Revocable Permit dated 6 July 1944 from the United States of America to the State of North Carolina, represented by its State Highway and Public Works Commission, a copy of the pertinent parts of which are attached as Exhibit "L".



5. Terms, Conditions and Restrictions on the Proposed Transfer:

Presently, the only access to the 90 acre tract described above and identified as Midway Park Parcel No. 1 is through the adjacent Government-owned lands used as a housing area. If this 90 acre tract is conveyed to any party, other than another agency of the United States of America, all access to this 90 acre tract through the adjacent Government-owned family housing area is prohibited. In the event this 90 acre tract is reassigned to another agency of the United States of America, the Commanding General, Marine Corps Base, Camp Lejeune, North Carolina reserves full power to control and regulate all aspects of access to this 90 acre tract through the adjacent Government-owned family housing area.

D. JURISDICTION:

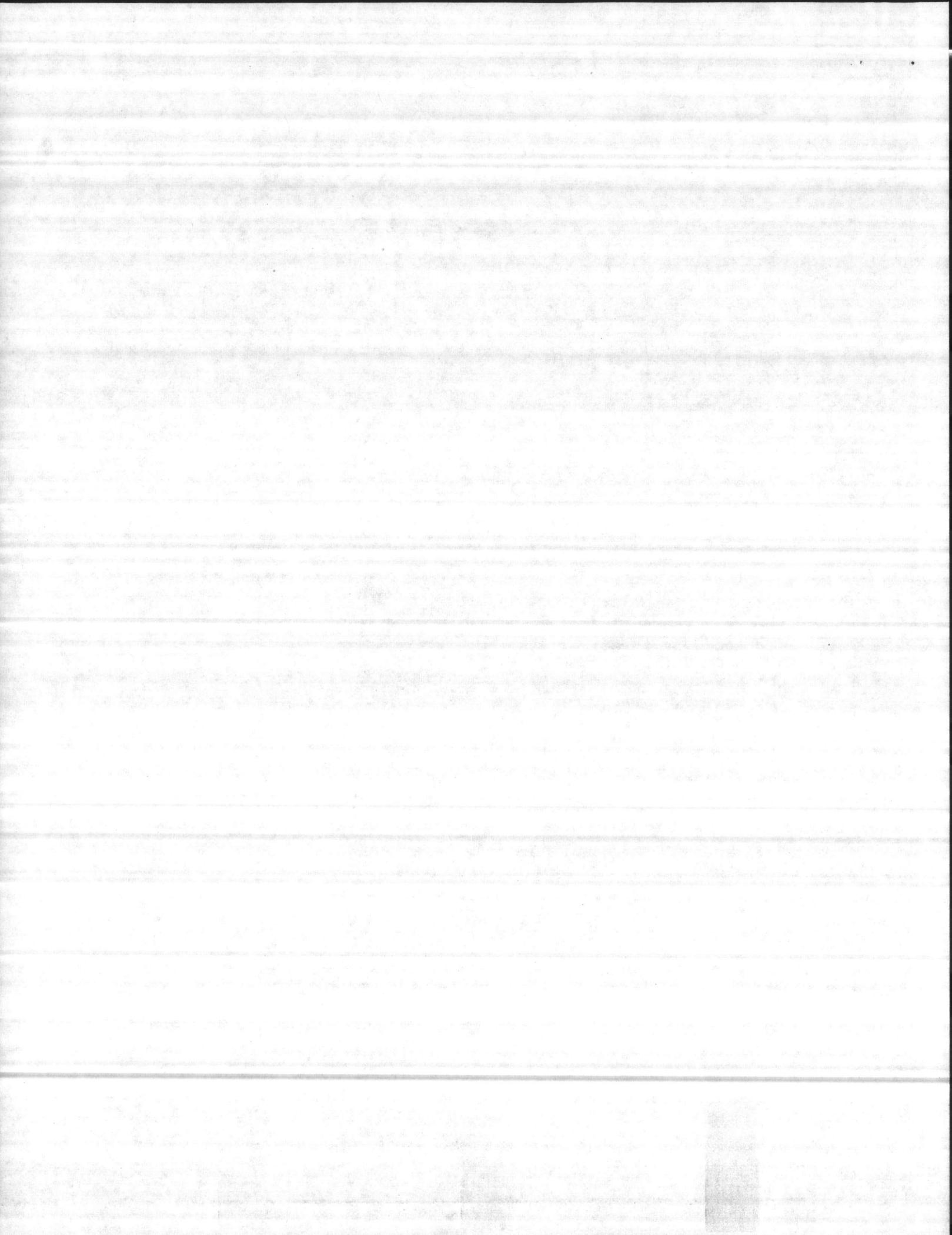
1. MIDWAY PARK PARCEL NO. 1:

Pursuant to Act of Congress approved 9 October 1940 (54 Stat. 1083) the Acting Secretary of the Navy by letter dated 28 June 1946, file ND5/N1-13 C34-28-NR QT-34-28-NR-1 F-5-3/JLB:ang, to the Honorable R. Gregg Cherry, Governor of North Carolina, duly accepted jurisdiction over the 90 acres of land aforedescribed and identified as Midway Park Parcel No. 1, acquired in Civil Action No. 138, in the manner and form granted and ceded by an Act of the General Assembly of the State of North Carolina, approved 24 January 1907, N. C. Code 1939, Chapter 132, Section 8059, which cedes exclusive jurisdiction to the United States of America, but provides that the State reserves the right to serve all civil and criminal process of the courts of North Carolina upon the site, and that the jurisdiction so ceded shall continue no longer than the United States shall own such lands.

2. MIDWAY PARK PARCEL NO. 2:

The 14.42 acres, more or less, of land identified above as part of Midway Park Parcel No. 2, acquired in Civil Action No. 112, is subject to proprietary jurisdiction only.

Pursuant to Act of Congress approved 9 October 1940 (54 Stat. 1083) the Acting Secretary of the Navy by letter dated 28 June 1946, file ND5/N1-13 C34-28-NR QT-34-28-NR-1 F-5-3/JLB:ang, to the Honorable R. Gregg Cherry, Governor of North Carolina, duly accepted jurisdiction over the 68.58 acres, more or less, of land acquired in Civil Action No. 60, in the manner and form granted and ceded by an Act of the General Assembly of the State



of North Carolina, approved 24 January 1907, N. C. Code 1939, Chapter 132, Section 8059, which cedes exclusive jurisdiction to the United States of America, but provides that the State reserves the right to serve all civil and criminal process of the courts of North Carolina upon the site, and that the jurisdiction so ceded shall continue no longer than the United States shall own such lands.

3. HUBERT BY-PASS AREA:

Pursuant to Act of Congress approved 9 October 1940 (54 Stat. 1083), the Secretary of the Navy by letter dated 26 August 1944, file MDC-NI-13 F-5-7B/JLB/fle, to the Honorable J. Melville Broughton, Governor of North Carolina, duly accepted jurisdiction over 10,866.93 acres of land, a part of which is described above and identified as the Hubert By-Pass Area, acquired in Civil Action No. 51, in the manner and form granted and ceded by an Act of the General Assembly of the State of North Carolina, approved 24 January 1907, N. C. Code 1939, Chapter 132, Section 8059, which cedes exclusive jurisdiction to the United States of America, but provides that the State reserves the right to serve all civil and criminal process of the courts of North Carolina upon the site, and that the jurisdiction so ceded shall continue no longer than the United States shall own such lands.

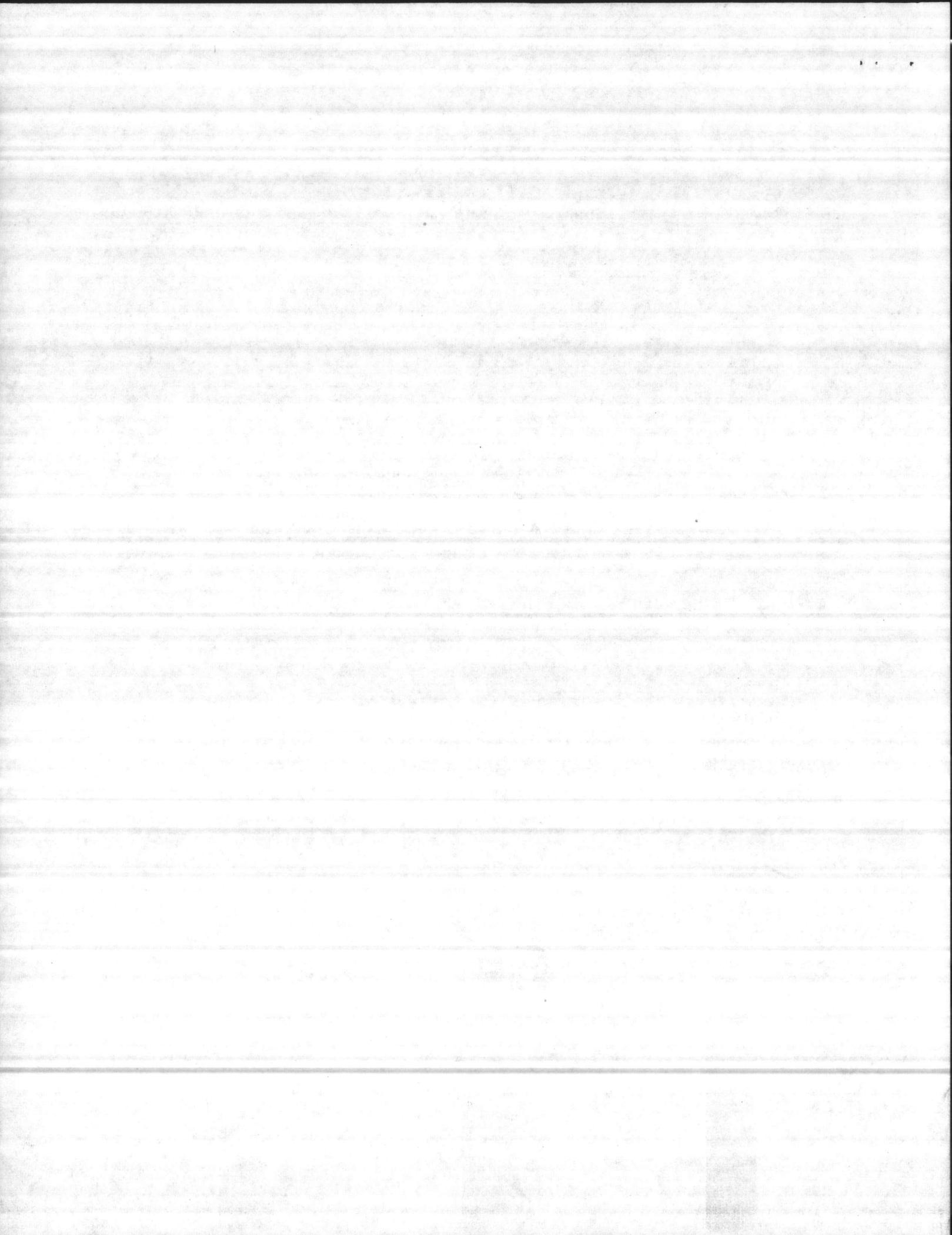
4. BEAR CREEK AREA:

Pursuant to Act of Congress approved 9 October 1940 (54 Stat. 1083), the Acting Secretary of the Navy by letter dated 4 August 1941, file ND6/NI-13 (410326-15) U, to His Excellency, The Governor of North Carolina, duly accepted jurisdiction over 12,921.63 acres, more or less, of land, a part of which is described above and identified as the Bear Creek Area, acquired in Civil Action No. 52, in the manner and form provided by an Act of the General Assembly of the State of North Carolina of 1907, Chapter 25, N. C. Code 1927, Section 8059, which cedes exclusive jurisdiction to the United States of America, but provides that the State reserves the right to serve all civil and criminal process of the courts of North Carolina upon the site, and that the jurisdiction so ceded shall continue no longer than the United States shall own such lands.

Signed this 29th day of September 1972.



