

29 September 1972

**ATTORNEY'S REPORT ON TITLE**

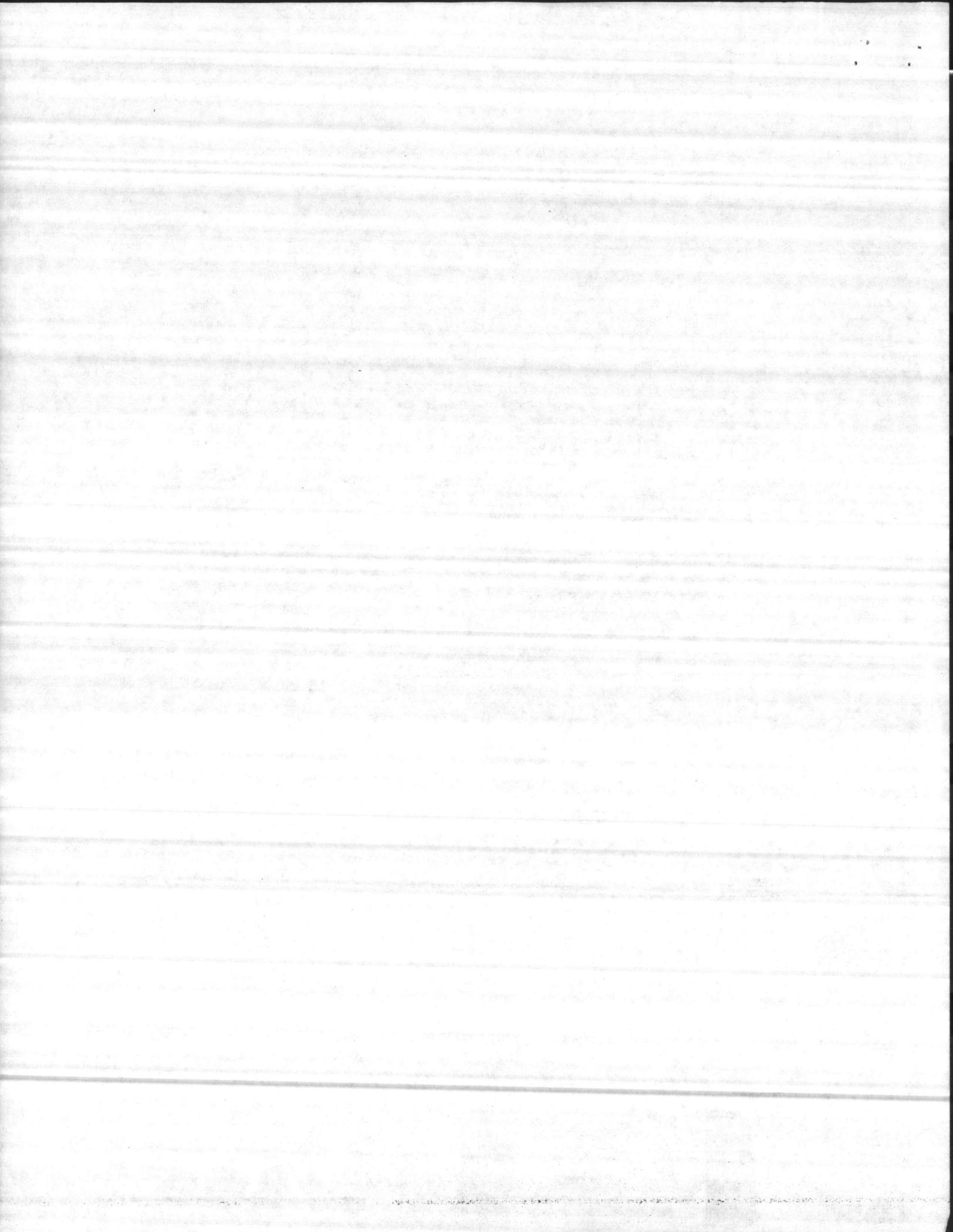
**Disposal of 374 acres of land,  
more or less, and improvements thereon  
located at Marine Corps Base  
Camp Lejeune, Onslow County, North Carolina,  
Consisting of four separate parcels of land as follows:**

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)**



































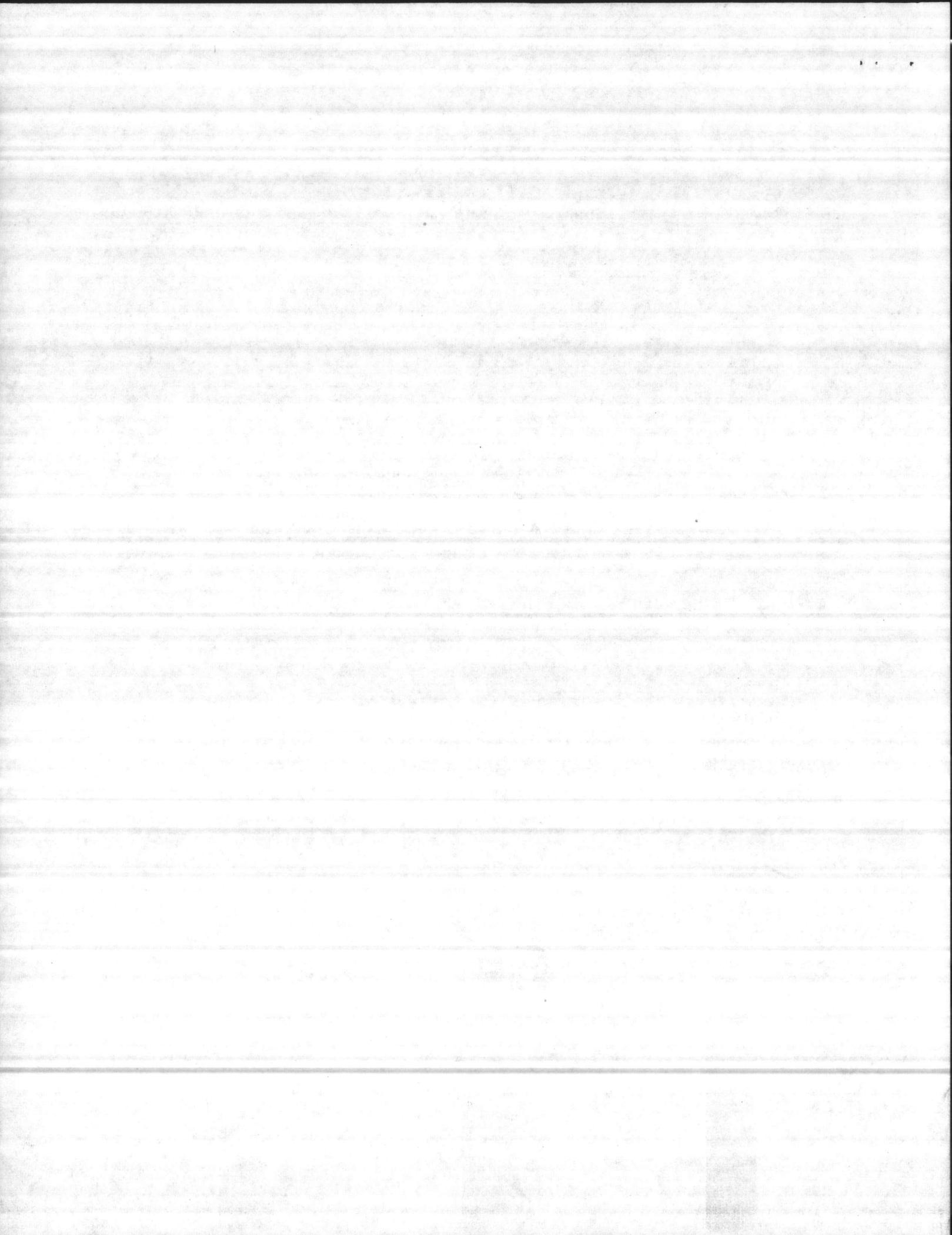












CONDEMNATION PROCEEDING

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

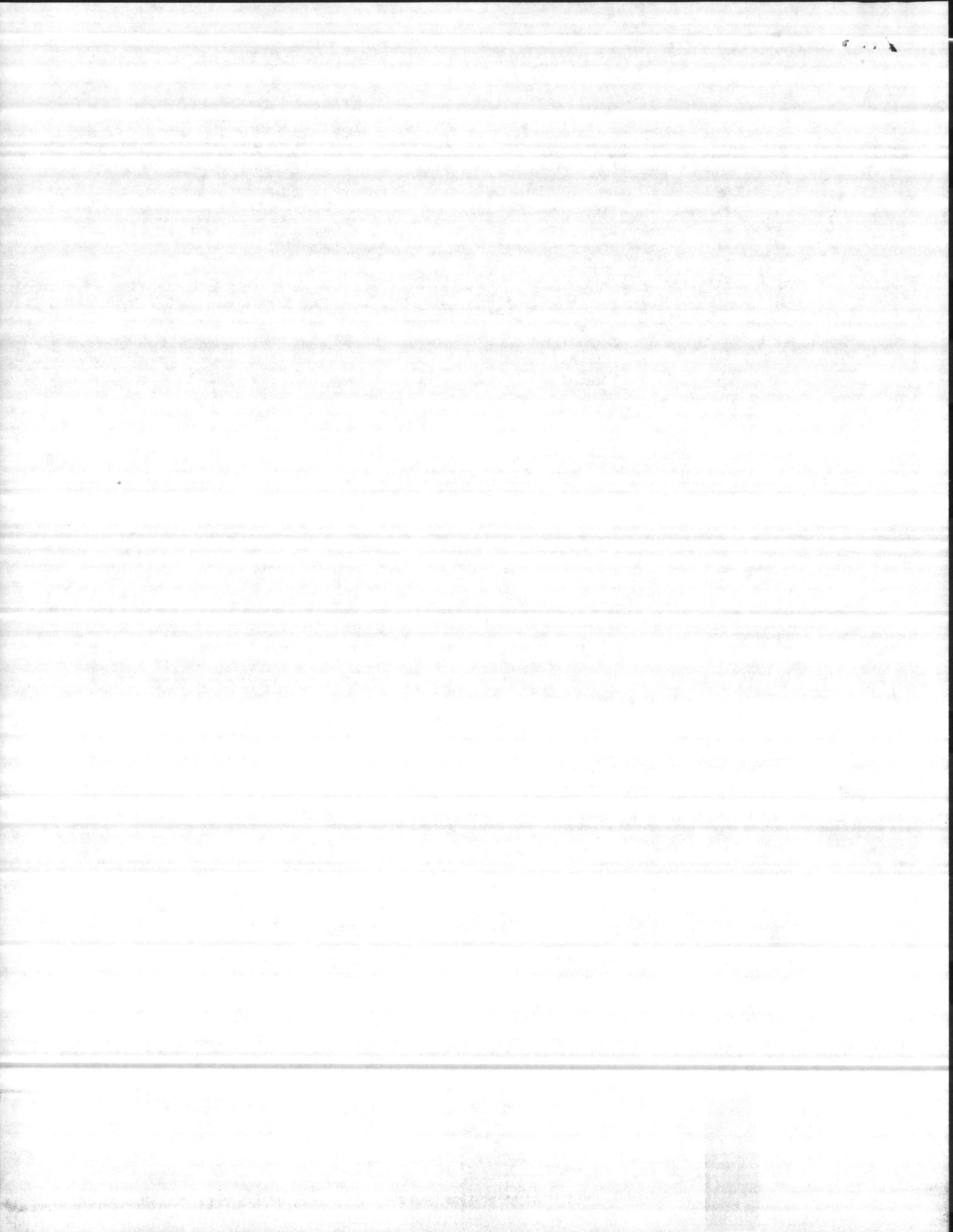
UNITED STATES OF AMERICA, :  
 :  
 Petitioner, :  
 :  
 vs. : CIVIL NO. 138  
 :  
 90 acres of land, more or less, in :  
 Onslow County, North Carolina, John :  
 L. Roper Lusber Company, et al., :  
 :  
 Defendants. :