R. C. HUDSON
Assistant Counsel



CONDEMNATION PROCEEDING

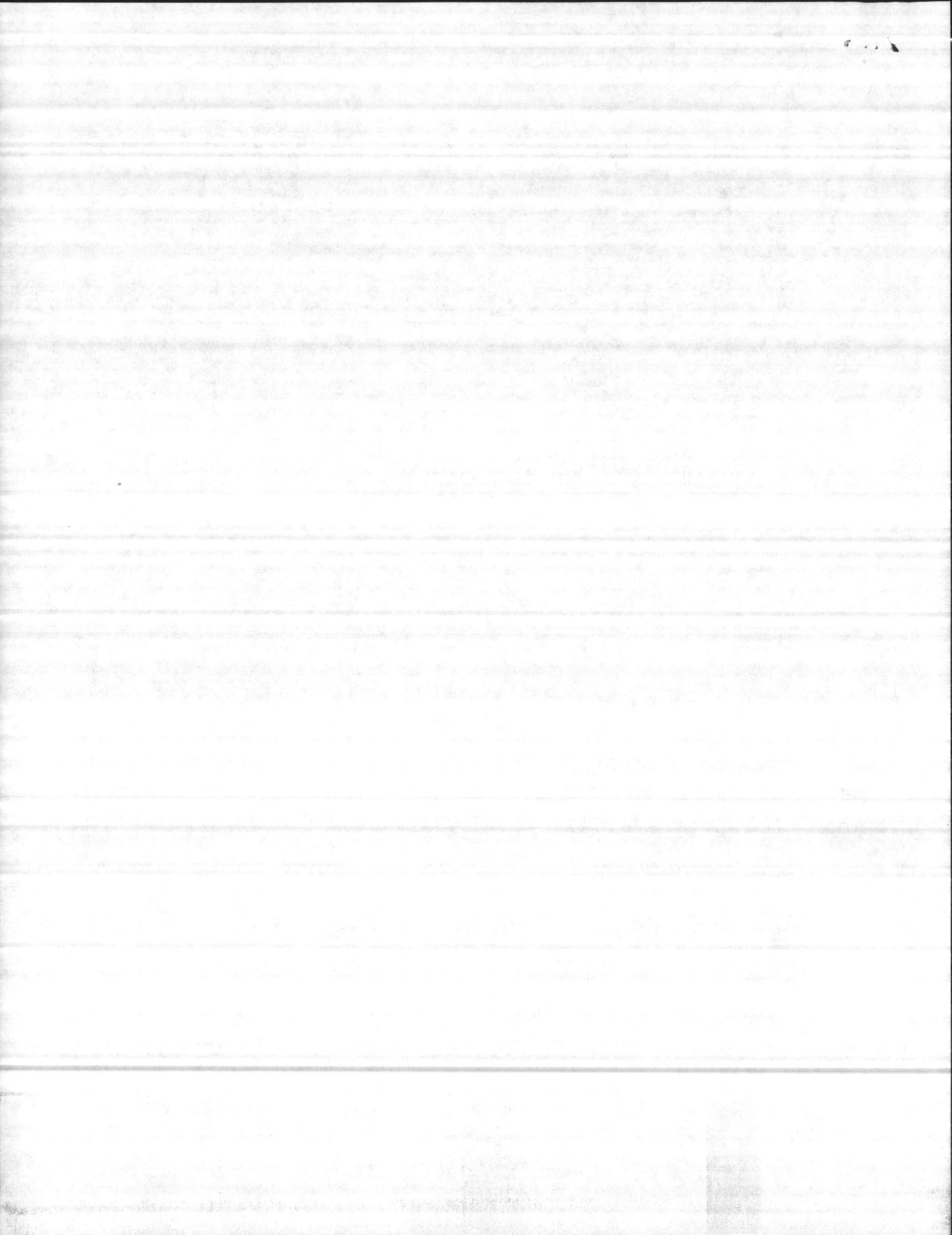
IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NEW BERN DIVISION

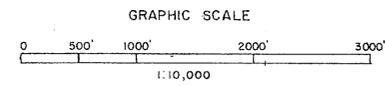
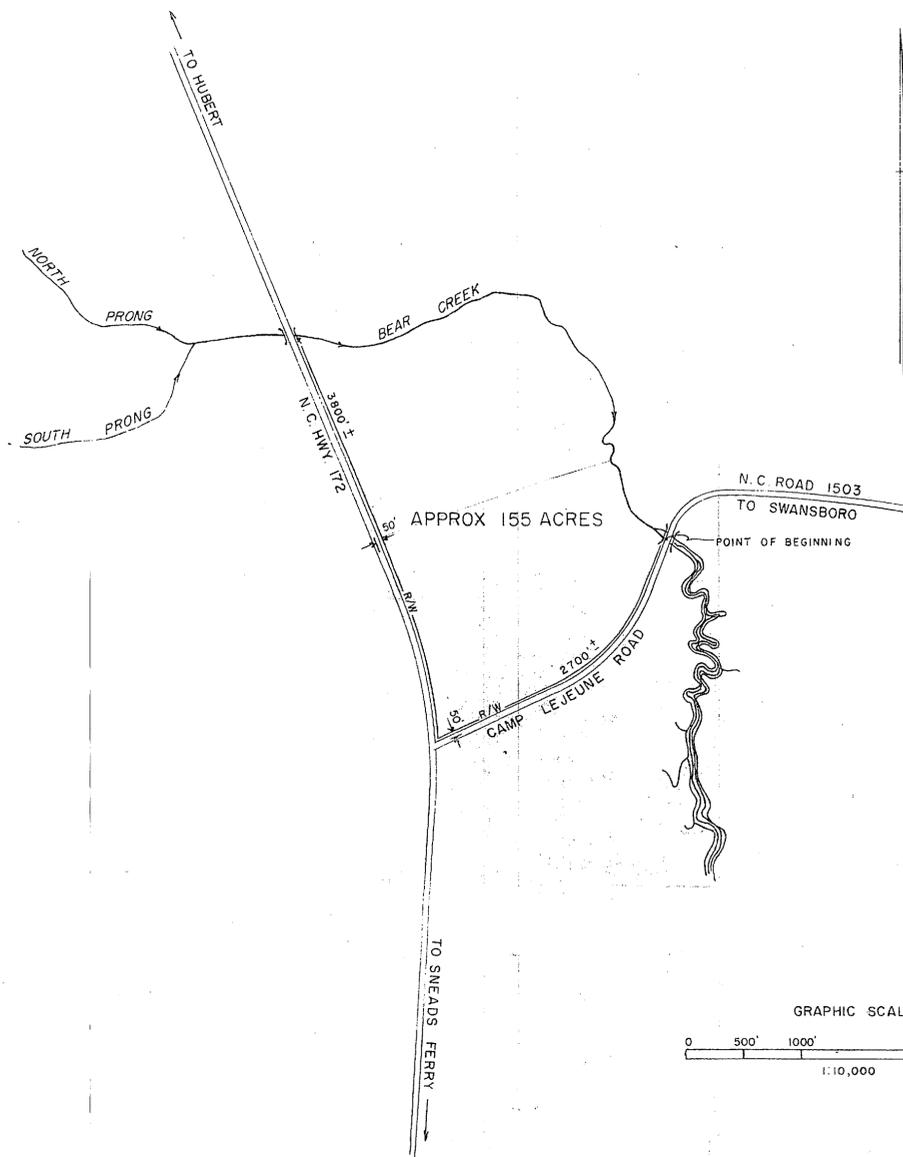
UNITED STATES OF AMERICA, :
 :
 Petitioner, :
 :
 vs. : CIVIL NO. 138
 :
 90 acres of land, more or less, in :
 Onslow County, North Carolina, John :
 L. Roper Lusber Company, et al., :
 :
 Defendants. :

The condemnation proceeding was instituted on 16 May 1944 by the filing of a Petition For Condemnation. On 18 May 1944 there was filed and entered herein an order granting to the Petitioner the immediate and exclusive possession of lands described therein. A Declaration of Taking was filed on 22 January 1945 and simultaneously \$1,700.00 was paid and deposited with the Clerk of said Court as estimated just compensation for the taking of said land. An order and judgment on the Declaration of Taking was duly entered wherein it was decreed that on 22 January 1945, title to said lands vested in the United States of America in fee simple (there were no exceptions in the Declaration of Taking). This Order was recorded in Book 202, page 289, Onslow County Registry. The Report of Commissioners was filed on 14 March 1945, setting the amount of just compensation at \$4,500.00, whereupon all parties filed exceptions. This matter was tried by a jury which awarded the sum of \$2,700.00 as just compensation and judgment was entered on the verdict on 13 November 1945. The deficiency of \$1,000.00 was paid into the Registry of the Court thereafter.

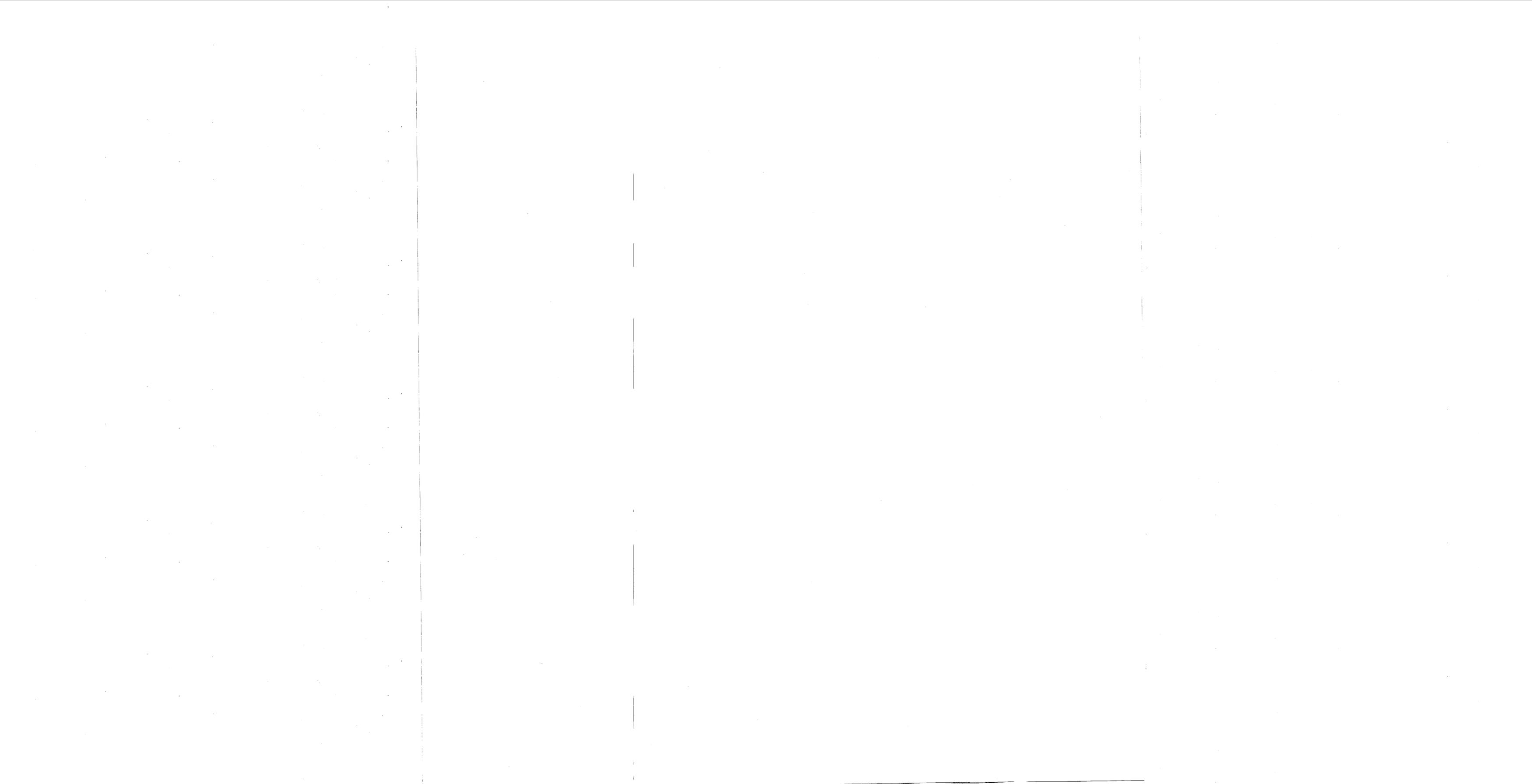
This proceeding was instituted pursuant to the provisions of the Acts of Congress of March 27, 1942 (Public Law 507, 77th Congress); October 14, 1940 (Public Law 849, 76th Congress); and February 26, 1931 (46 Stat. 1421). The names and the addresses of all persons having title to or other interests in the land described in the Declaration of Taking and the amount of estimated just compensation for each respective ownership were particularly set forth in the Declaration of Taking and

subsequent instruments. An examination of the records of the proceeding reveals the existence of no other stipulation, order or subsequent action after the filing of the Declaration of Taking and the above mentioned papers which adversely affect the vesting of the estate described above in the United States of America. All parties having any interest in said lands were served with process personally or by publication, or appeared voluntarily and waived service of process and were made parties defendant. The lands described in the Declaration of Taking and all parties interested therein were within the jurisdiction of the Court at the time of the proceeding.





P.W. DWG. NO. 13018	
MARINE CORPS BASE CAMP LEJEUNE, NORTH CAROLINA	
EXCESSED PROPERTY	
BEAR CREEK AREA	
APPROVED <i>M.D. Brown</i> LtCol FOR COMMANDING GENERAL	SCALE 1:10,000 DATE 30 JUNE 1971



CONDEMNATION PROCEEDING

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NEW BERN DIVISION

UNITED STATES OF AMERICA,

Petitioner,

vs.

CIVIL NO. 112

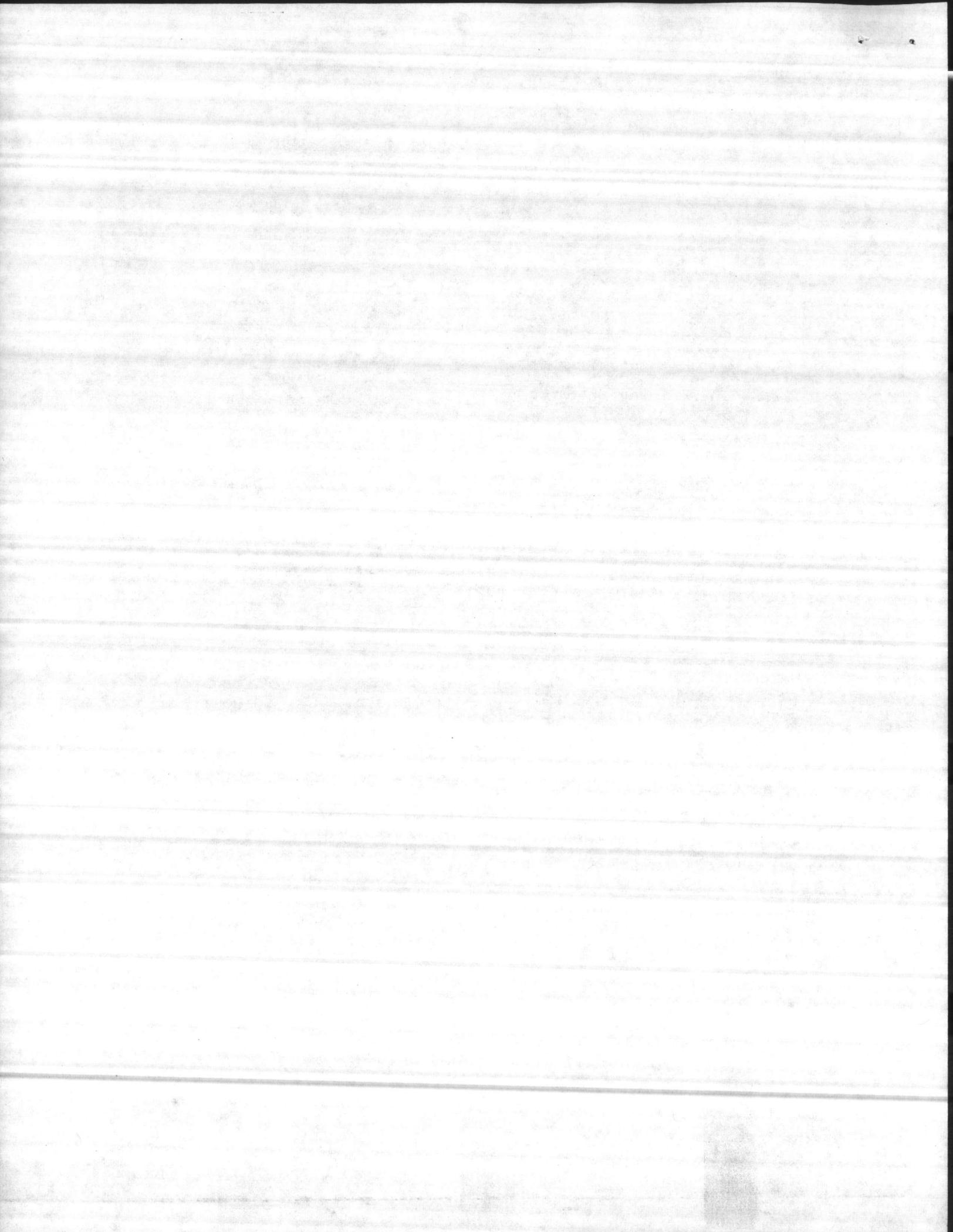
15.23 acres of land, more or
less, in Onslow County, North
Carolina, and Jay Hamilton,
et al.,

Defendants.

The condemnation proceeding was instituted by the Commissioner of the Federal Public Housing Authority on 16 April 1943 by the filing of a Declaration of Taking and simultaneously \$1,700.00 was paid and deposited with the Clerk of said Court as estimated just compensation for the taking of said 15.23 acres of land, more or less. An Order and Judgment on the Declaration of Taking was duly entered on 17 April 1943 wherein it was decreed that on 16 April 1943 title to the lands described in this proceeding, together with improvements thereon, vested in the United States of America in fee simple. This Order was recorded in Book 198, page 127, Onslow County Registry.

On 13 July 1943, upon the stipulation of the defendants, there was duly entered an Order of Distribution, wherein it was adjudged that the sum of \$1,700.00 represented the fair and adequate value of and was just compensation for the lands taken. The \$1,700.00 on deposit was disbursed and paid to the former owners. In addition, on 12 February 1944 the Petitioner and the Defendant, Jones-Onslow Electric Membership Corporation, entered into a stipulation for the exception from the taking of an easement of the Defendant over and across the following described two parcels of land:

EXHIBIT "F"



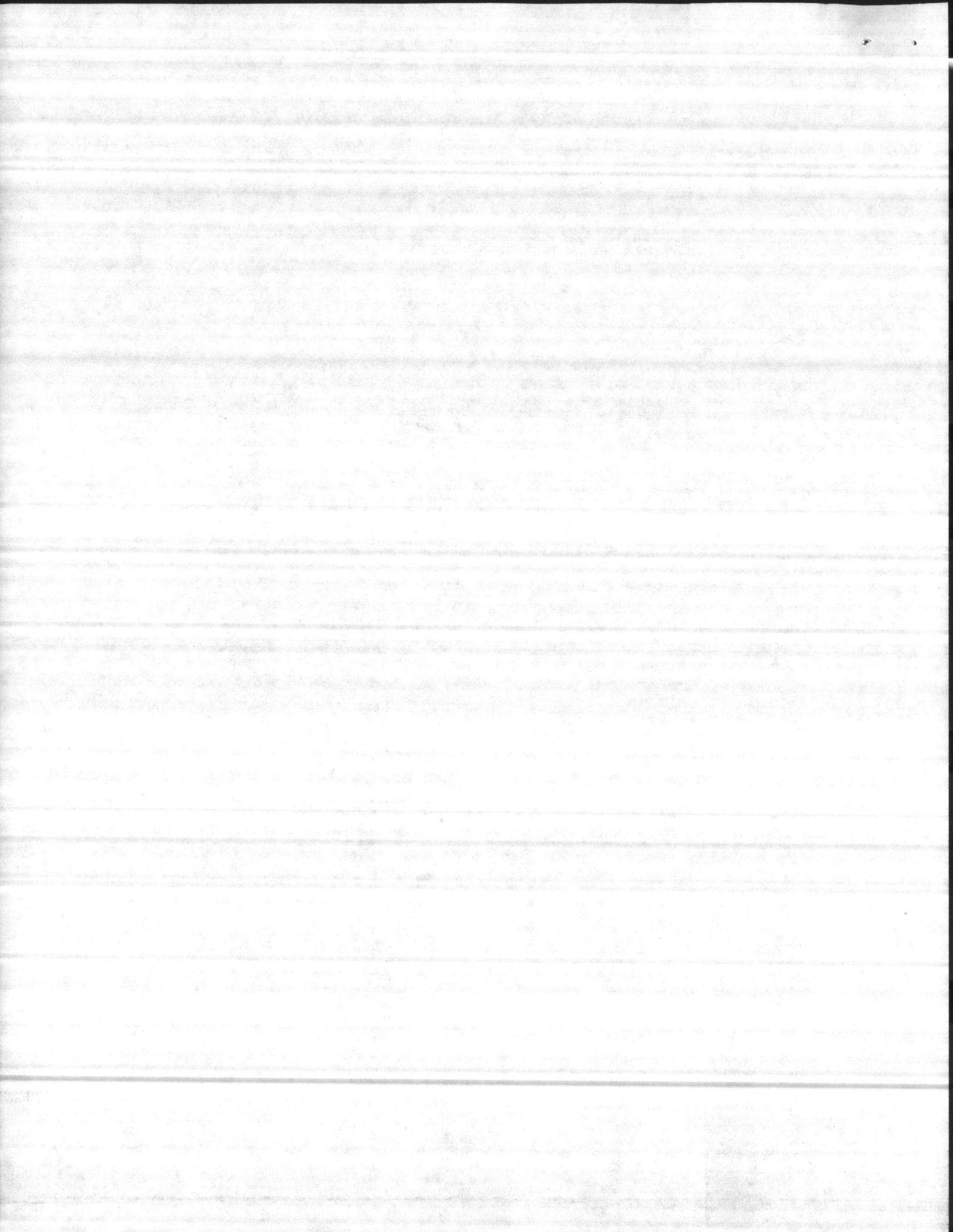
FIRST: Beginning at a point on the line between the property of Mrs. L. B. Farnell and the tract of land known as the Jay Hamilton 15.23 acre tract, hereinafter known as Tract No. 1, said point being N. 52° 03' W. 120.91' from the center line of the Piney Green-Pumpkin Center Road at its intersection with the said line between the property of Mrs. L. B. Farnell and Tract No. 1; thence crossing said Tract No. 1, N. 10° 15' E. 883.37' to the easterly boundary line of the above said Tract No. 1 which lies in the center line of the Piney Green-Pumpkin Center Road.

SECOND: Beginning at a point on line between the 2.40 acre tract of the U. S. Government (Navy Department-New River Marine Base), hereinafter known as Tract No. 3, and the Jay Hamilton 15.23 acre tract hereinafter known as Tract No. 1, said point being N. 77° 22' W. 8.95' from the common corner between the 7.96 acre tract of Mrs. L. B. Farnell, Tract No. 3 and Tract No. 1; thence crossing Tract No. 1, N. 52° 03' W. 475.94', to a point on the westerly boundary of Tract No. 1, said point on the westerly boundary being N. 28° 00' E. 210.64' from the common corner between the Lucy Kellum tract, Tract No. 3 and Tract No. 1.

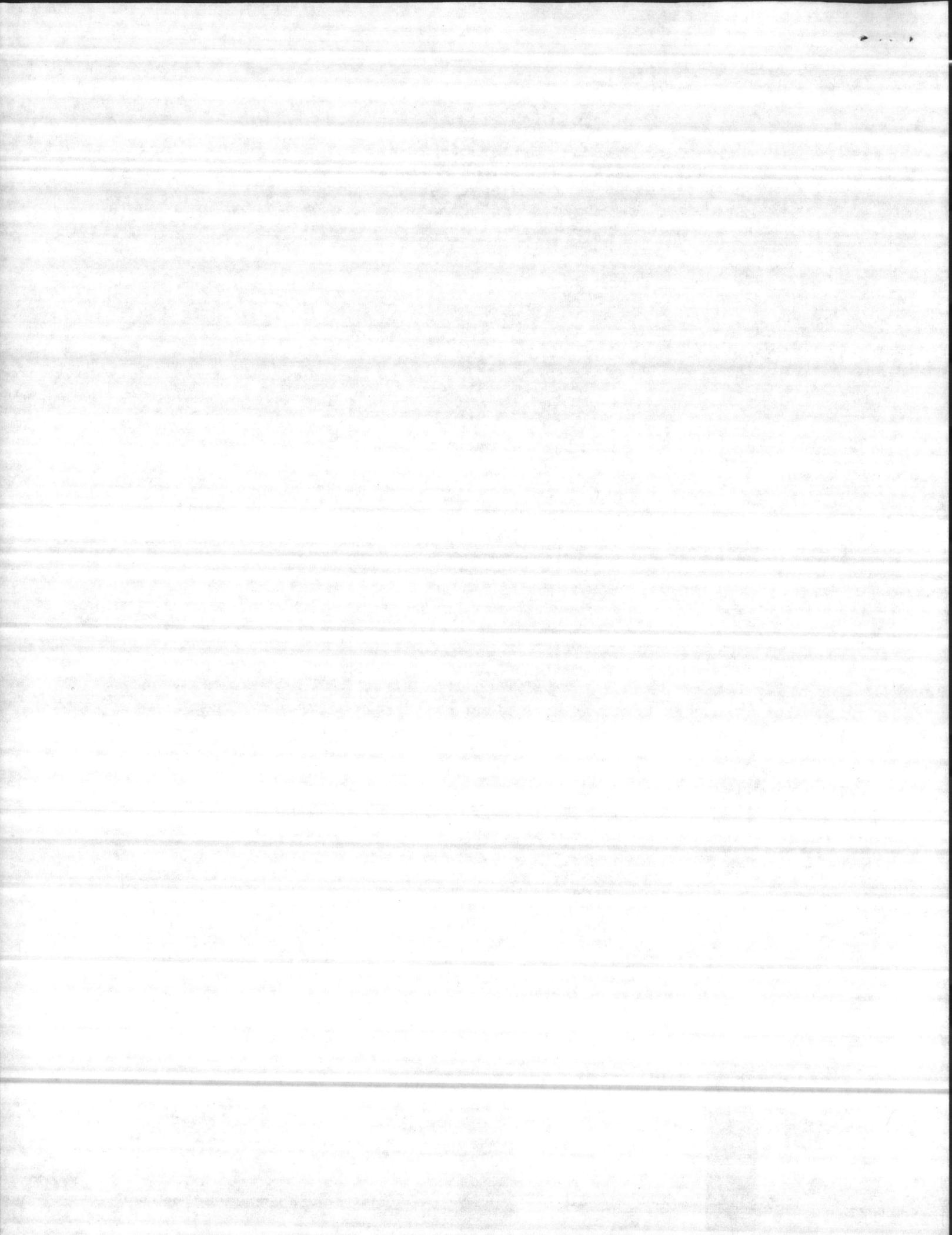
In the Final Judgment, dated 6 March 1944, the Court amended the previous Order and Judgment on the Declaration of Taking to embrace the above mentioned easement and decreed that the fee simple title to the lands described in this proceeding vested in the Petitioner on 16 April 1943, subject, however, to the right of way and easement of Jones-Onslow Electric Membership Corporation to construct, operate, maintain and repair electric power lines and poles over and across the above described two parcels of land.

This proceeding was instituted pursuant to the provisions of the Acts of Congress of August 1, 1888 (25 Stat. 357; 40USC 257); February 26, 1931 (46 Stat. 1421; 40USC 258 (a) to 258(e)); October 14, 1940 (Public Law 849, 76th Congress); and Executive Order No. 9070, February 24, 1942; and Public Resolution 106 (76th Congress, approved October 14, 1940). The Court in the Final Judgment stated:

"That all parties having any interest, directly or indirectly, in the lands described above have been duly served with process, or have appeared voluntarily and waived service of process in this proceeding, and have been made parties defendant hereto; and that the said lands, together with all the parties interested therein, were and are within the jurisdiction of this Court."



When administrative jurisdiction over said property was transferred from the Federal Public Housing Authority to the Department of the Navy by letter dated June 29, 1943, attached as Exhibit "G", the complete file of the condemnation proceeding was not forwarded to the Department of the Navy, and, consequently, the foregoing abstract is based upon the records available and is considered accurate within the limitation noted.