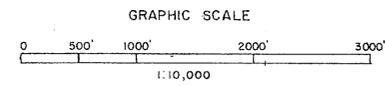
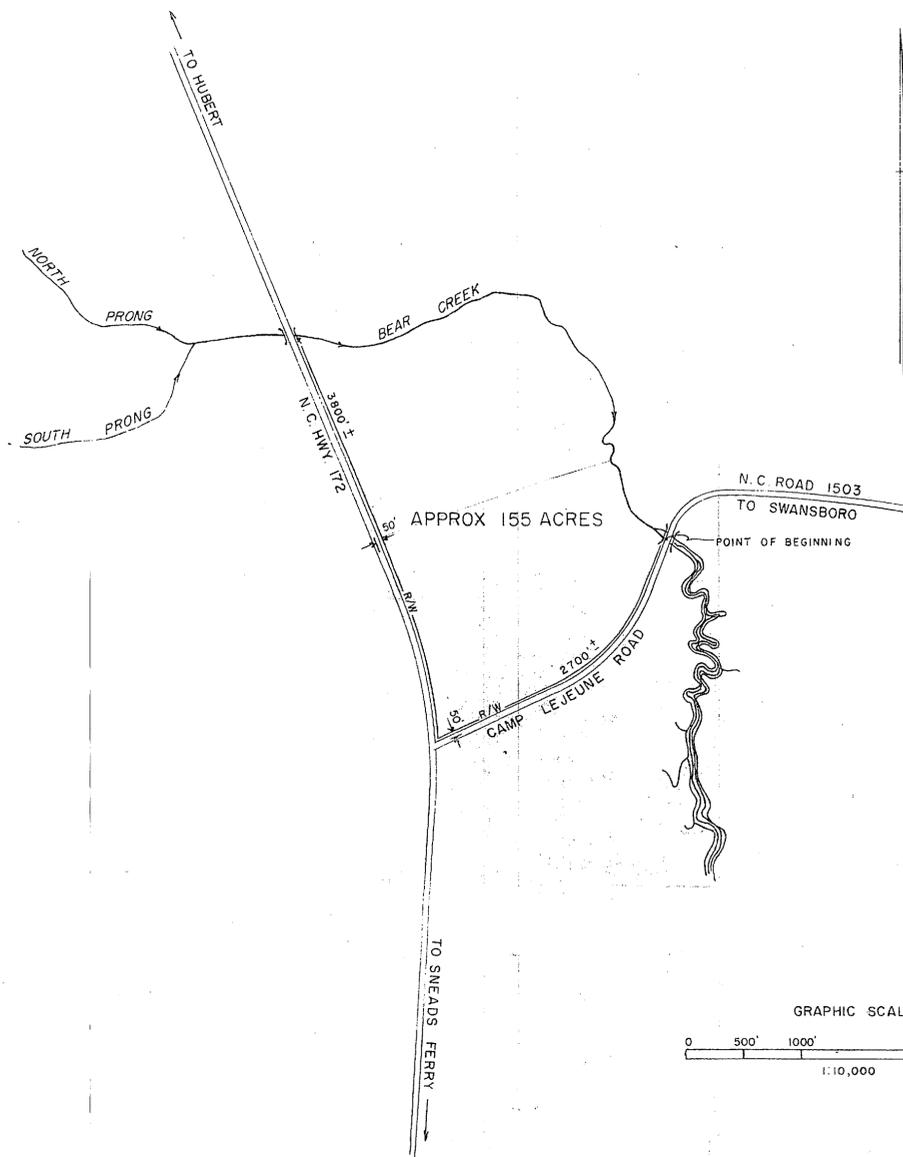
The condemnation proceeding was instituted on 16 May 1944 by the filing of a Petition For Condemnation. On 18 May 1944 there was filed and entered herein an order granting to the Petitioner the immediate and exclusive possession of lands described therein. A Declaration of Taking was filed on 22 January 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

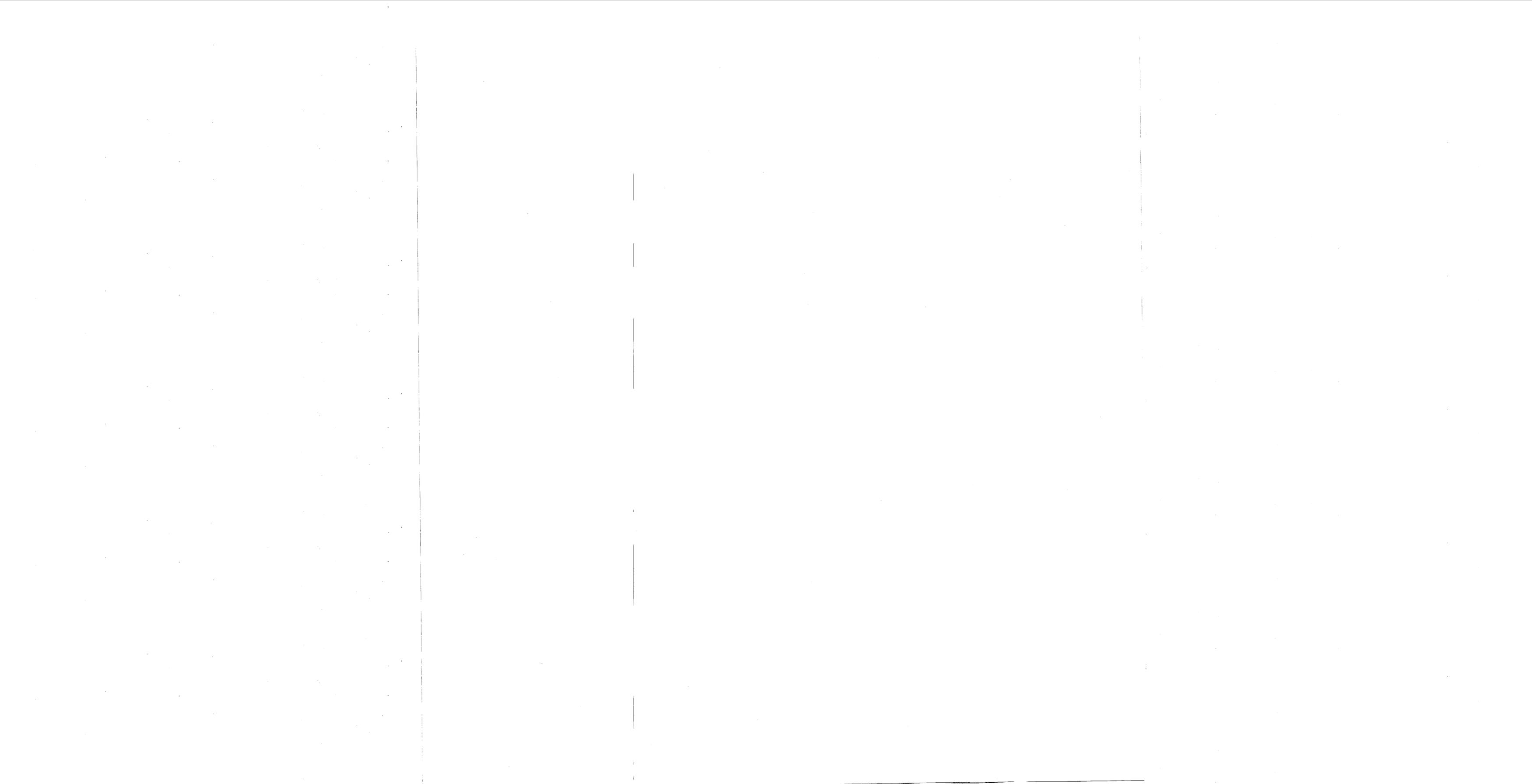


subsequent instruments. An examination of the records of the proceeding reveals the existence of no other stipulation, order or subsequent action after the filing of the Declaration of Taking and the above mentioned papers which adversely affect the vesting of the estate described above in the United 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. <b>13018</b>	
MARINE CORPS BASE CAMP LEJEUNE, NORTH CAROLINA	
EXCESSED PROPERTY	
<b>BEAR CREEK AREA</b>	
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

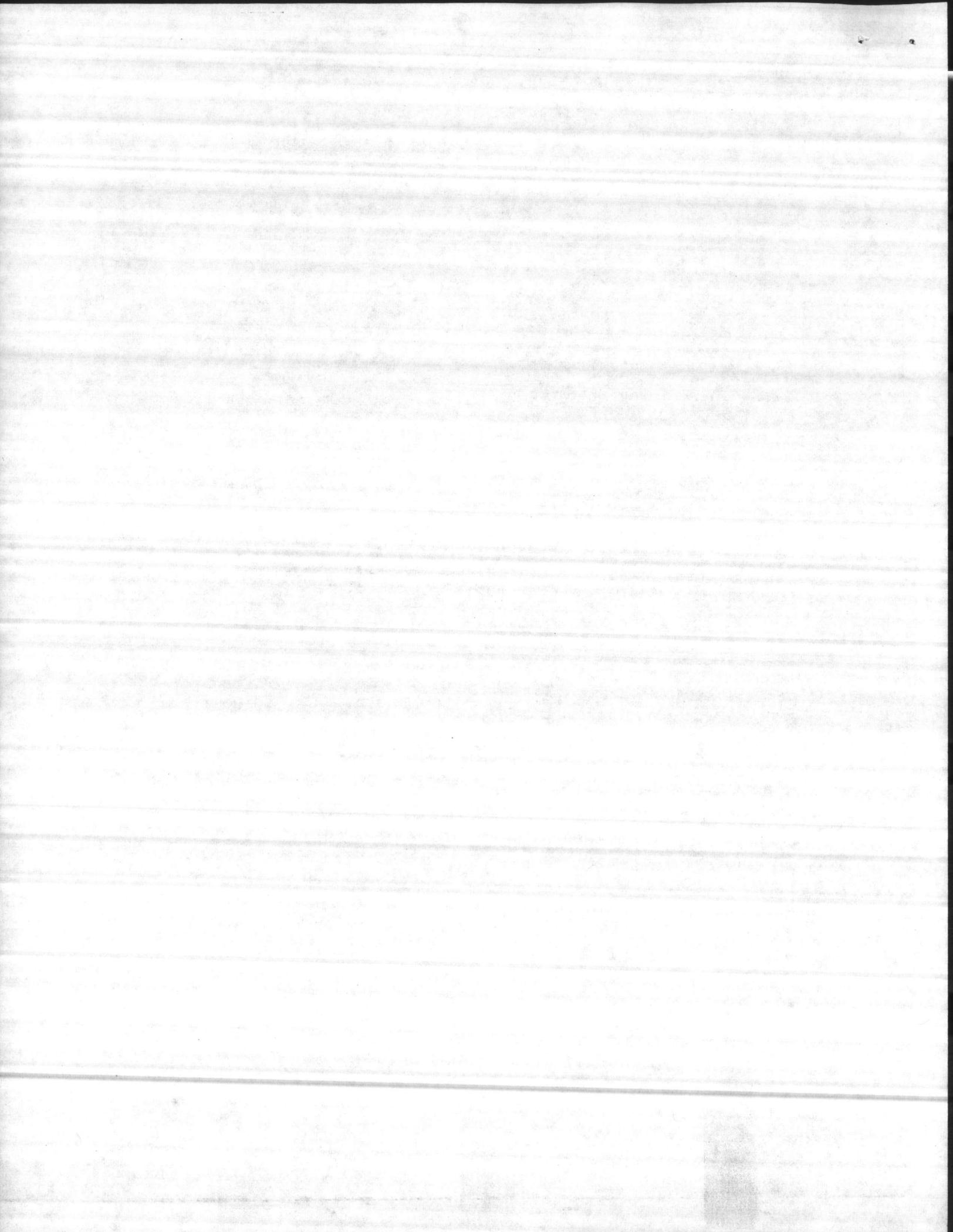
15.23 acres of land, more or  
less, in Onslow County, North  
Carolina, and Jay Hamilton,  
et al.,