COPY

June 29, 1943

*File
R.J.H. 418*

My dear Mr. Secretary:

NC 148
In reply to your letter dated May 31, 1943, requesting the transfer to the jurisdiction of the Navy Department of defense housing projects NC-31037 and NC-31038 at Jacksonville, North Carolina, and in view of your determination that these projects are considered to be permanently useful to the Navy, I hereby transfer jurisdiction of the above-designated projects to the Navy Department, effective upon physical completion of the projects.

This transfer is being made pursuant to the provisions of Section 4 of Public Law 409, 77th Congress, Second Session, approved by the President on January 21, 1942, which amends the Lanham Act and provides "That the Administrator may, in his discretion, upon the request of the Secretaries of War or Navy transfer to the jurisdiction of the War or Navy Departments such housing constructed under the provisions of this Act as may be considered to be permanently useful to the Army or Navy," and is being made by the undersigned by virtue of the provisions of Executive Order No. 9070 of February 24, 1942.

As a result of this transfer, these projects can be treated the same as the projects listed in Schedule III of my Order dated March 21, 1942, making certain transfers to the Navy Department.

According to our records there are no outstanding leases or agreements affecting these projects.

The Federal Public Housing Authority will inform you of the date of completion of these projects.

Sincerely yours,

John B. Blandford, Jr.
Administrator

The Honorable

Dispatched June 29, 1943

The Secretary of the Navy

Saxe:phg

cc: Creighton, Eddy, Saxe (2), Broome-FPHA, R. J. Hayes-FPHA,
Lee Johnson-FPHA

EXHIBIT

CONDEMNATION PROCEEDING

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NEW BRUN DIVISION

UNITED STATES OF AMERICA,

Petitioner,

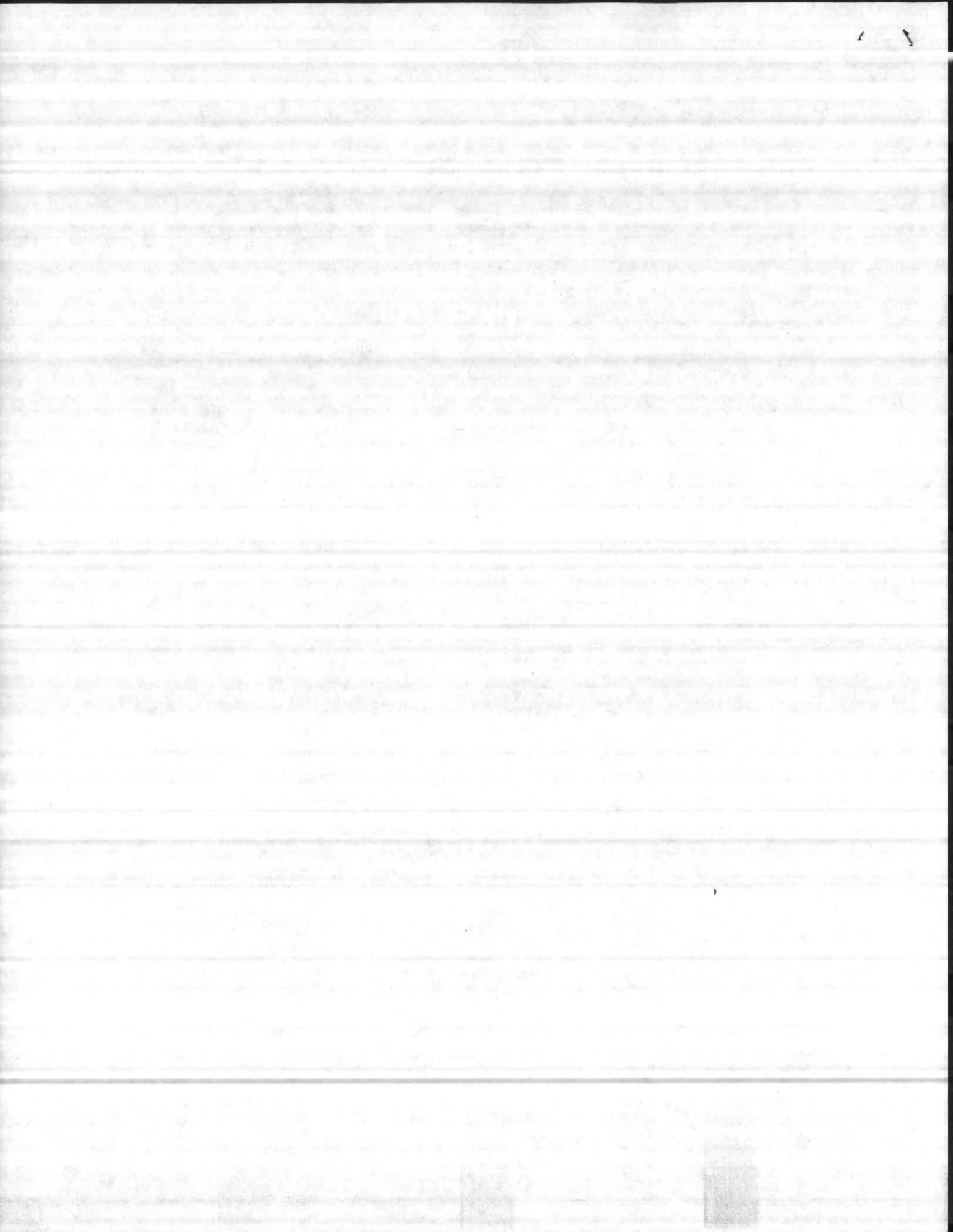
vs.

Civil No. 60

Certain parcels of land in the
County of Onslow, State of
North Carolina, John L. Roper
Lumber Company, et al.,

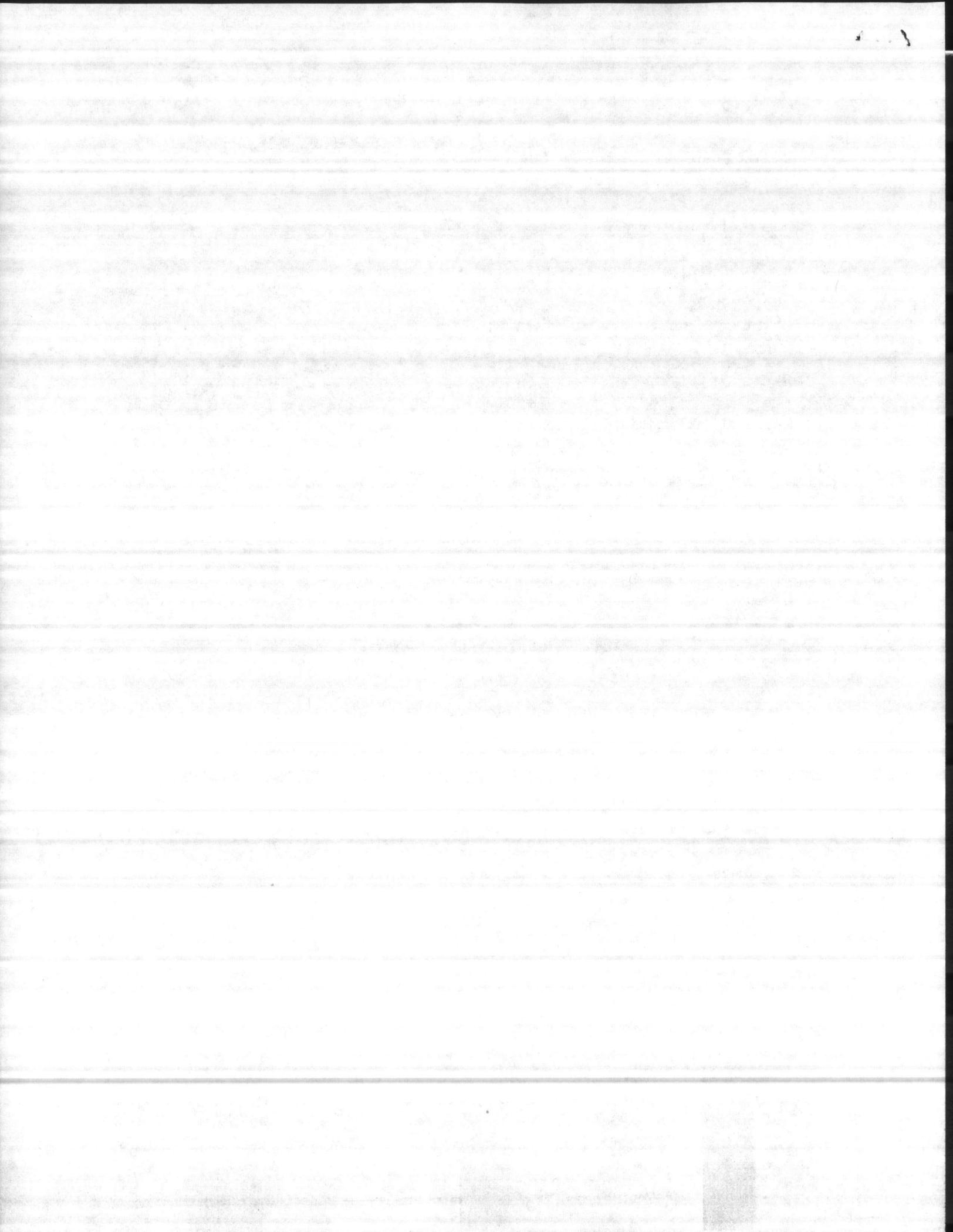
Defendants.

The condemnation proceeding was instituted by the Acting Federal Works Administrator of the Federal Works Agency on 11 September 1941 by the filing of a Petition For Condemnation and a Declaration of Taking and simultaneously therewith \$5,776.10 was paid and deposited with the Clerk of said Court as estimated just compensation for the taking of the 415.25 acres, more or less, described in said papers. An Order and Judgment on Declaration of Taking was duly entered on 13 September 1941, wherein it was decreed that on 11 September 1941 title to the lands described in the Declaration of Taking vested in the United States of America in fee simple, together with improvements thereon, subject to existing easements, if any, for electric power lines of Jones - Onslow Electric Membership Corporation along the southern line of the lands taken. The Court further decreed that the owners and occupants of said lands shall deliver to the United States of America the immediate and exclusive possession of said lands.



This proceeding was instituted pursuant to the provisions of the Acts of Congress of August 1, 1888 (25 Stat. 357; 40 U.S.C. 257); February 26, 1931 (46 Stat. 1421; 40 U.S.C. 258(a) to 258 (e)); October 14, 1940 (Public Law 649, 76th Congress); April 29, 1941 (Public Law 42, 77th Congress); April 1, 1941 (Public Law 25, 77th Congress); May 24, 1941 (Public Law 73, 77th Congress); and Joint Resolution of Congress of October 14, 1940 (Public Resolution 106, 76th Congress).

When administrative jurisdiction over said property was transferred to the Department of the Navy by letter dated 1 August 1942, not attached as it could not be located, the complete file of the condemnation proceeding was not forwarded to the Department of the Navy, and, consequently, the foregoing abstract is based upon the records available and is considered accurate within the limitations noted.



CONDEMNATION PROCEEDING

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NEW BERN DIVISION

UNITED STATES OF AMERICA,

Petitioner,

vs.

Civil No. 51

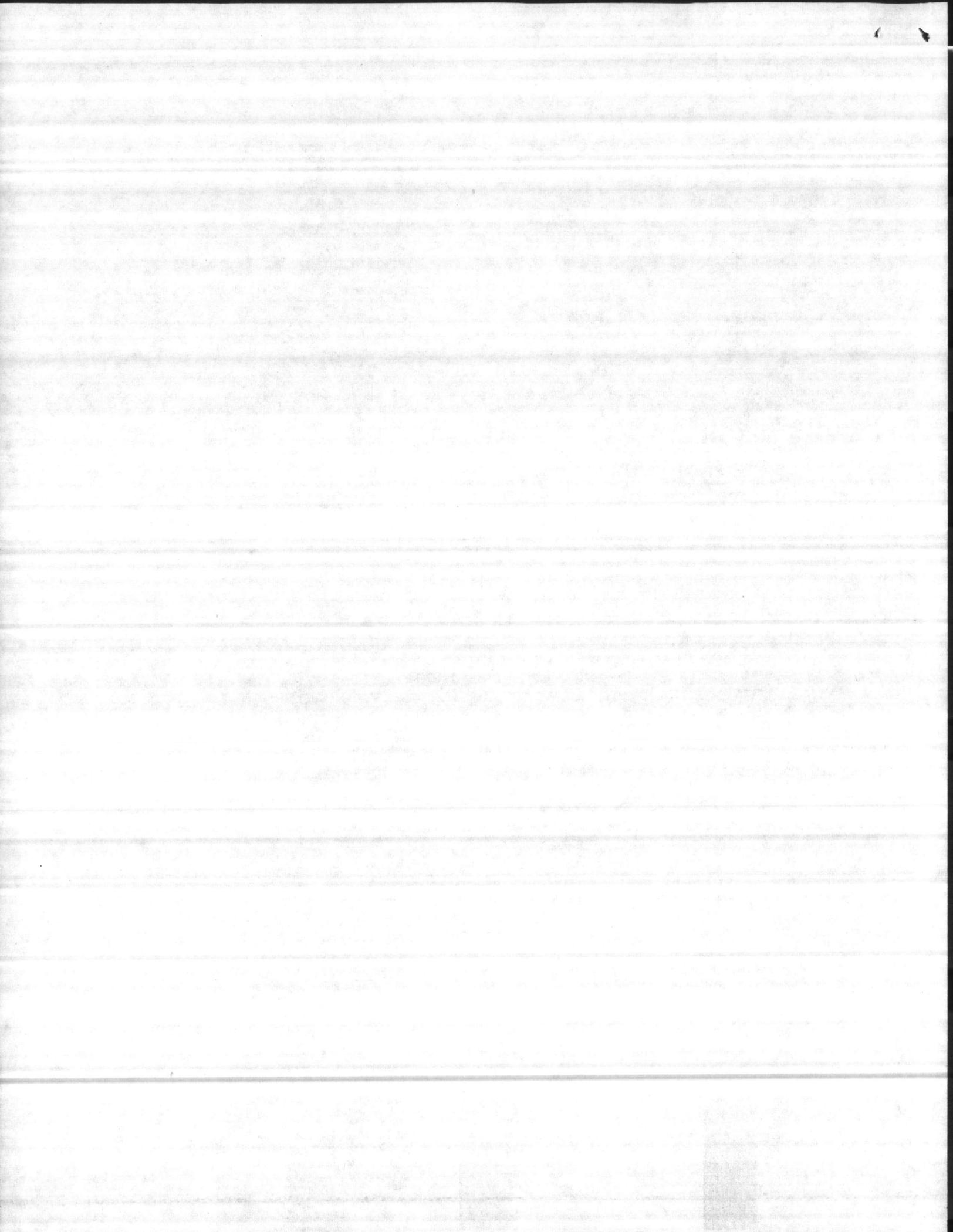
10,866.93 acres of land, more
or less, in Onslow County,
North Carolina, P. L. Wynne,
et al.,

Defendants.

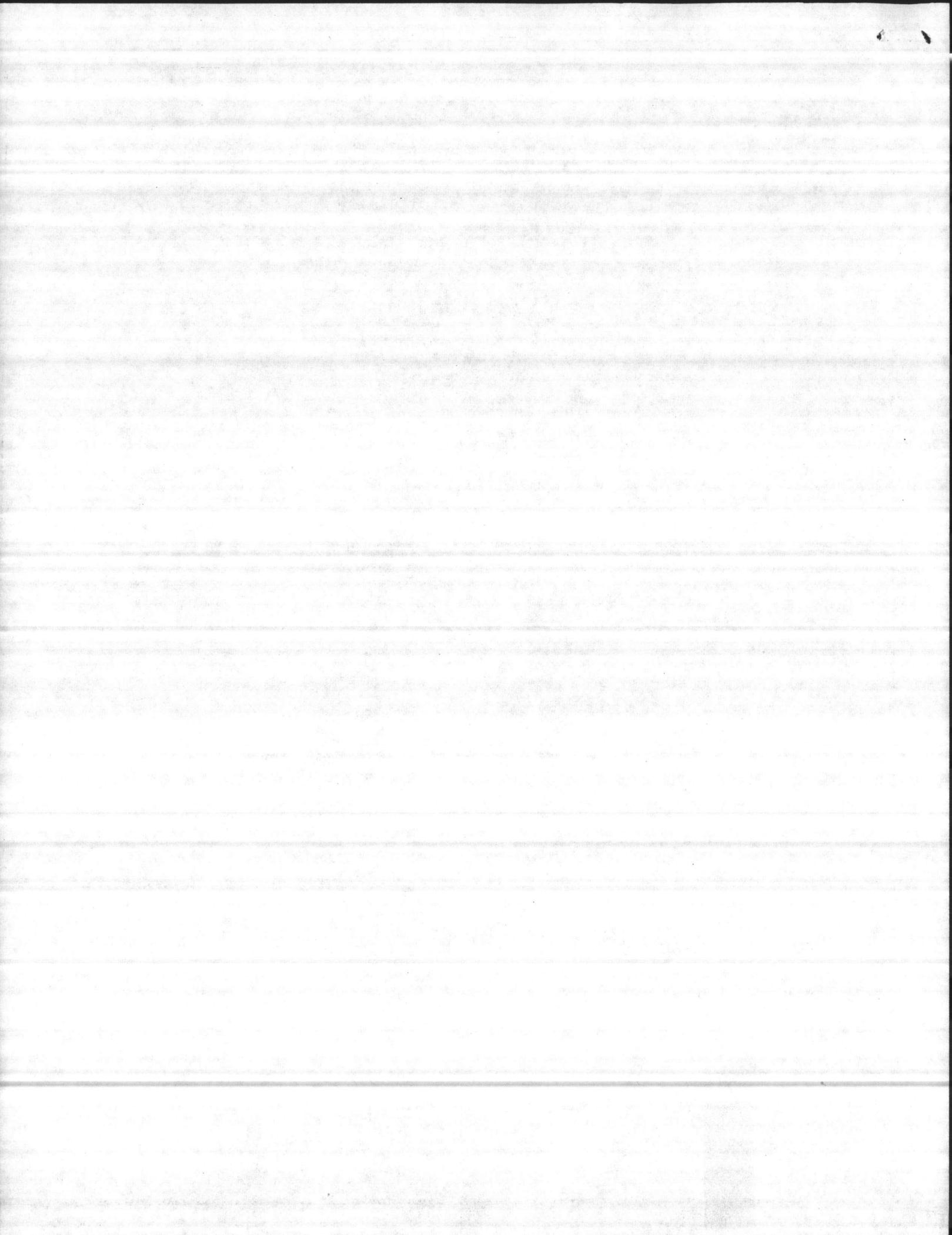
This condemnation proceeding was instituted on 16 June 1941 by the filing of a Petition For Condemnation and a Declaration of Taking and simultaneously depositing \$129,500.00 with the Clerk of said Court as estimated just compensation for the taking of the lands described in the Declaration of Taking. This proceeding was instituted pursuant to the provisions of Acts of Congress approved April 5, 1941 (55 Stat. 41); August 1, 1888 (25 Stat. 357; 40 U.S.C. 257); and February 26, 1931 (46 Stat. 1421; 40 U.S.C. 258 a).

The estate taken was in fee simple, subject to existing public utility easements, if any, and rights of way for roads and highways, and subject also to the right of way easement of the Jones - Onslow Electric Membership Corporation.

EXHIBIT "I"



The names and the addresses of all persons having title to or other interests in the lands described in the Declaration of Taking and the amount of estimated just compensation for each respective ownership were particularly set forth in the Declaration of Taking and subsequent instruments. An examination of the records of the proceeding reveals the existence of no other stipulation, order or subsequent action after the filing of the Declaration of Taking and the above mentioned papers which adversely affect the vesting of the estate described above in the United States of America. A Judgment on the Declaration of Taking was entered on 18 June 1941 providing for immediate possession by the United States, and a Final Judgment was entered on 30 October 1944 removing the cause from the active docket.



CONDEMNATION PROCEEDING

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NEW BERN DIVISION

UNITED STATES OF AMERICA,

Petitioner,

vs.

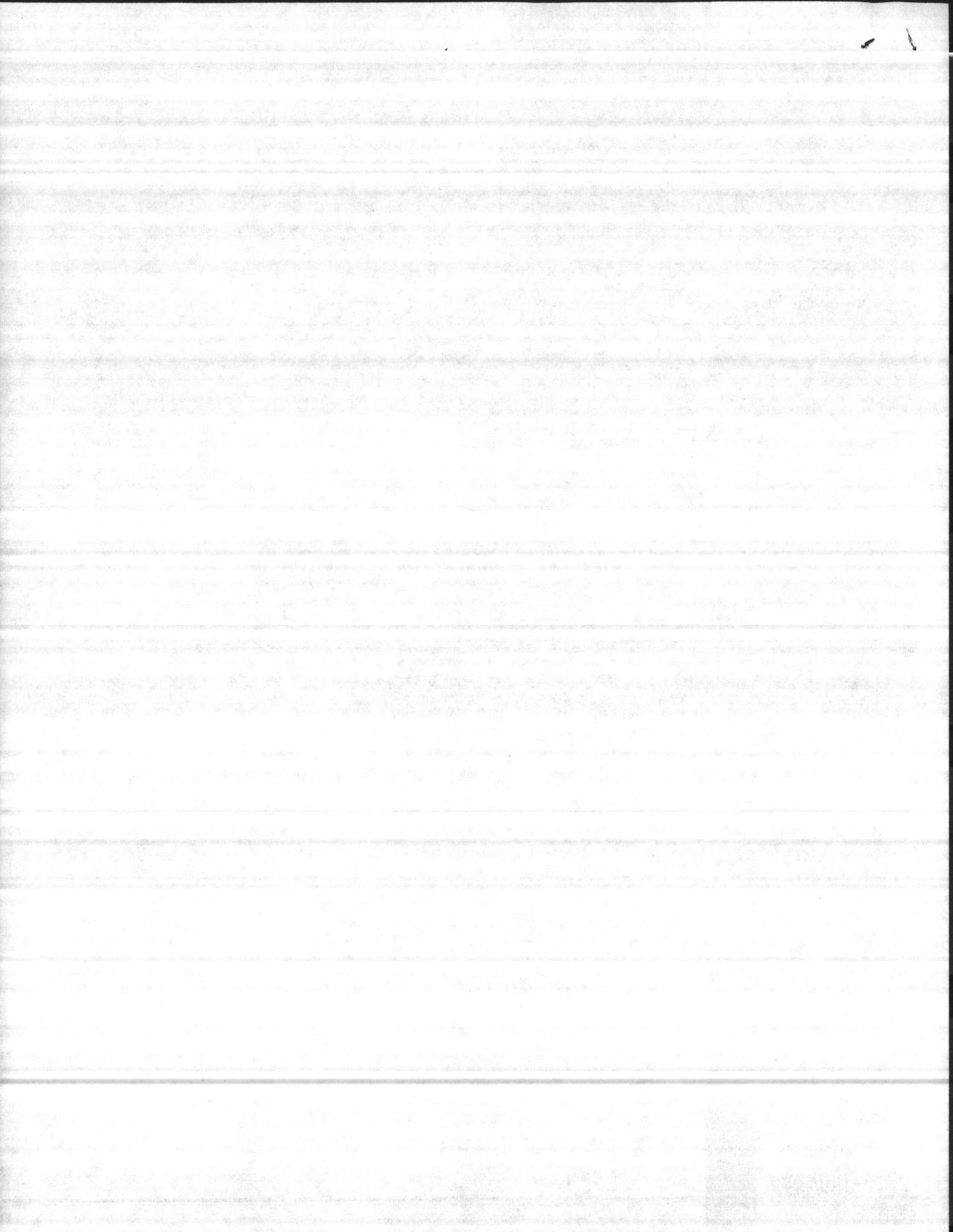
Civil No. 52

12,921.63 Acres of land, more
or less, in Onslow County,
North Carolina, Margaret R.
Riggs, et al.,

Defendants.

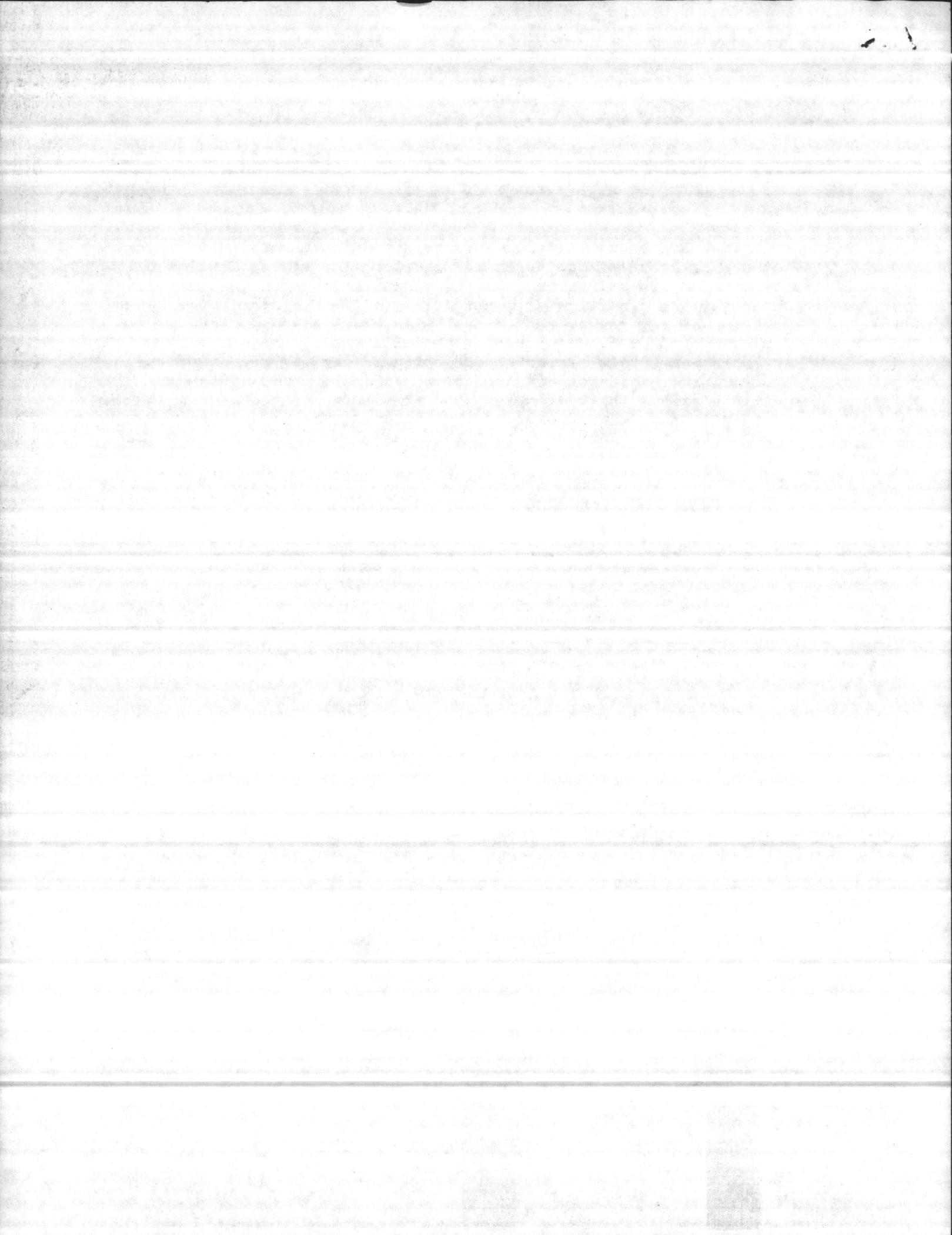
The condemnation proceeding was instituted on 20 June 1941 by the filing of Petition For Condemnation and a Declaration of Taking pursuant to the following Acts of Congress approved April 5, 1941 (55 Stat. 41); August 1, 1888 (25 Stat. 357; 40 U.S.C. 257); February 26, 1931 (46 Stat. 1421; 40 U.S.C. 258a). The United States of America deposited on 20 June 1941 with the Clerk of said Court the sum of \$114,928.00, being the estimated just compensation for all the lands and improvements described in the Declaration of Taking.