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"



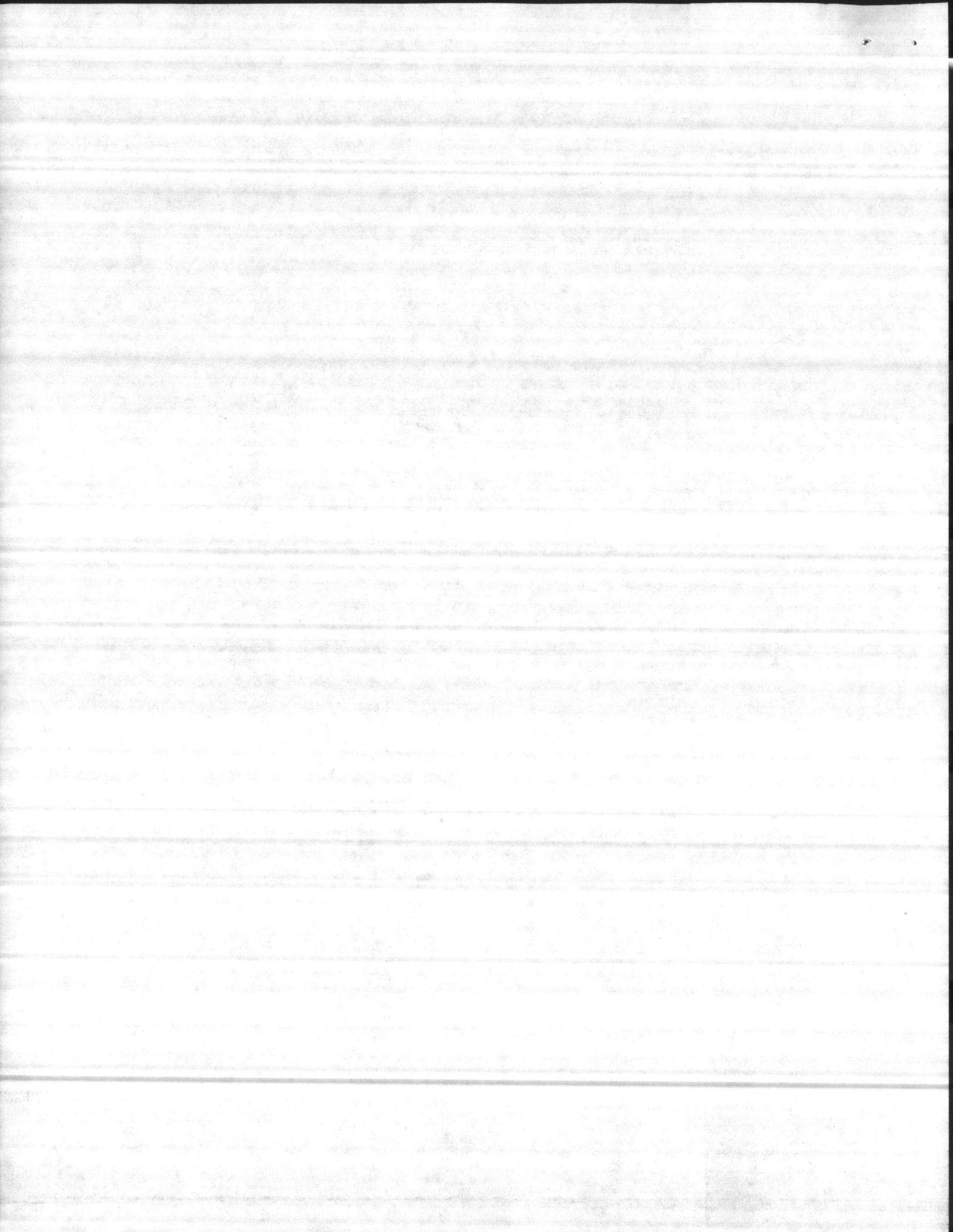
FIRST: Beginning at a point on the line between the property of Mrs. L. B. Farnell and the tract of land known as the Jay Hamilton 15.23 acre tract, hereinafter known as Tract No. 1, said point being N. 52° 03' W. 120.91' from the center line of the Piney Green-Pumpkin Center Road at its intersection 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.

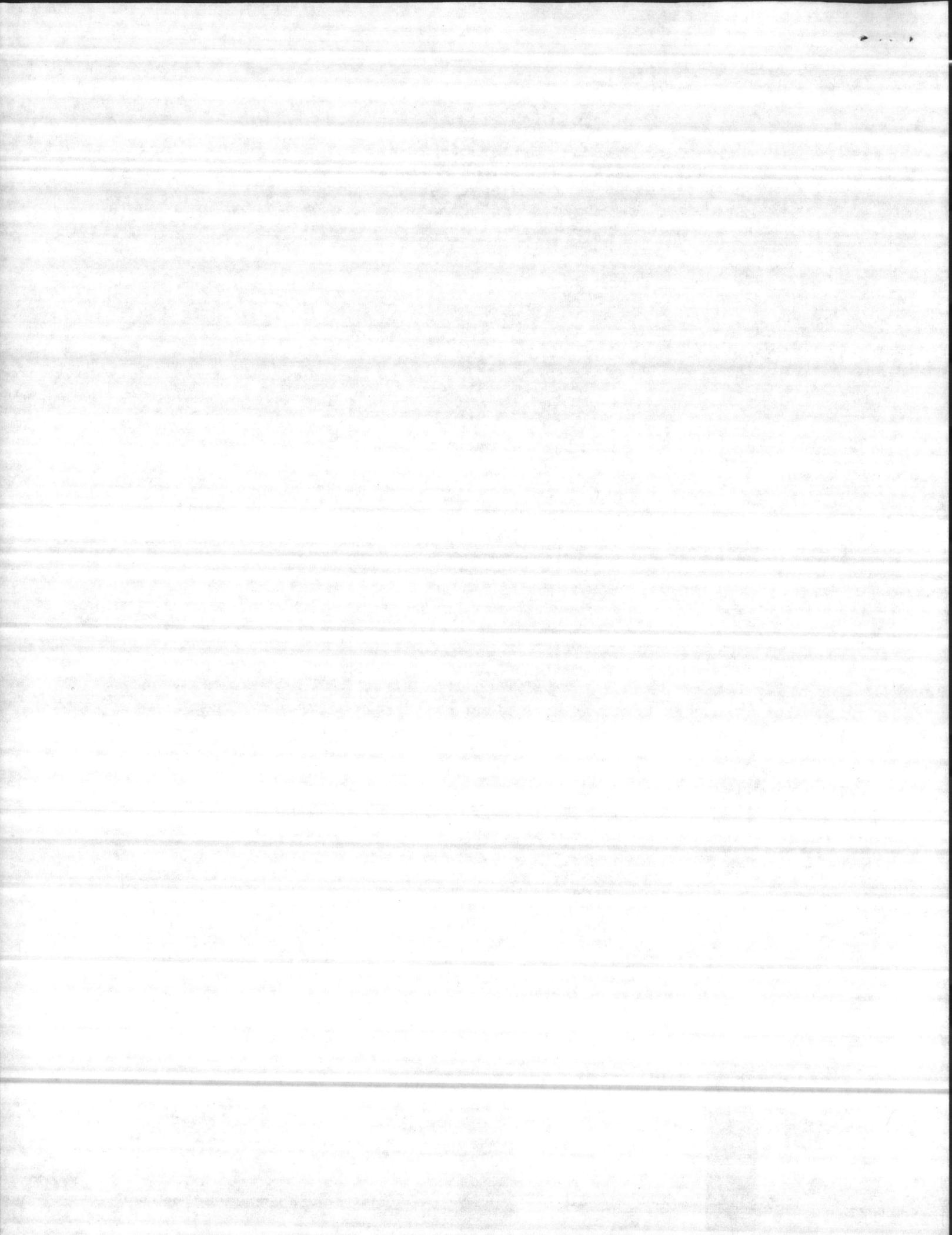
In the Final Judgment, dated 6 March 1944, the Court amended the previous Order and Judgment on the Declaration of Taking to embrace the above mentioned easement and decreed that the fee simple title to the lands described in this proceeding vested in the Petitioner on 16 April 1943, subject, however, 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