A Judgment on Declaration of Taking was entered on 20 June 1941 granting immediate possession to the United States and ordering that the title to the lands described in the Declaration of Taking be vested in the United States in fee simple, together with improvements thereon, on 20 June 1941, subject to existing easements and rights-of-way for roads, highways, navigable waterways and utilities, if any. This is slightly different from the



estate described in the Declaration of Taking which is an estate in fee simple, subject to existing public utility easements, if any, and rights of way for roads and highways, and subject also to the right of way easement of the Jones - Onslow Electric Membership Corporation.

The names and the addresses of all persons having title to or other interests in the lands described in the Declaration of Taking and the estimated just compensation for each respective ownership were particularly set forth in the Declaration of Taking and subsequent instruments. An examination of the records of the proceeding reveals the existence of no other stipulation, order or subsequent action after the filing of the Declaration of Taking and the above mentioned papers which adversely affect the vesting of the estate described above in the United States of America. A Final Judgment was entered on 26 January 1945 decreeing that the estate described above in the Declaration of Taking vested in the United States on 20 June 1941, and that since the proceeding has been concluded, the Clerk of the Court was authorized and directed to remove the cause from the active docket.



AMENDMENT TO GRANT OF EASEMENT

THIS AMENDMENT TO GRANT OF EASEMENT, made and entered into as of the 17th day of February 1972, by and between the UNITED STATES OF AMERICA, acting by and through the Department of the Navy, hereinafter referred to as the GOVERNMENT, and the STATE HIGHWAY COMMISSION of the STATE of NORTH CAROLINA, hereinafter referred to as the STATE.

W I T N E S S E T H

WHEREAS, by Grant of Easement dated 24 June 1971, bearing Number NF(R)-11565, the GOVERNMENT granted a perpetual easement unto the STATE for the construction, use, maintenance, operation, repair and replacement of a road, designated N. C. Route 24, over and across certain GOVERNMENT-owned property situate in the County of Onslow, State of North Carolina, comprising a part of the lands under cognizance of the Department of the Navy at the Marine Corps Base, Camp Lejeune as therein described; and

WHEREAS, said road severs 46 acres, more or less, of land from the Base which severed acreage has been declared excess property; and

WHEREAS, said excess property is bounded on the north side by former N. C. Route 24 and on the south side by the aforementioned road easement; and

WHEREAS, the STATE has requested that said Grant of Easement Number NF(R)-11565 be amended to grant unto the STATE all abutter's access rights to that section of the right-of-way granted therein along the frontage of the excess GOVERNMENT property situate on the north side of said right-of-way as hereinafter described; and

WHEREAS, said N. C. Route 24 is extensively used by military and civilian personnel of the Base, and the relinquishment of the requested access rights will improve highway access to the Base and operate to the benefit of the GOVERNMENT; and

EXHIBIT " K "



IN WITNESS WHEREOF, the GOVERNMENT has caused this instrument to be executed as of the date hereinabove set forth.

DEPARTMENT OF THE NAVY

By R. C. Williams
Commander, Atlantic Division
Naval Facilities Engineering
Command

STATE OF VIRGINIA)) To-wit:
CITY OF NORFOLK)

I, WILLIAM C. HUNT, a Notary Public in and for the State and City aforesaid, do hereby certify that R. C. WILLIAMS, whose name is signed to the foregoing writing dated the 17th day of February, 1972, has this day personally appeared before me in my City and State aforesaid and acknowledged the same.

Given under my hand and seal this the 17th day of February, 1972.

William C. Hunt
Notary Public

My commission expires 15 February 1975.

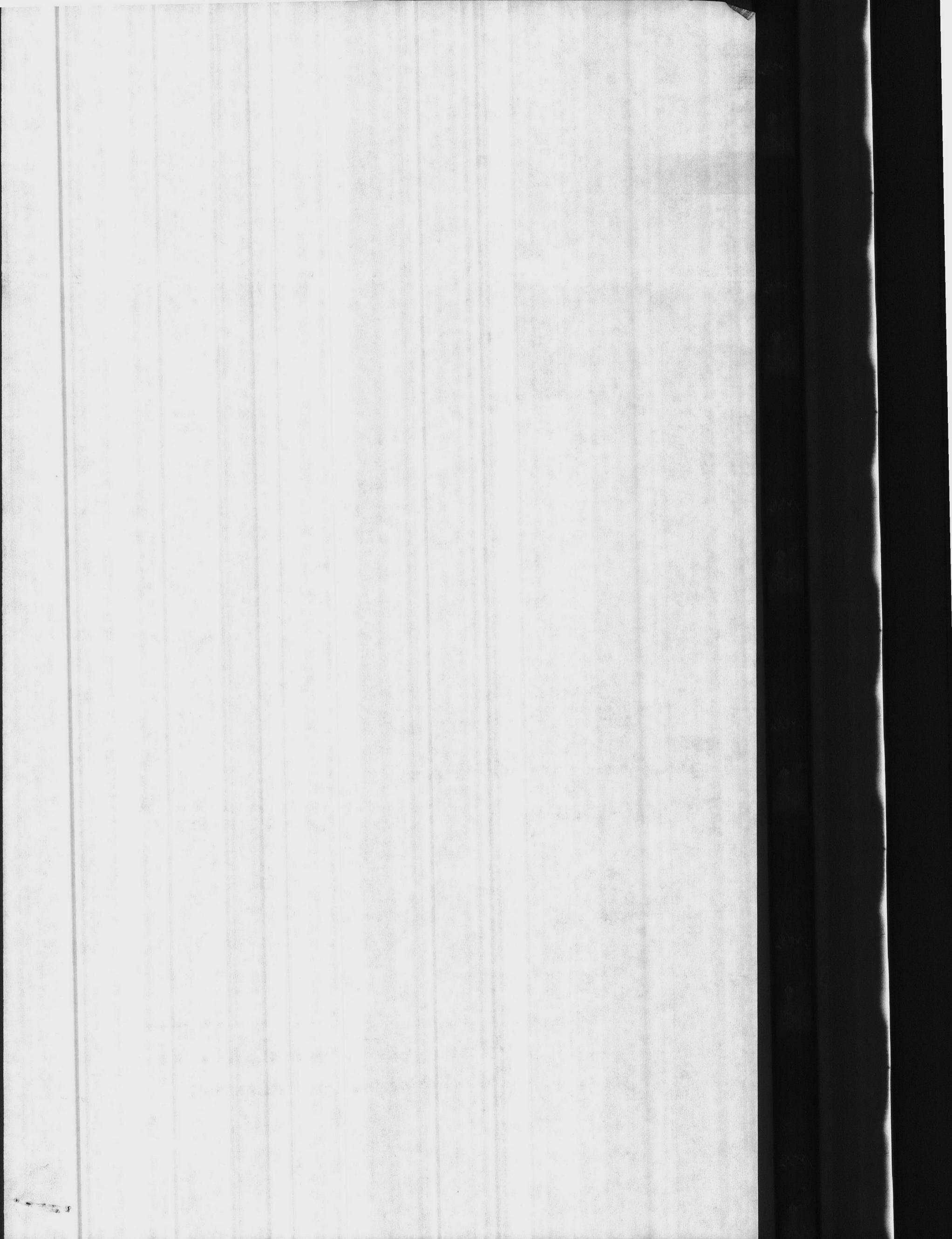
(SEAL)

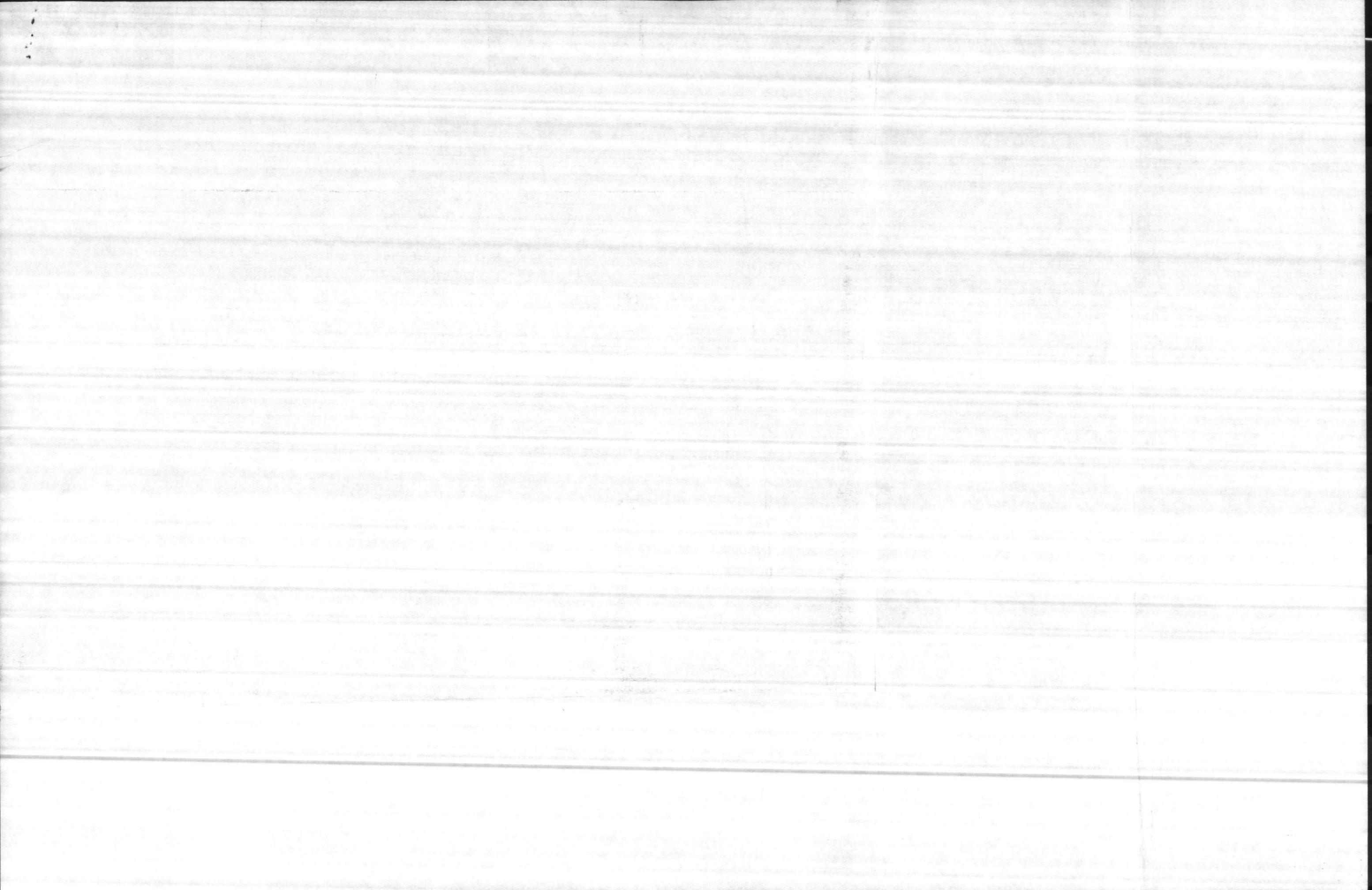
REVOCABLE PERMIT

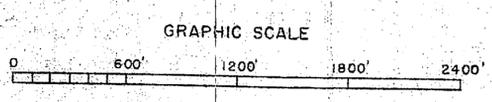
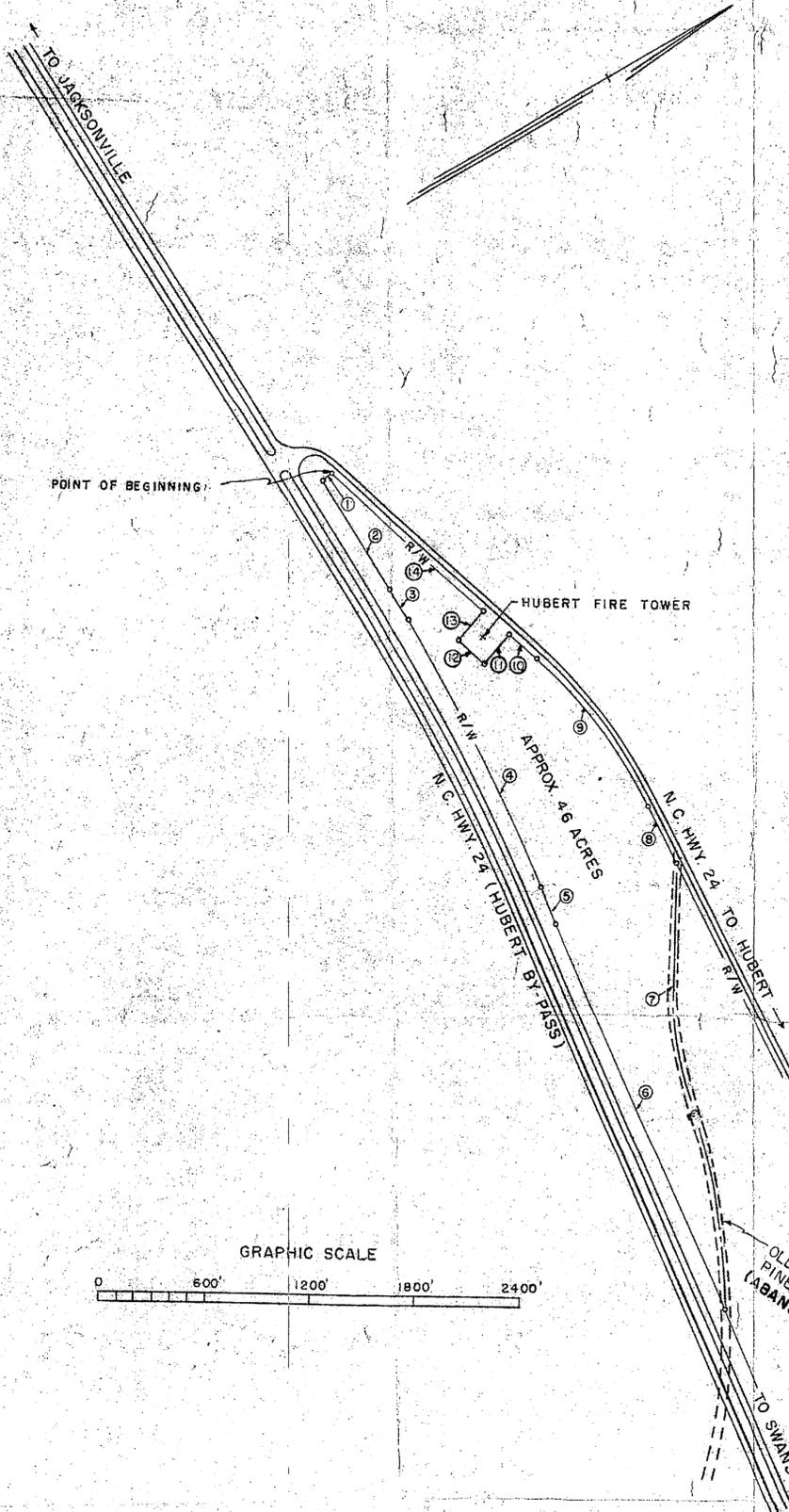
In consideration of the benefits and advantages to be derived therefrom, the United States of America, represented by the Chief of the Bureau of Yards and Docks, acting under the direction of the Secretary of the Navy, hereinafter called the Permitter, hereby grants to the State of North Carolina, represented by its State Highway and Public Works Commission, an agency of said State, hereinafter called the Permittee, permission, revocable at will, to construct, maintain, operate and repair a public highway upon, over and across land comprising a portion of Camp Lejeune, New River, Onslow County, North Carolina, at the locations and in accordance with the detail shown on the attached sheets 4 to 9 inclusive, of a set of drawings for State Project No. 60, 257, dated December 7, 1943, bearing legend "State of North Carolina, State Highway and Public Works Commission, Plan and Profile of Proposed State Highway, Onslow County."

The permission hereby granted shall be subject to the following provisions and conditions:

1. This Permit shall not be assignable or transferable except upon the written consent of the Permitter, or by its duly authorized representative.
2. The Permittee is not to be considered as acquiring hereunder any permanent interest of whatever nature in the land of the Permitter.
3. The Permittee shall retain title to the facility authorized by this permit and all costs and expenses incurred in connection with the construction, maintenance, operation and repair of said facility shall be borne by the Permittee. Upon the termination of this permit, the Permittee, within a reasonable time thereafter, shall remove the said facility and restore Permitter's land as nearly as practicable to its original condition, if requested to do so by the Permitter. Any expense incurred by the Permitter, after such termination, in removing such property, or in restoring said land shall be reimbursed to the Permitter by the Permittee.
4. All activities authorized hereunder shall be subject to such rules and regulations, as regards supervision or otherwise, as may, from time to time, be prescribed by the Permitter, or by the Commanding Officer, Camp Lejeune, New River, North Carolina, who is hereby designated as the local representative of the Navy Department.
5. No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this permit, or to any benefit to arise therefrom. Nothing, however, herein contained shall be construed to extend to any incorporated company, if the permit be for the general benefit of such corporation or company.

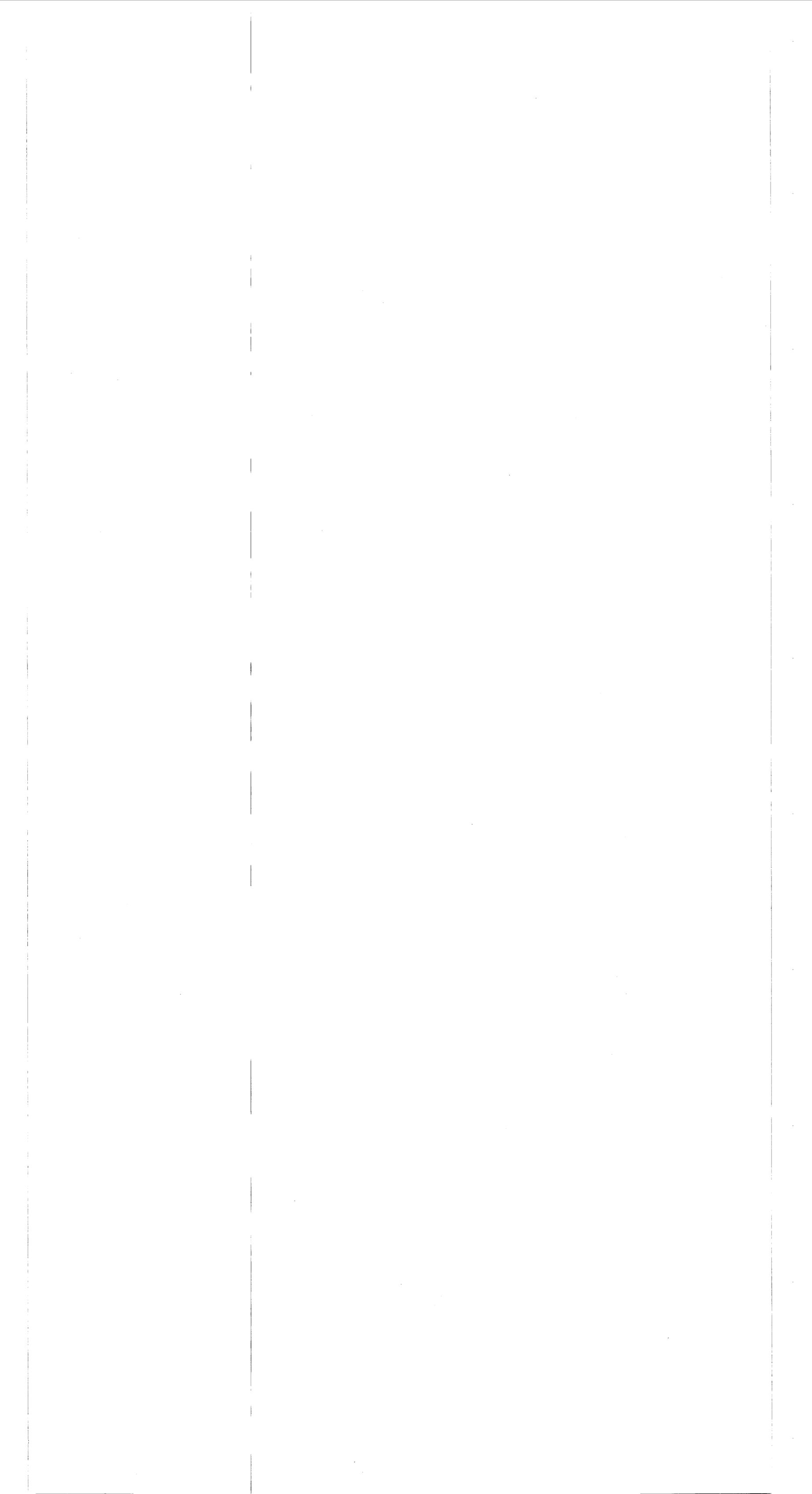


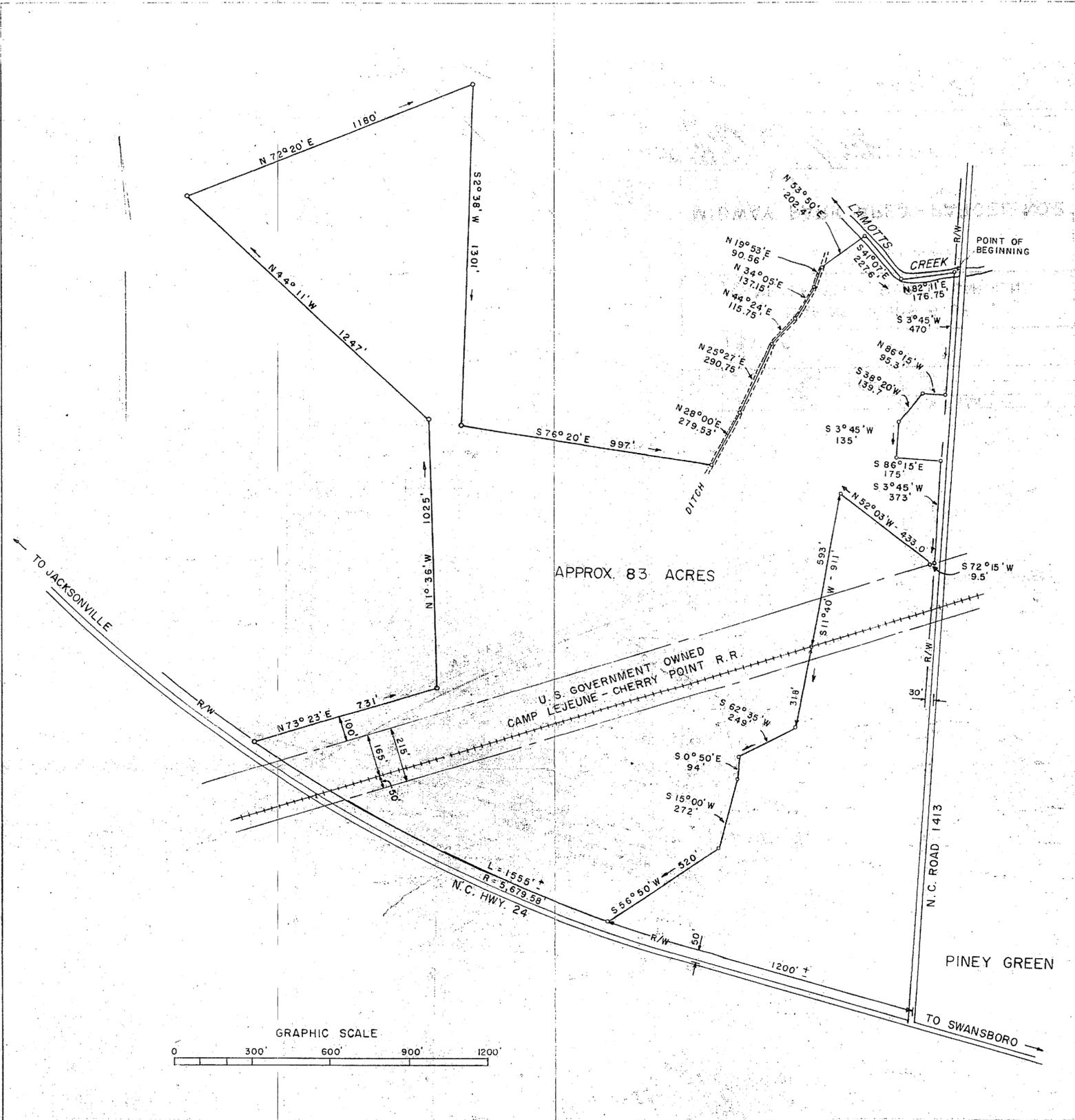




LEG	BEARING	DISTANCE	REMARKS
1	S 1°-02'-52" W	83.95	
2	N 80°-45'-46" E	726.10'	
3	N 80°-55'-48" E	201.33'	SPIRAL CHORD
4	CURVE R=11,559.16'	1,669.31'	ARC DIS.
5	N 89°-49'-58" E	201.33'	SPIRAL CHORD
6	N 90°-00' E	2,326.25'	
7	VARIABLE	2550' ±	Q OF OLD DIRT RD
8	N 87°-59' W	240' ±	
9	CURVE R=2,815'	1056'	ARC DIS.
10	S 70°-31' W	213'	
11	S 19°-29' E	215'	
12	S 70°-31' W	200'	
13	N 19°-29' W	215'	
14	S 70°-31' W	1127' ±	

P. W. DWG. NO. 13017	DESCRIPTION	DATE
	REV. TO UPDATE STATUS OF DIRT ROAD	11:17:71
	GEN. REV.	8:25:71
MARINE CORPS BASE CAMP LEJEUNE, NORTH CAROLINA		
EXCESSED PROPERTY		
HUBERT BY-PASS AREA		
APPROVED <i>[Signature]</i> FOR COMMANDING GENERAL	Ltcol <i>[Signature]</i> USMC	SCALE 1" = 600'
		DATE 30 JUNE 1971