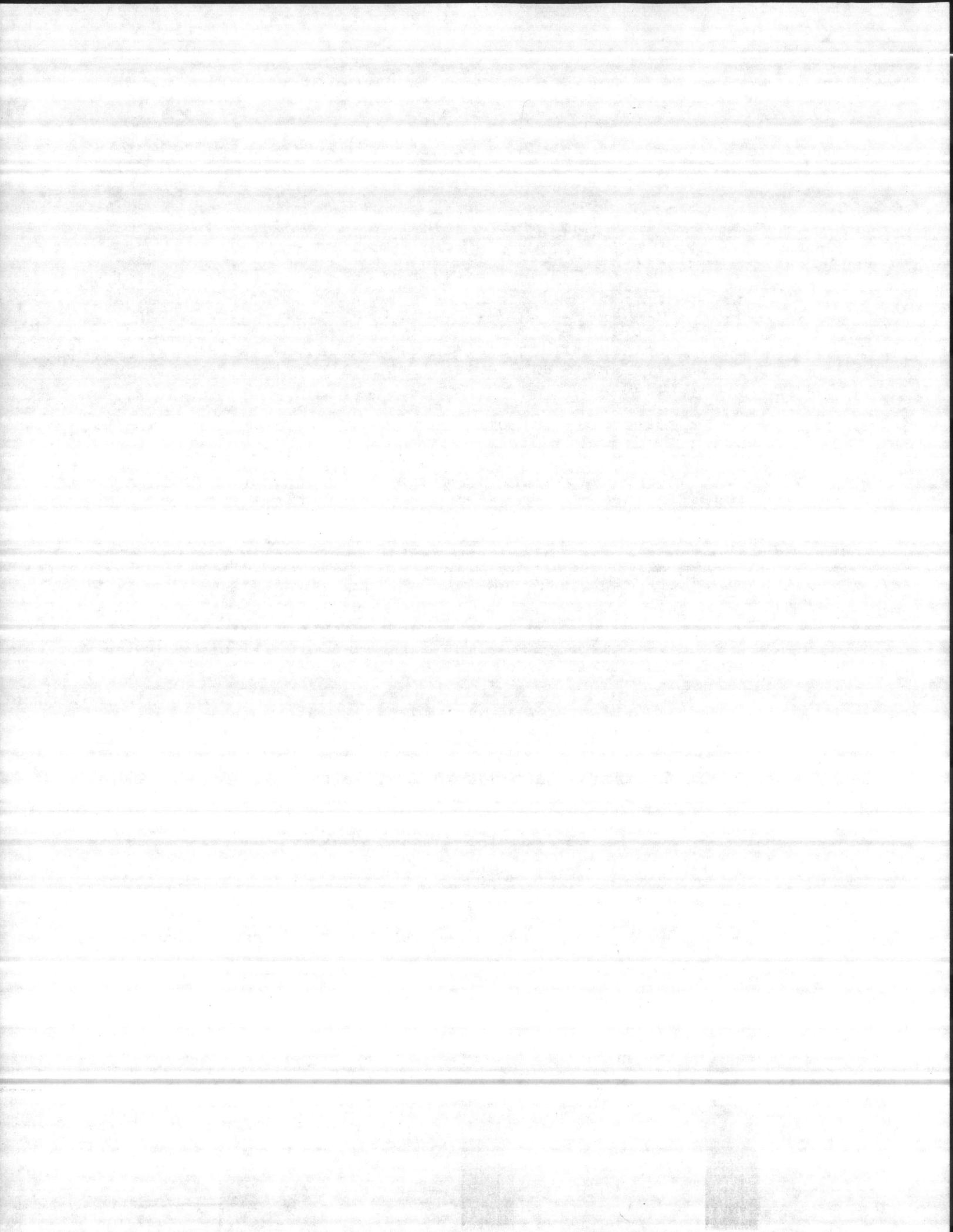
Dispatched June 29, 1943

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,

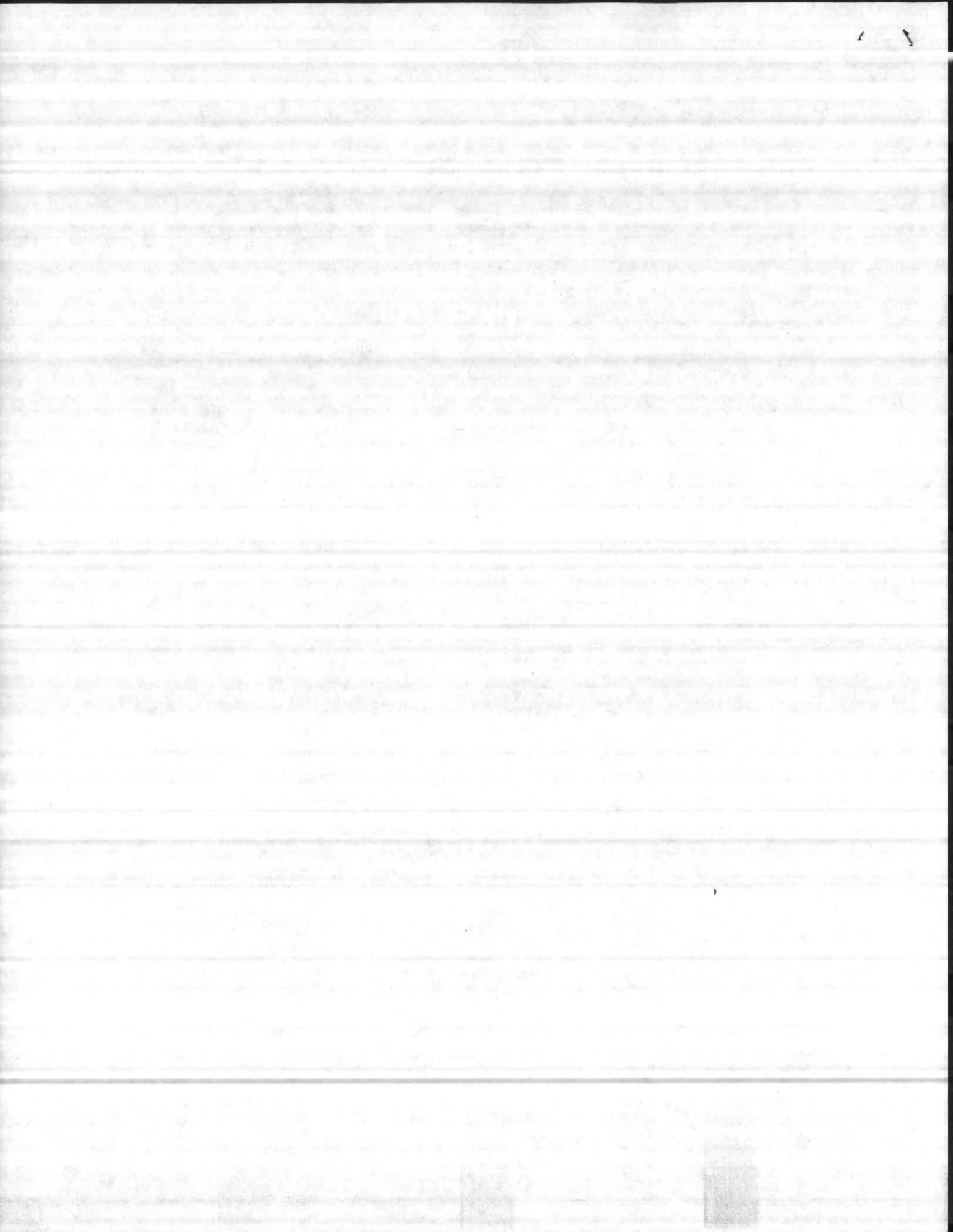
vs.

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

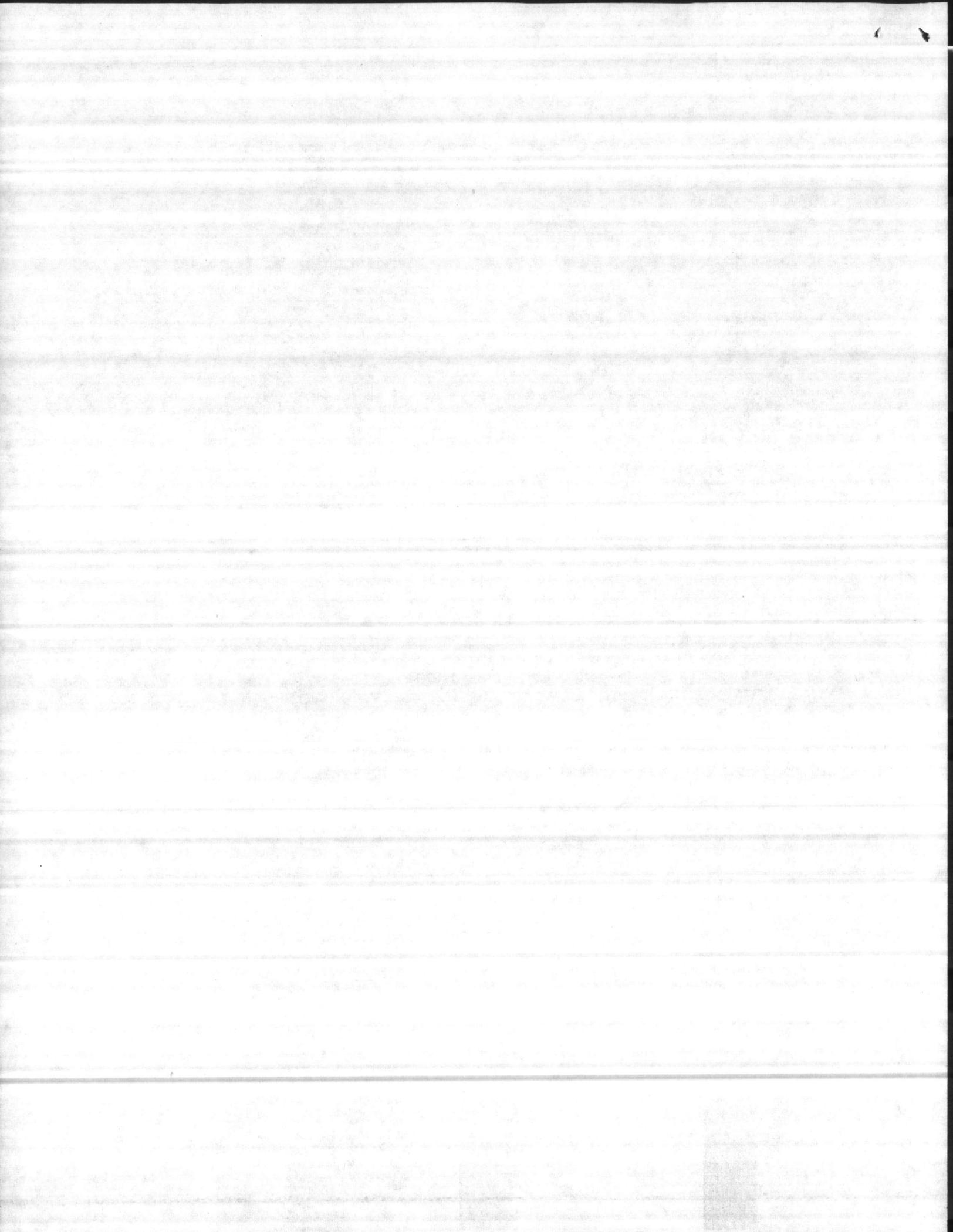
10,866.93 acres of land, more  
or less, in Onslow County,  
North Carolina, P. L. Wynne,  
et al.,

Defendants.

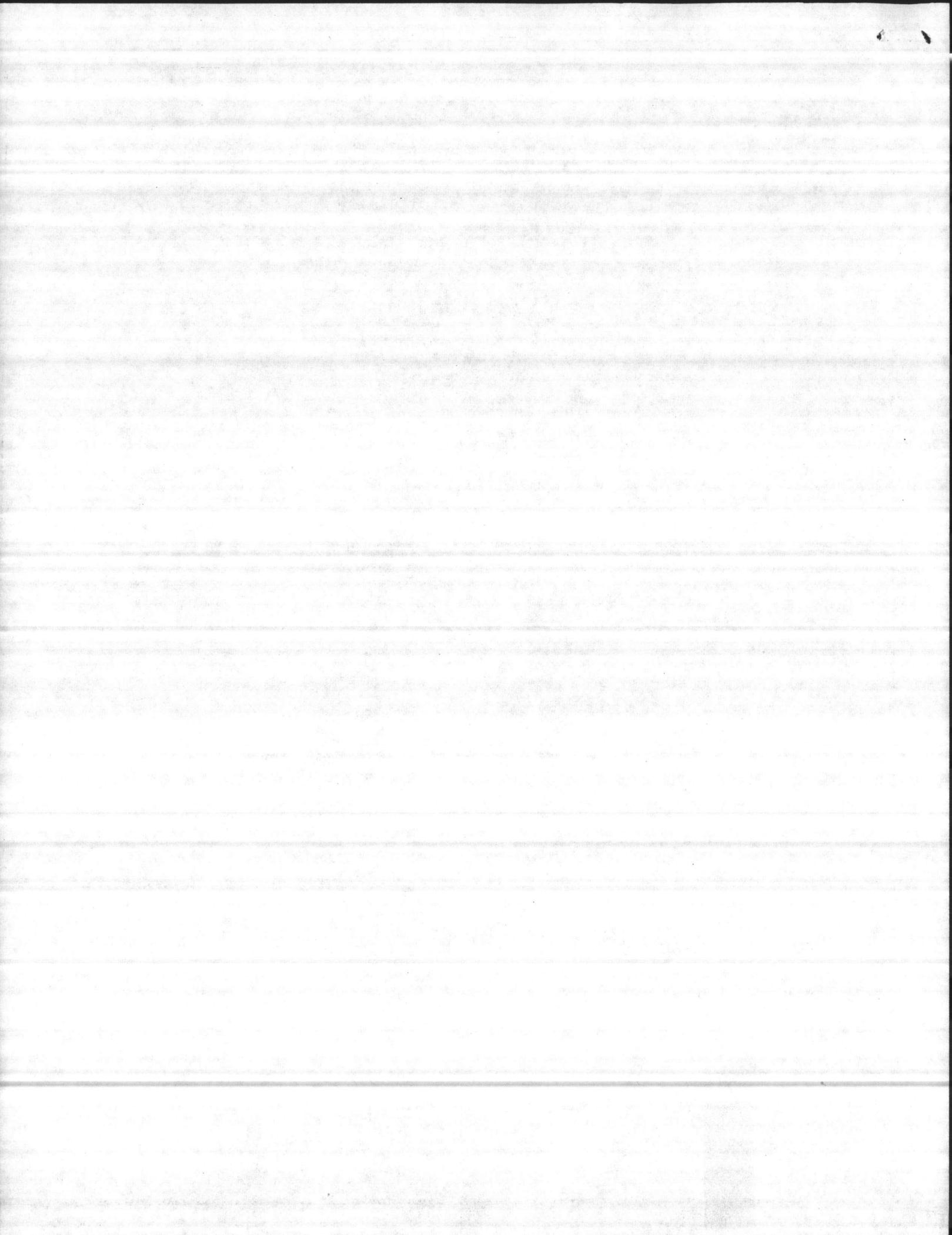
This condemnation proceeding was instituted on 16 June 1941 by the filing of a Petition For Condemnation and a Declaration of Taking and simultaneously depositing \$129,500.00 with the Clerk of said Court as estimated just compensation for the taking of the lands described in the Declaration of Taking. 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.

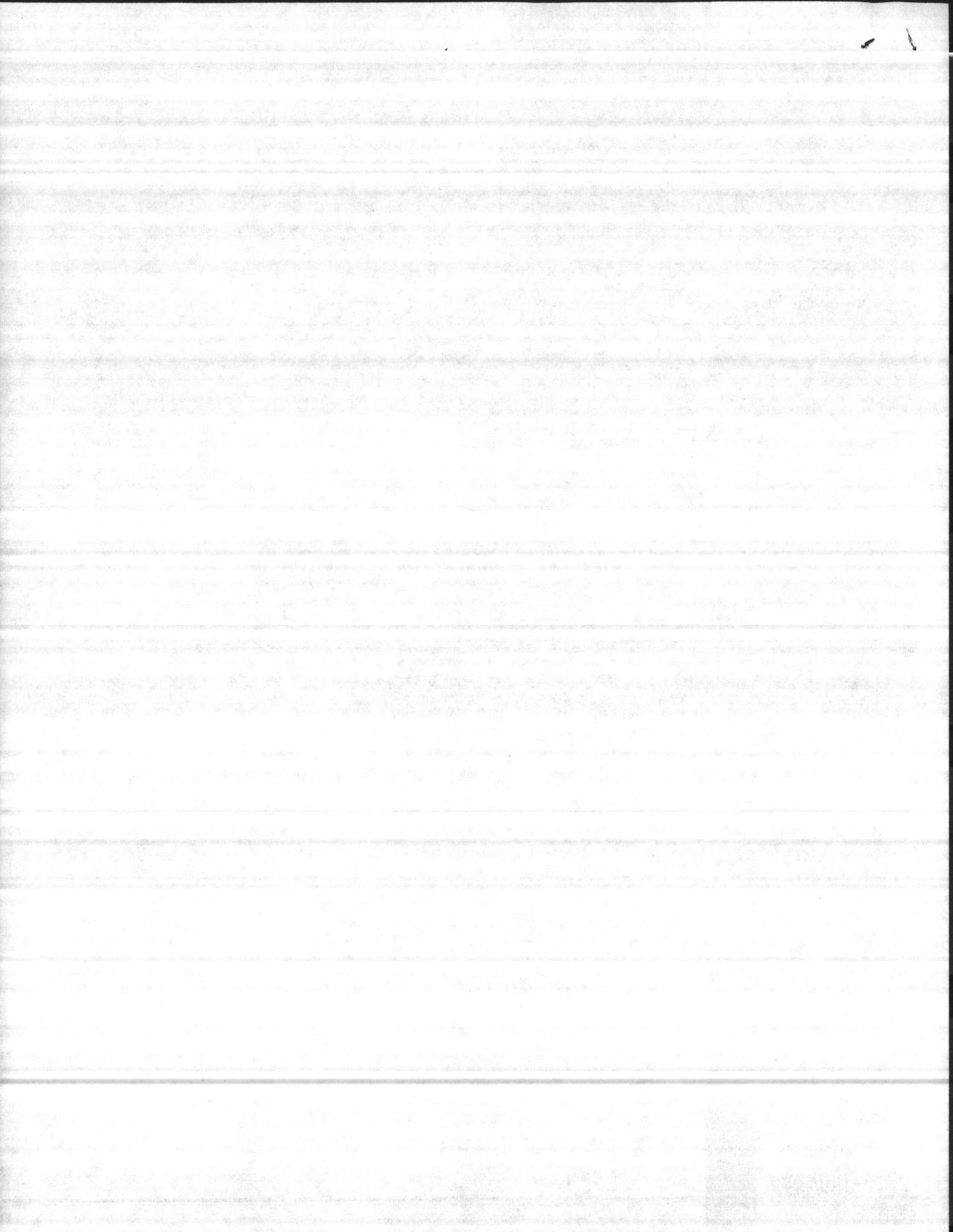
Civil No. 52

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

Defendants.

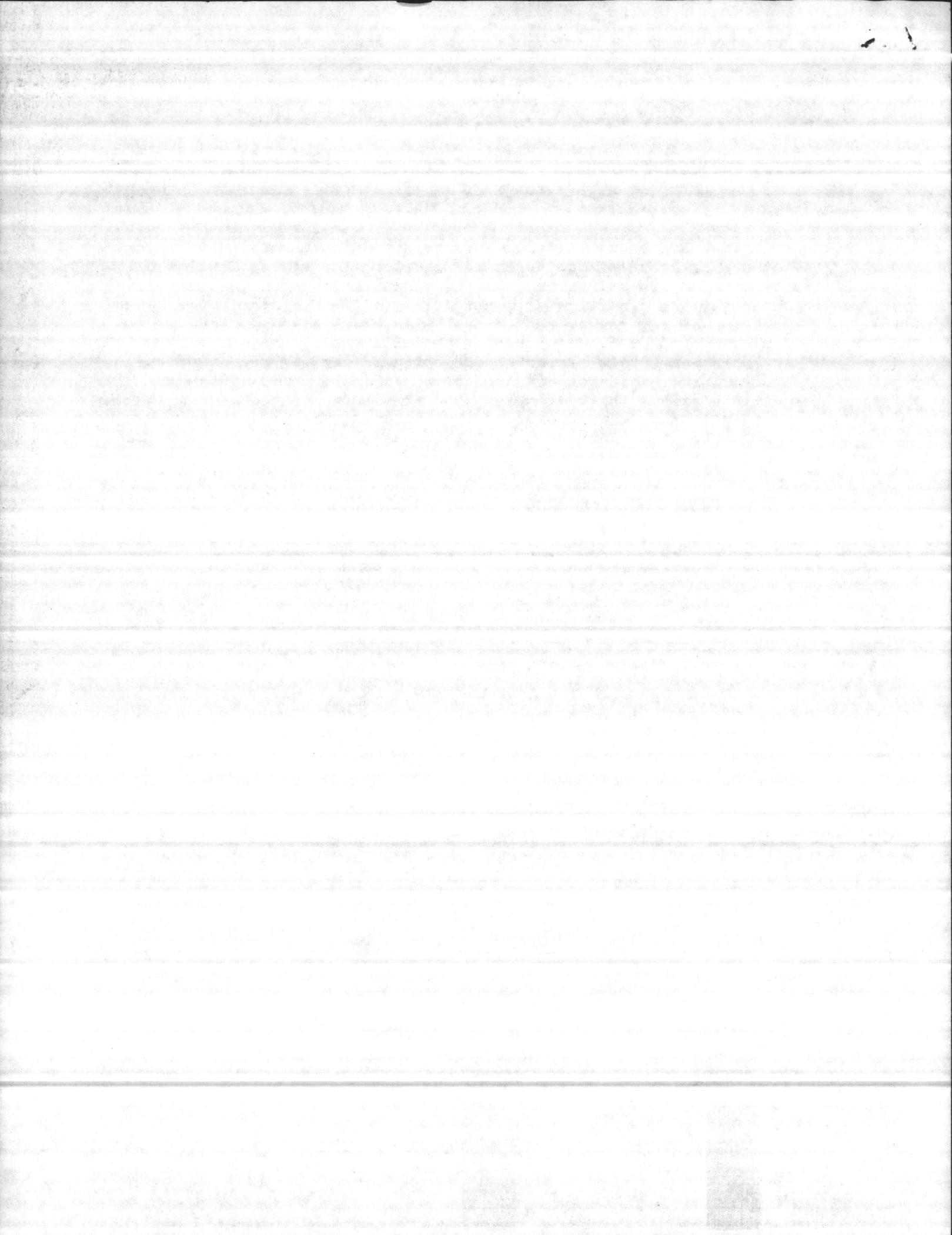
The condemnation proceeding was instituted on 20 June 1941 by the filing of Petition For Condemnation and a Declaration of Taking pursuant to the following Acts of Congress approved April 5, 1941 (55 Stat. 41); August 1, 1888 (25 Stat. 357; 40 U.S.C. 257); February 26, 1931 (46 Stat. 1421; 40 U.S.C. 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)