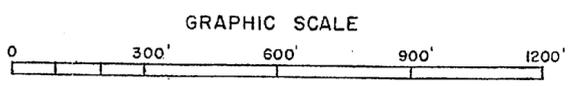
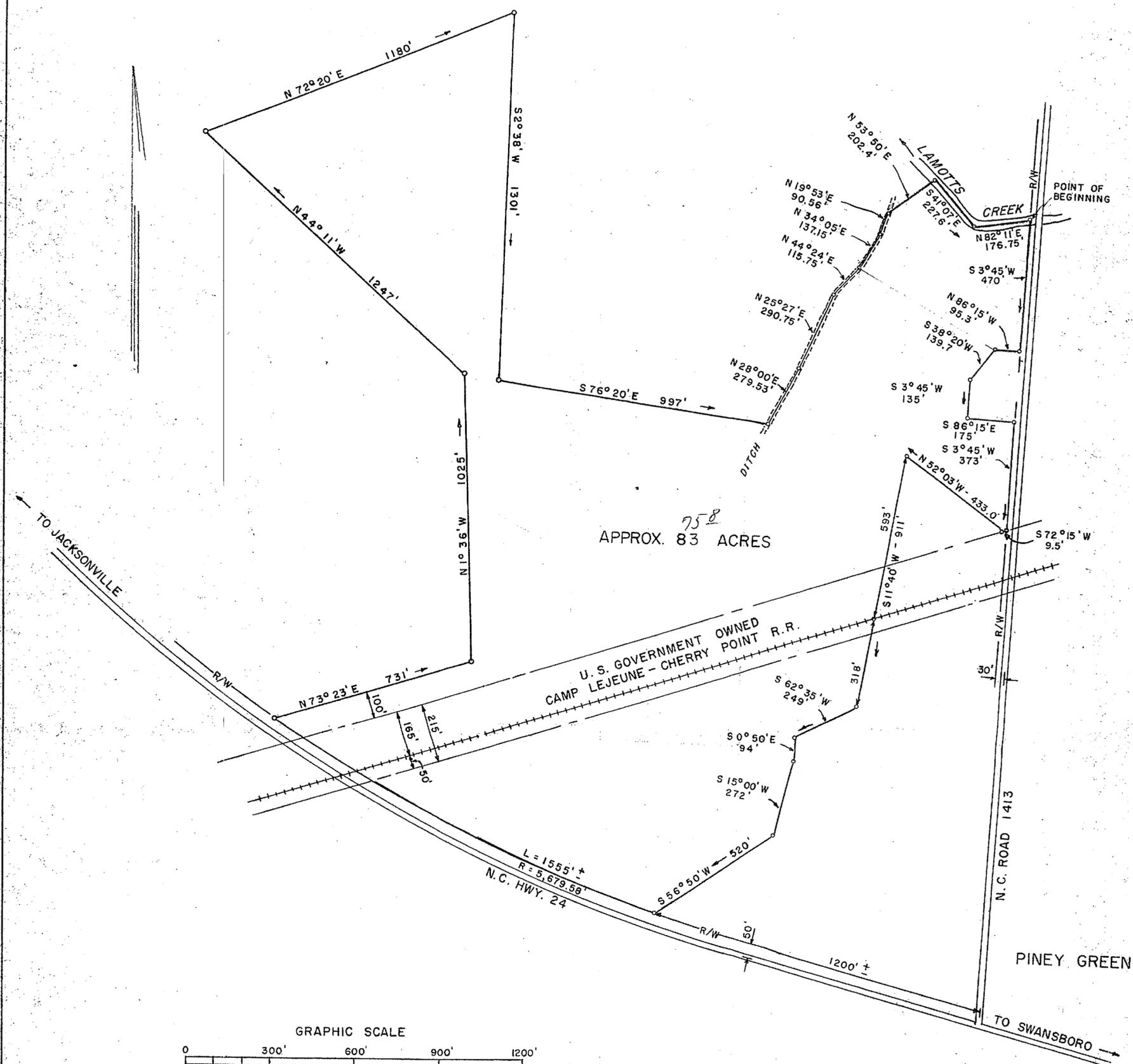




REV	DATE	APPR	DESCRIPTION
"A"	7-27-71	[Signature]	GENERAL REVISION
"B"	9-20-72	[Signature]	CHANGED BEARING
P.W. DWG. NO. 13016			
MARINE CORPS BASE CAMP LEJEUNE, NORTH CAROLINA			
EXCESSED PROPERTY			
MIDWAY PARK AREA - PARCEL NO.2			
APPROVED [Signature] FOR COMMANDING GENERAL			SCALE 1" = 300' DATE 30 JUNE 1971

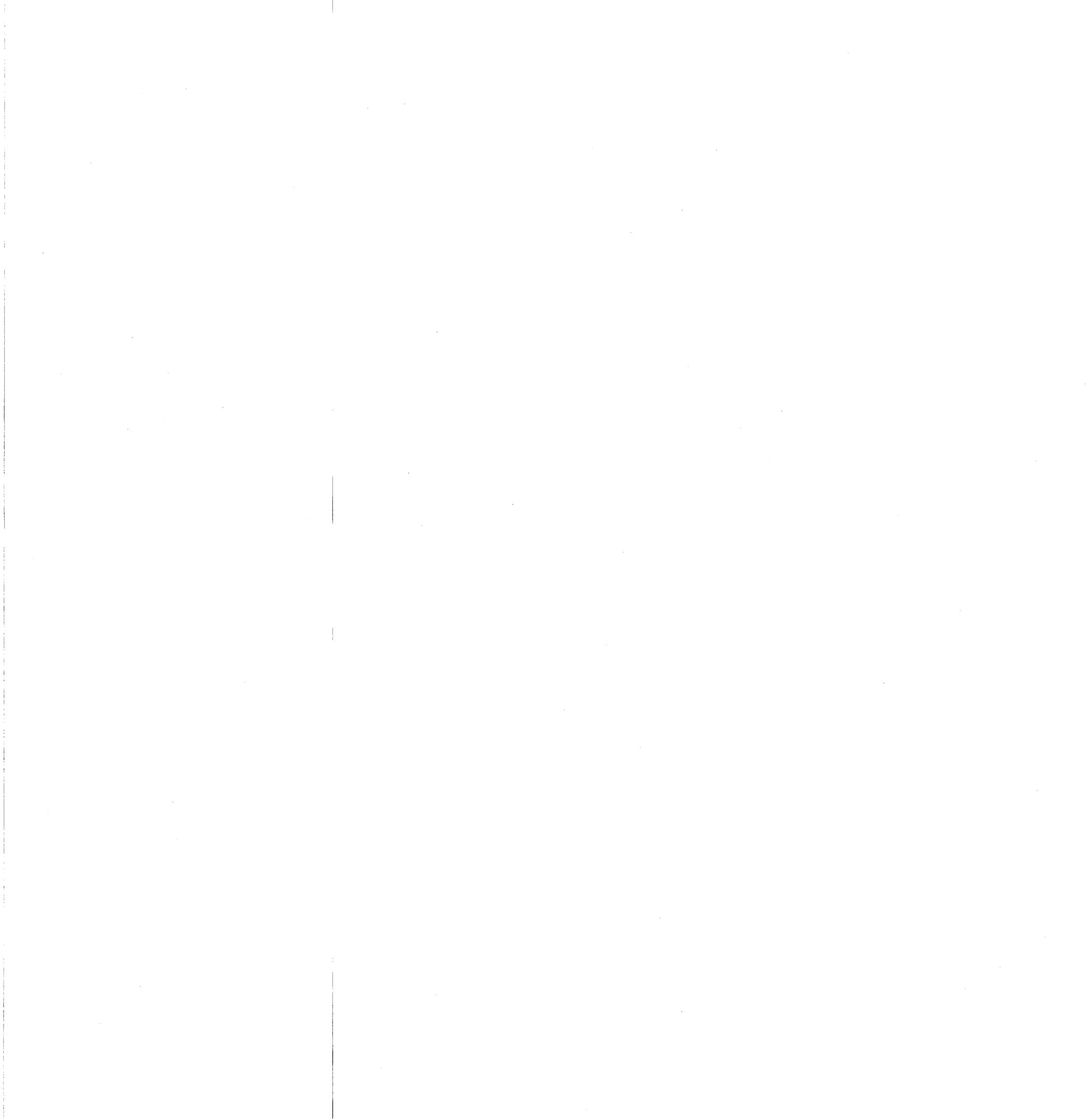
ENCLOSURE (3) EXHIBIT "D"

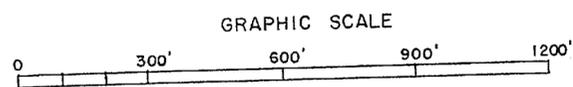
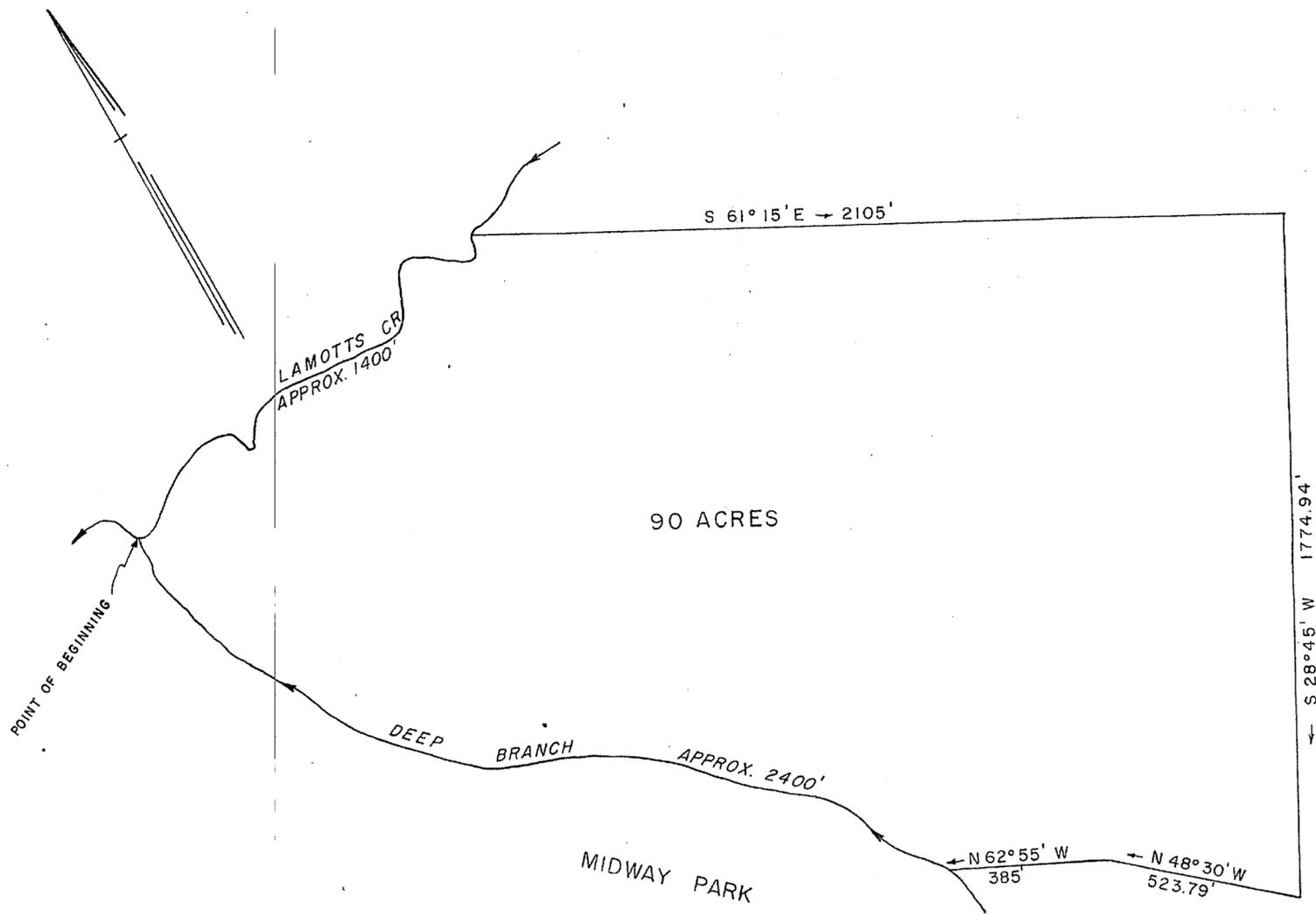




REV	DATE	APPR	DESCRIPTION
"A"	7-27-71	[Signature]	GENERAL REVISION
"B"	9-20-72	[Signature]	CHANGED BEARING
P. W. DWG. NO.			
13016			
MARINE CORPS BASE CAMP LEJEUNE, NORTH CAROLINA			
EXCESSED PROPERTY			
MIDWAY PARK AREA - PARCEL NO.2			
APPROVED [Signature] FOR COMMANDING GENERAL			SCALE 1" = 300'
			DATE 30 JUNE 1971

EXHIBIT "B" 4 *ENCLOSURE (2)*





P. W. DWG. NO. 13015	
MARINE CORPS BASE CAMP LEJEUNE, NORTH CAROLINA	
EXCESSED PROPERTY	
MIDWAY PARK AREA - PARCEL NO. 1	
APPROVED <i>M. P. [Signature]</i> LtCol USMC For COMMANDING GENERAL	SCALE 1" = 300' DATE 30 JUNE 1971

EXHIBIT "A" ~~ENCL. (2)~~