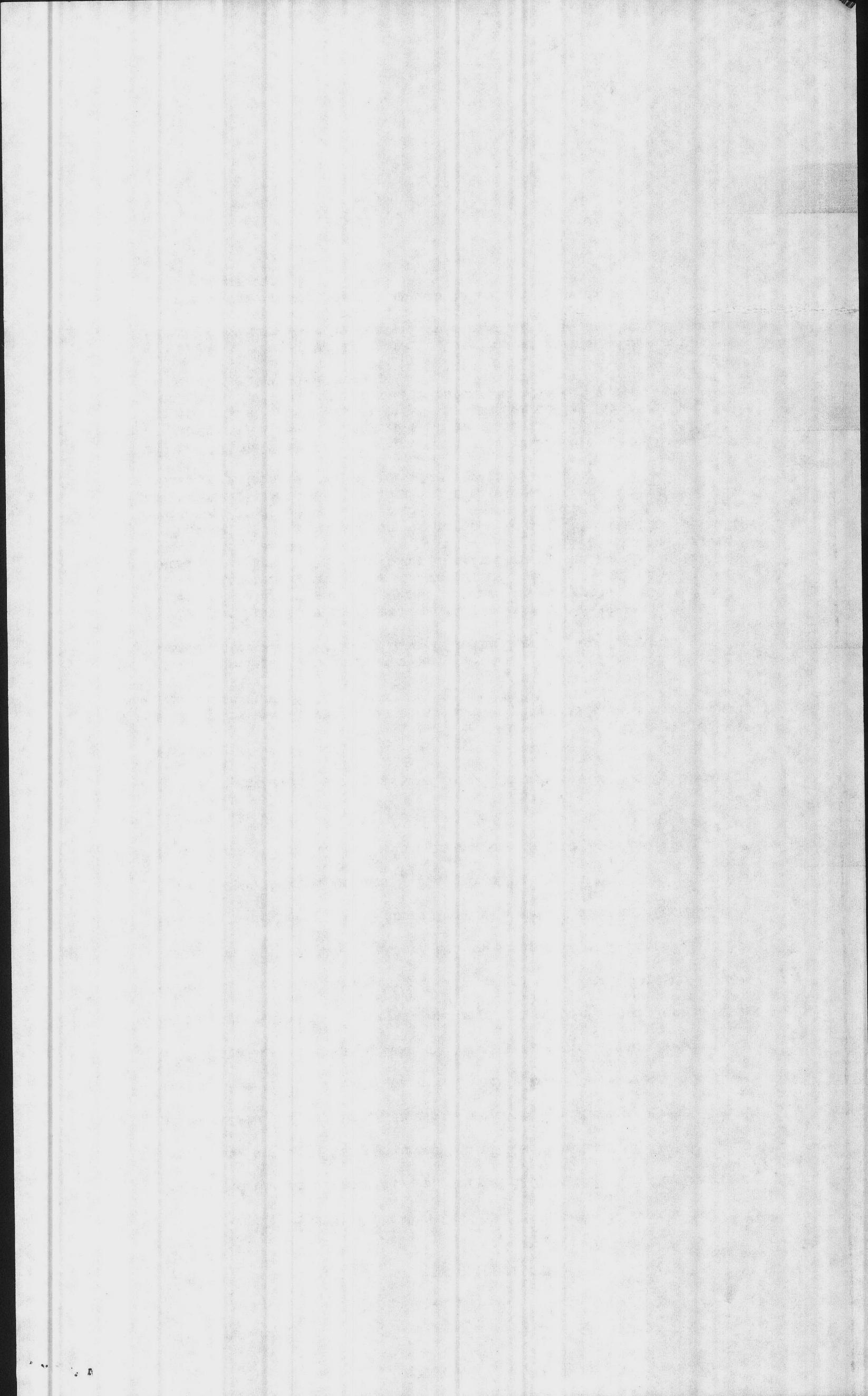


REVOCABLE PERMIT

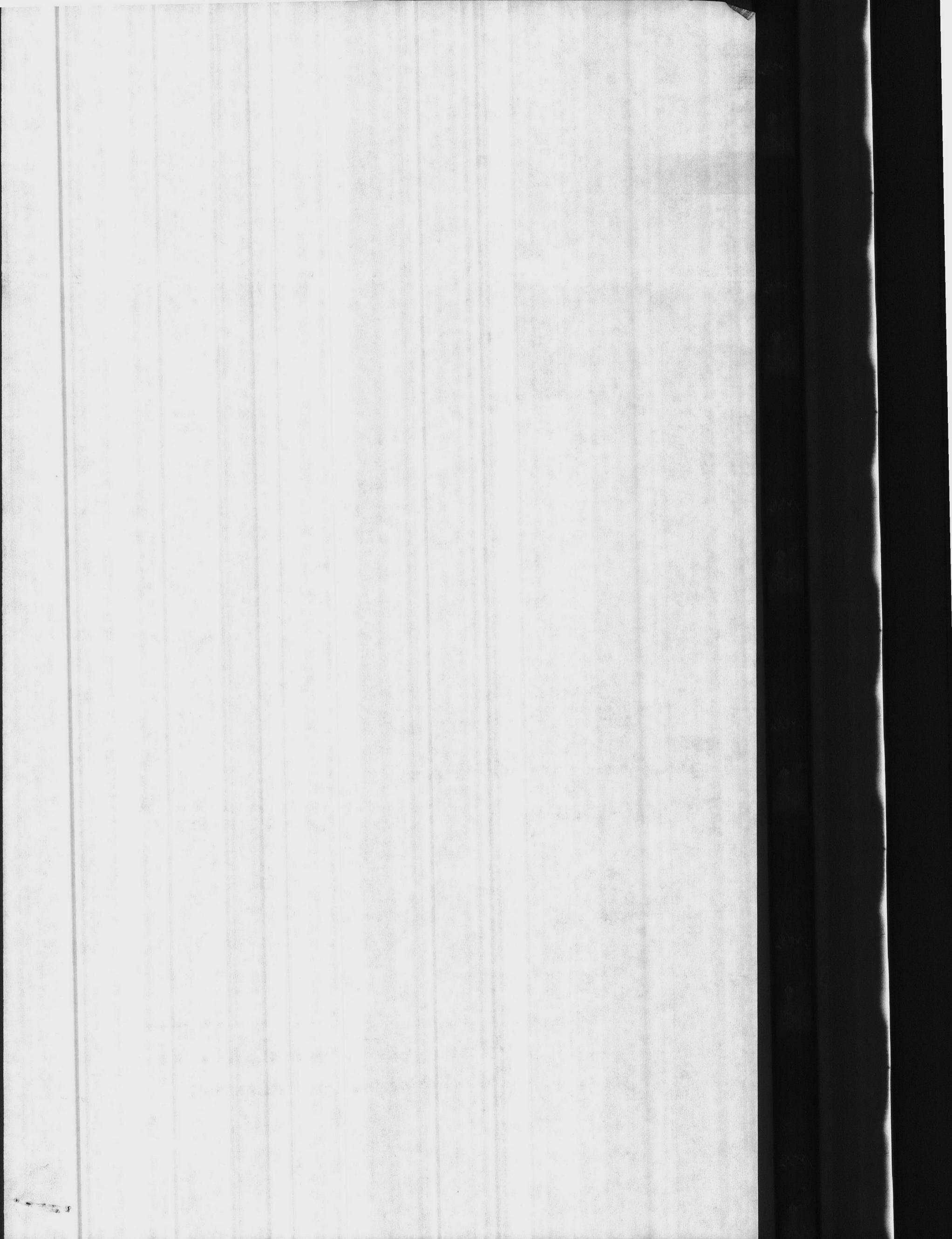
In consideration of the benefits and advantages to be derived therefrom, the United States of America, represented by the Chief of the Bureau of Yards and Docks, acting under the direction of the Secretary of the Navy, hereinafter called the Permitter, hereby grants to the State of North Carolina, represented 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:

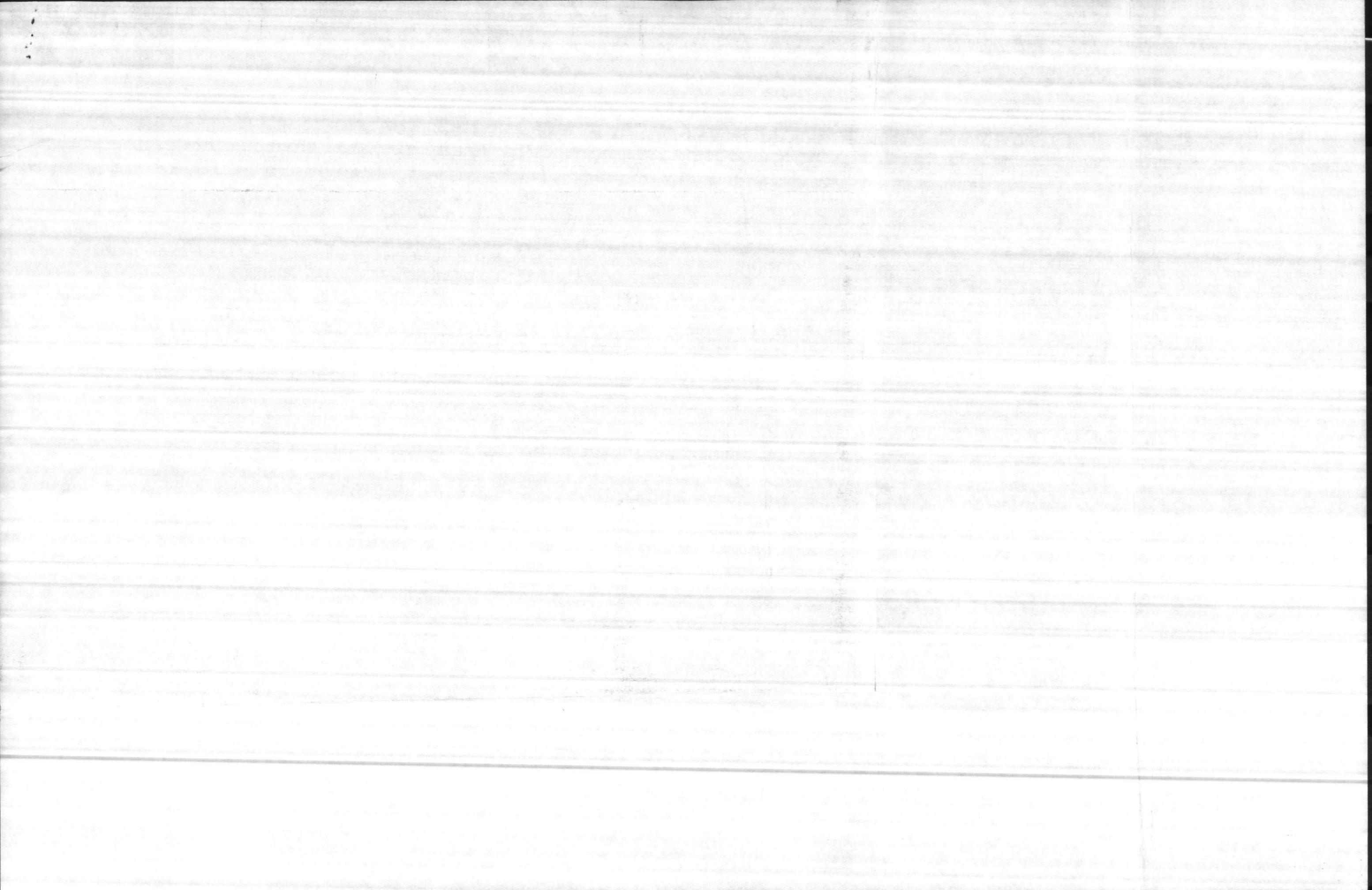
1. This Permit shall not be assignable or transferable except upon the written consent of the Permitter, or by its duly authorized representative.
2. The Permittee is not to be considered as acquiring hereunder any permanent interest of whatever nature in the land of the Permitter.
3. The Permittee shall 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.

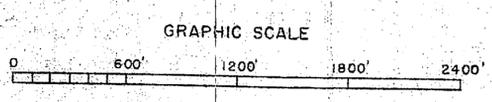
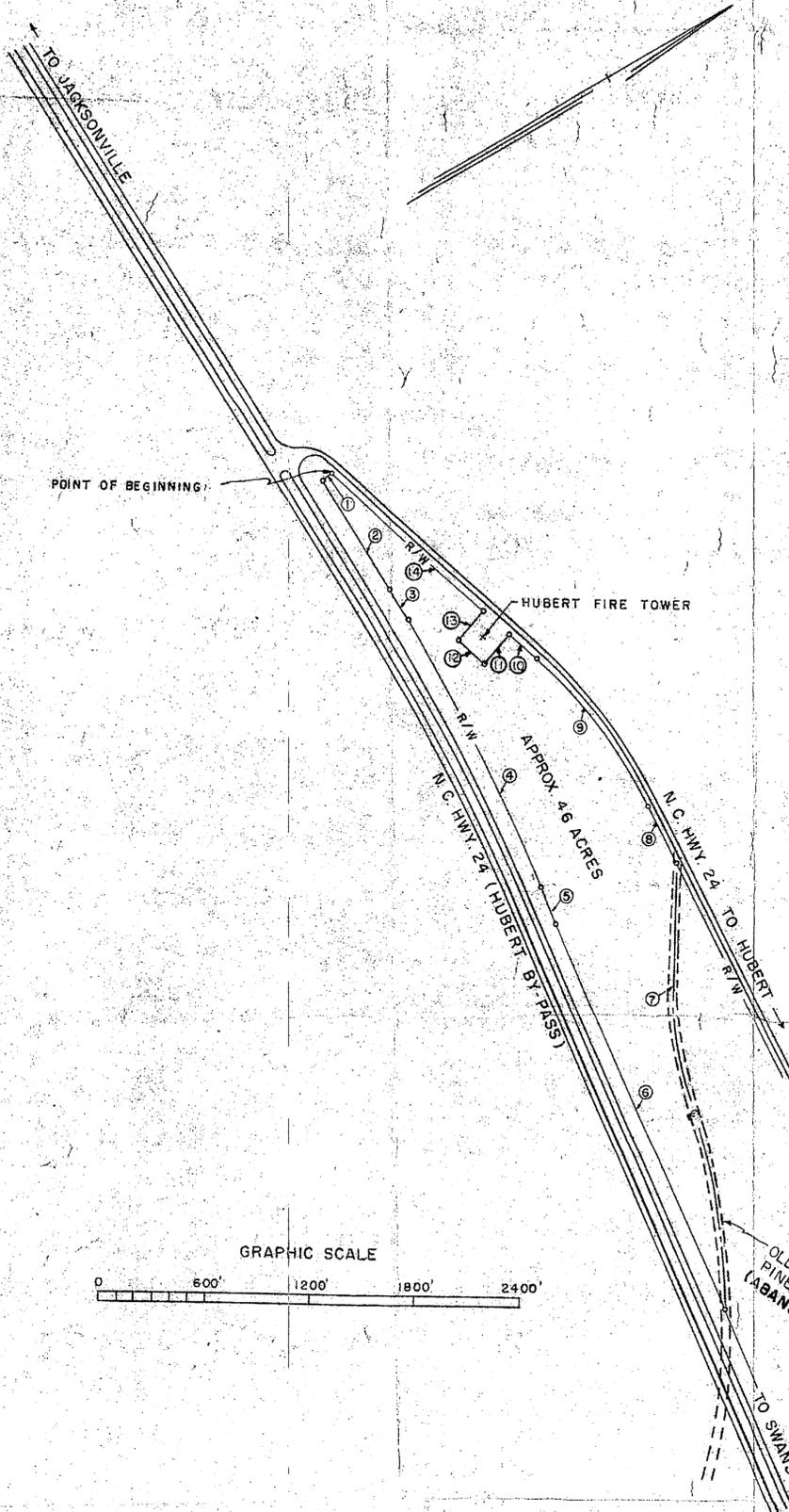






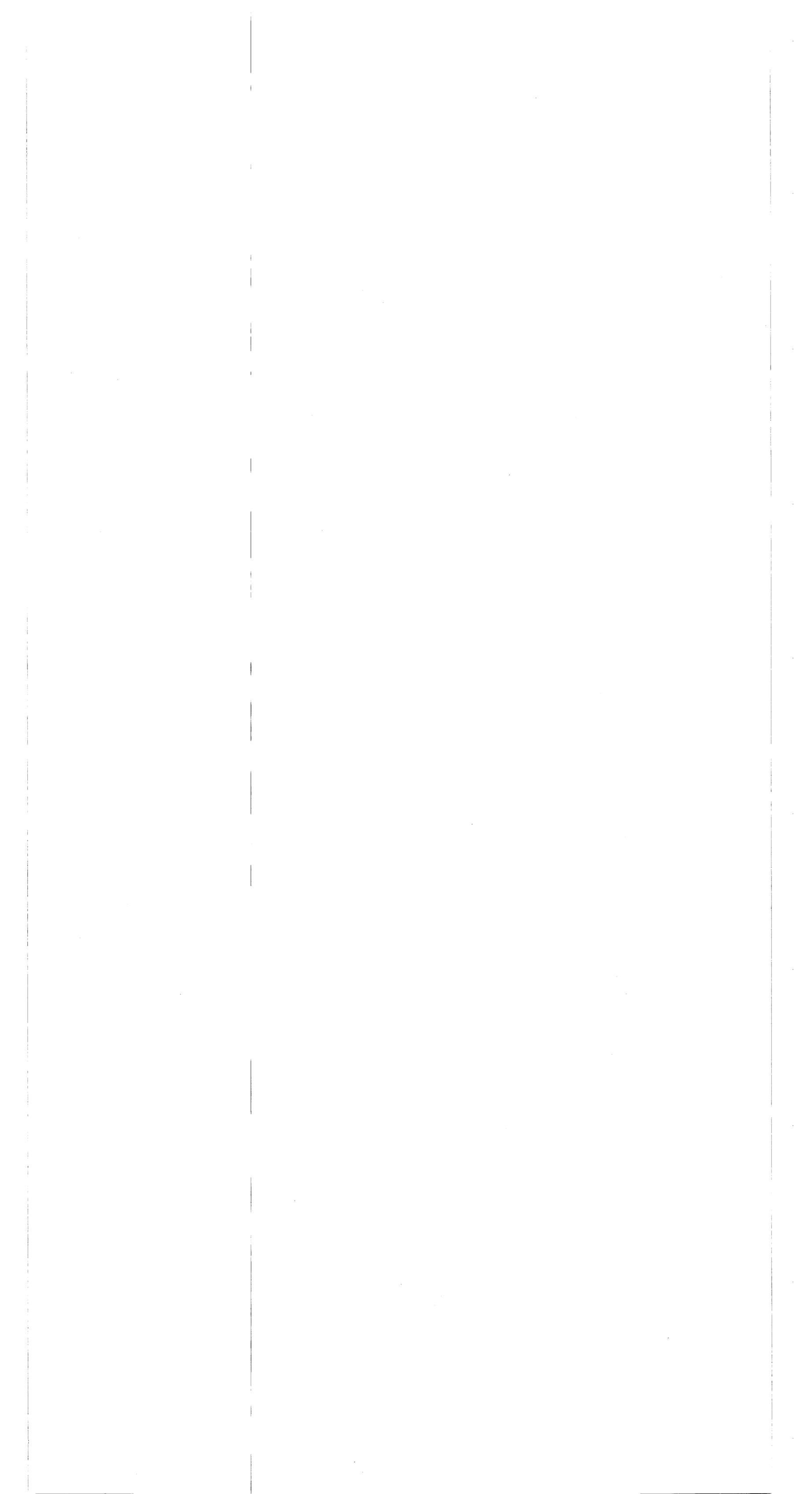


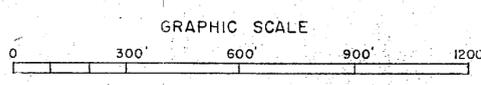
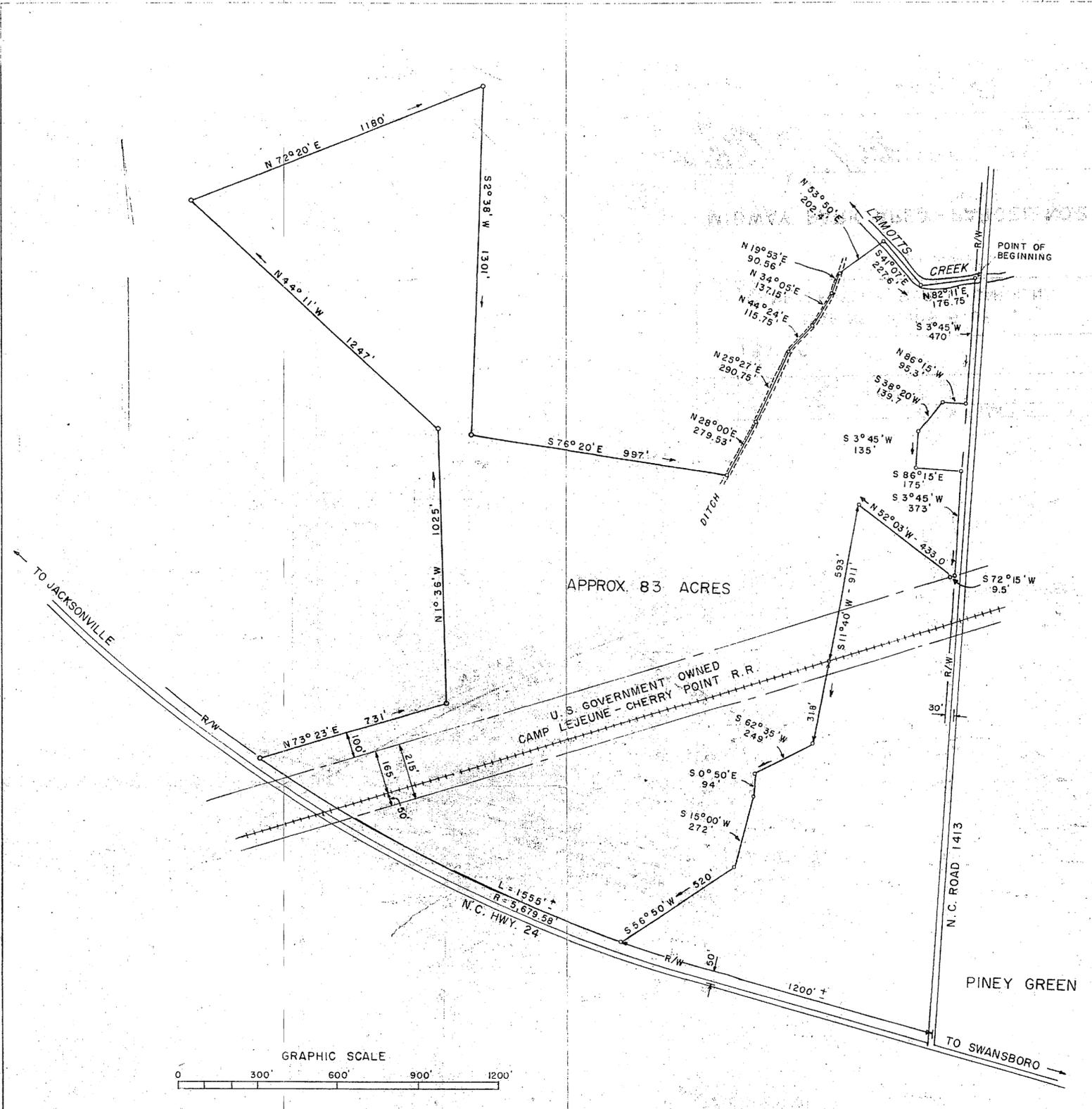




LEG	BEARING	DISTANCE	REMARKS
1	S 1°-02'-52" W	83.95	
2	N 80°-45'-46" E	726.10'	
3	N 80°-55'-48" E	201.33'	SPIRAL CHORD
4	CURVE R=11,559.16'	1,669.31'	ARC DIS.
5	N 89°-49'-58" E	201.33'	SPIRAL CHORD
6	N 90°-00' E	2,326.25'	
7	VARIABLE	2550' ±	Q OF OLD DIRT RD
8	N 87°-59' W	240' ±	
9	CURVE R=2,815'	1056'	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. <b>13017</b>	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		
<b>HUBERT BY-PASS AREA</b>		
APPROVED <i>[Signature]</i> FOR COMMANDING GENERAL	Ltcol <i>[Signature]</i> USMC	SCALE 1" = 600'
		DATE 30 JUNE 1971



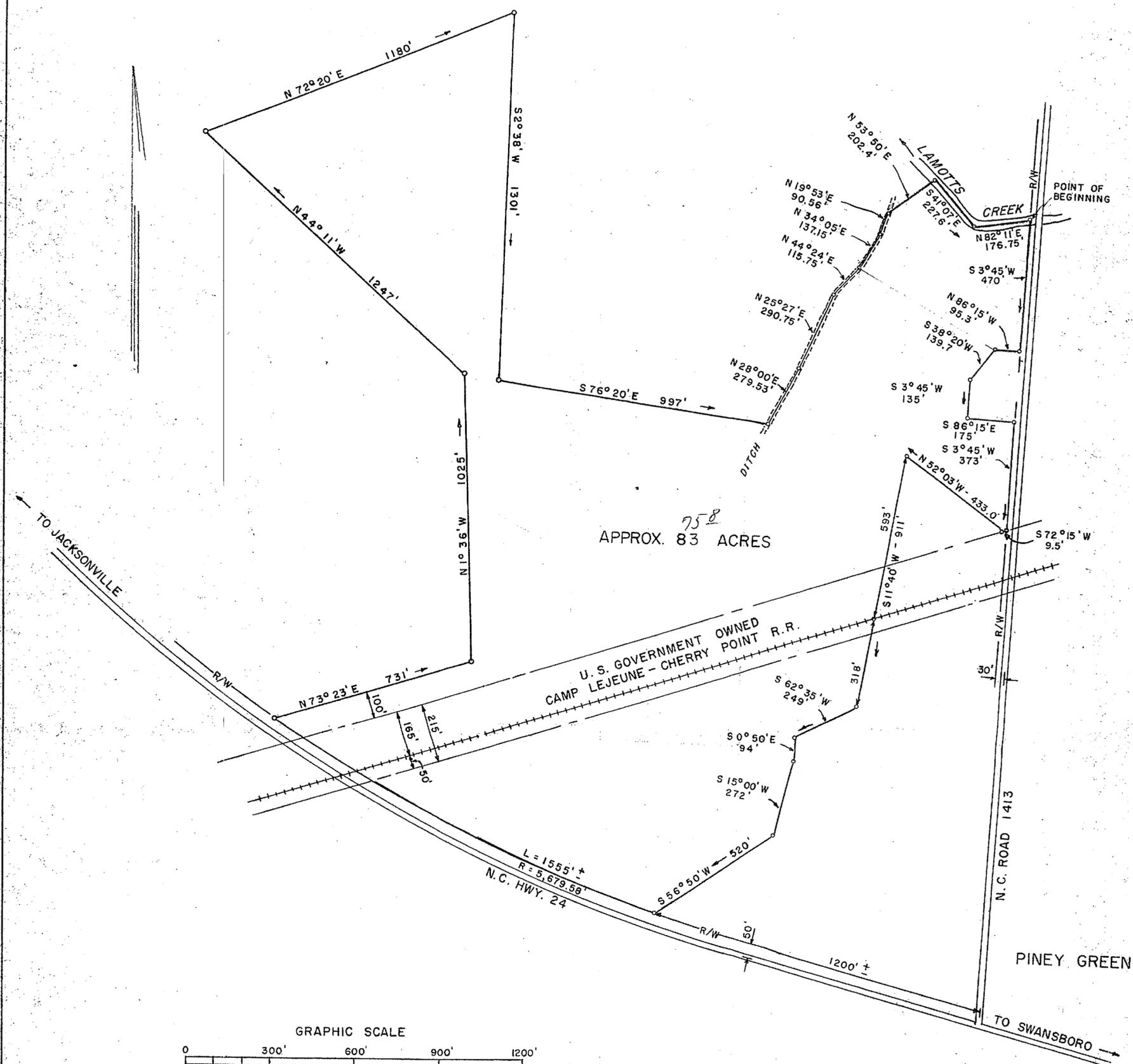


REV	DATE	APPR	DESCRIPTION
"A"	7-27-71	[Signature]	GENERAL REVISION
"B"	9-20-72	[Signature]	CHANGED BEARING
P.W. DWG. NO. <b>13016</b>			
MARINE CORPS BASE CAMP LEJEUNE, NORTH CAROLINA			
EXCESSED PROPERTY			
<b>MIDWAY PARK AREA - PARCEL NO.2</b>			
APPROVED [Signature] FOR COMMANDING GENERAL			SCALE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

ENCLOSURE (3)

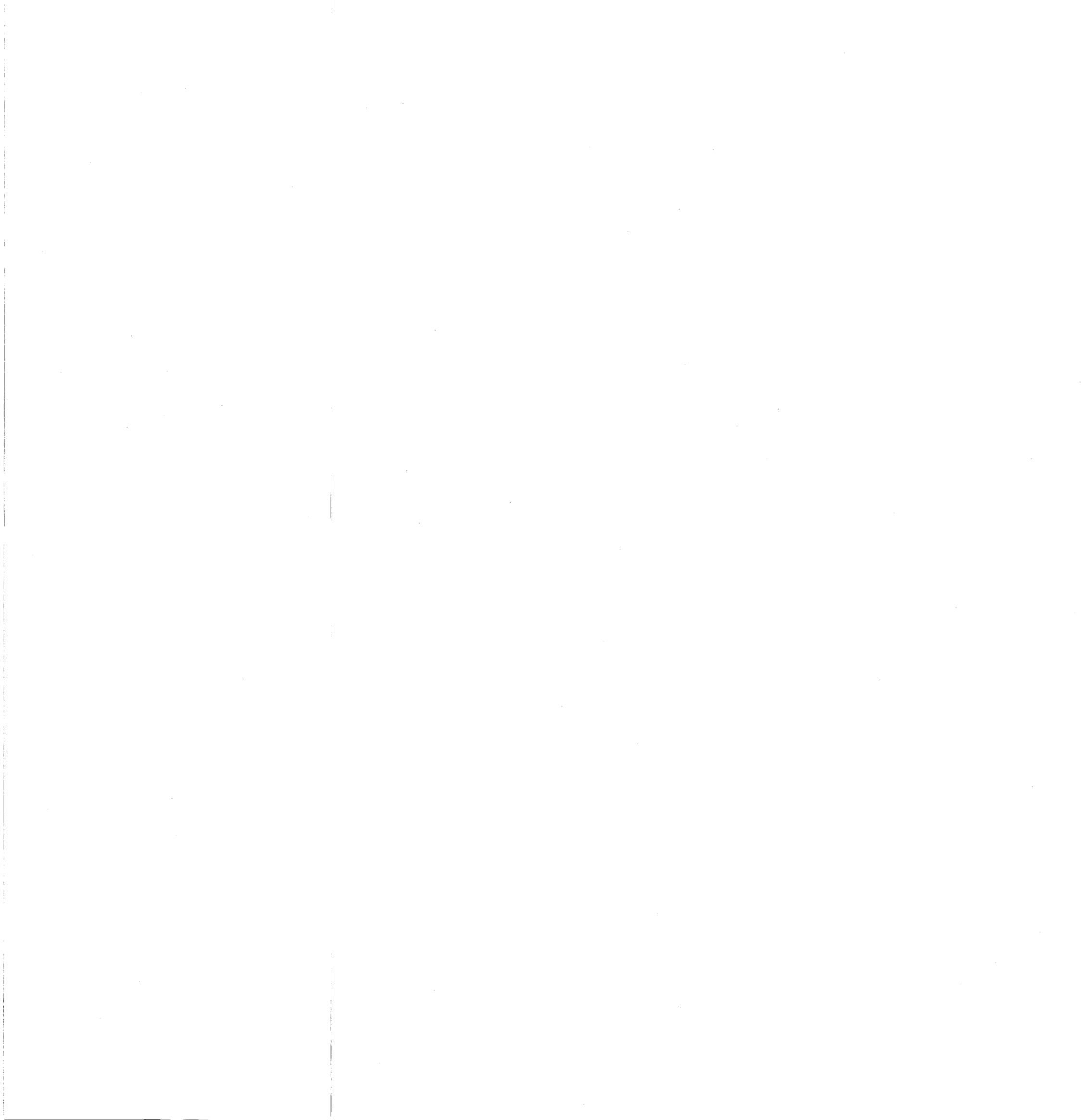
EXHIBIT "D"

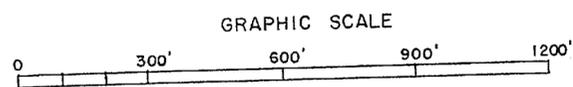
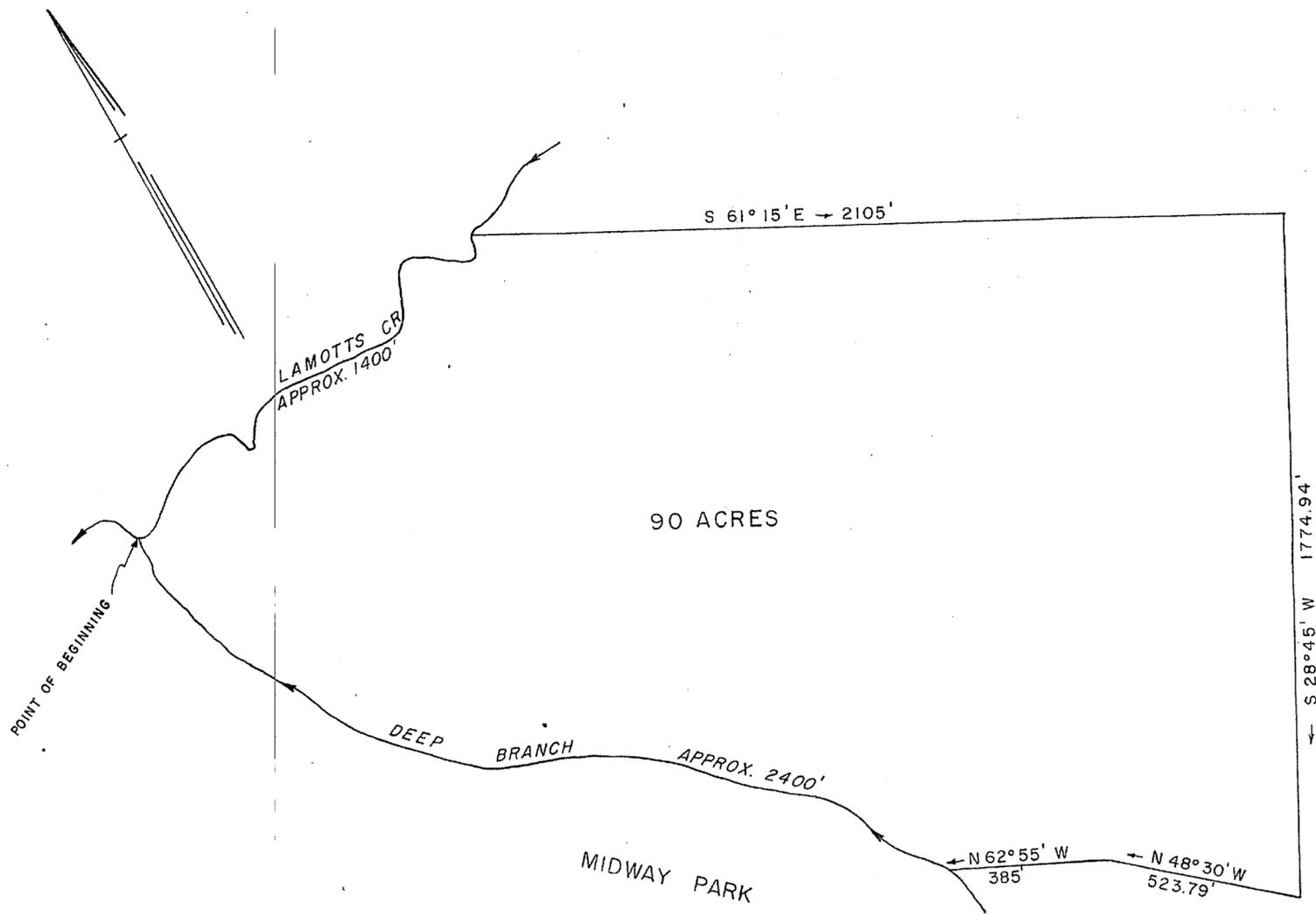




REV	DATE	APPR	DESCRIPTION
"A"	7-27-71	[Signature]	GENERAL REVISION
"B"	9-20-72	[Signature]	CHANGED BEARING
P. W. DWG. NO.			
13016			
MARINE CORPS BASE CAMP LEJEUNE, NORTH CAROLINA			
EXCESSED PROPERTY			
MIDWAY PARK AREA - PARCEL NO.2			
APPROVED [Signature] FOR COMMANDING GENERAL			SCALE 1" = 300'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

EXHIBIT "B" - ENCL. (2)





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

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

