



DEPARTMENT OF THE NAVY
ATLANTIC DIVISION
NAVAL FACILITIES ENGINEERING COMMAND
NORFOLK, VIRGINIA 23511

TELEPHONE NO.
444-7411
AUTOVON 690-7411
IN REPLY REFER TO:
071:MLS:ddt
PI-129
3 DEC 1971

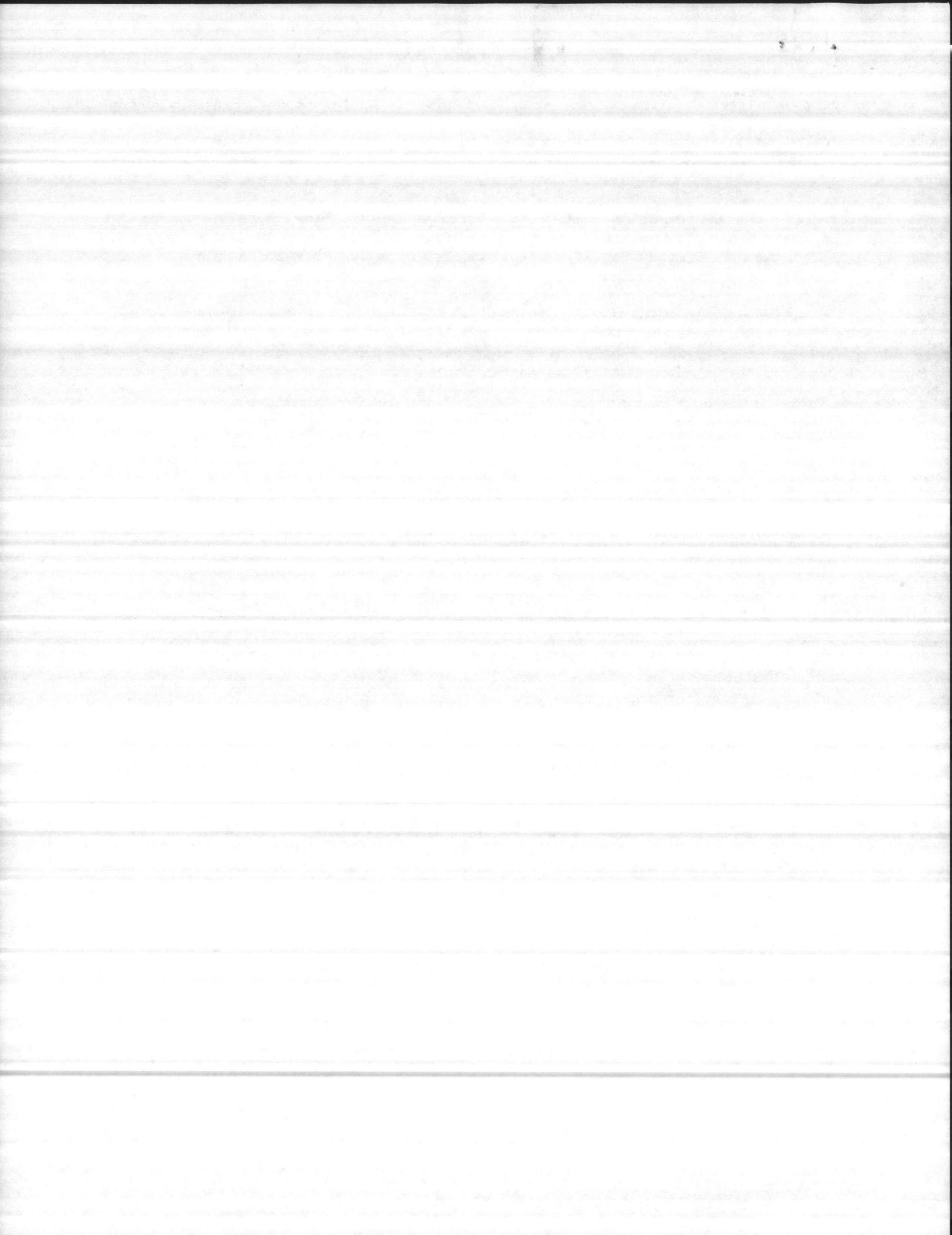
From: Commander, Atlantic Division, Naval Facilities Engineering
Command
To: Commanding General, Marine Corps Base, Camp Lejeune,
North Carolina
Subj: Special Use Agreement with State of North Carolina;
distribution of

Encl: (1) Conformed copy of Special Use Agreement NF(R)-11648

1. Enclosure (1) is forwarded for record purposes.
2. This agreement authorizes the construction of a 12-inch sewage outfall line approximately 850 feet across the beds of New River. The line will connect with an existing sewage treatment plant and extend into the river at the approximate location shown on the drawing attached as Exhibit "A" to the use agreement.

Copy to (w/conf cpy encl (1)):
CMC
NAVFACENGCOM

A. R. Young
A. R. YOUNG
By direction



All correspondence pertaining to
this contract should include a
reference to No. NF(R) - 11648

SPECIAL USE AGREEMENT

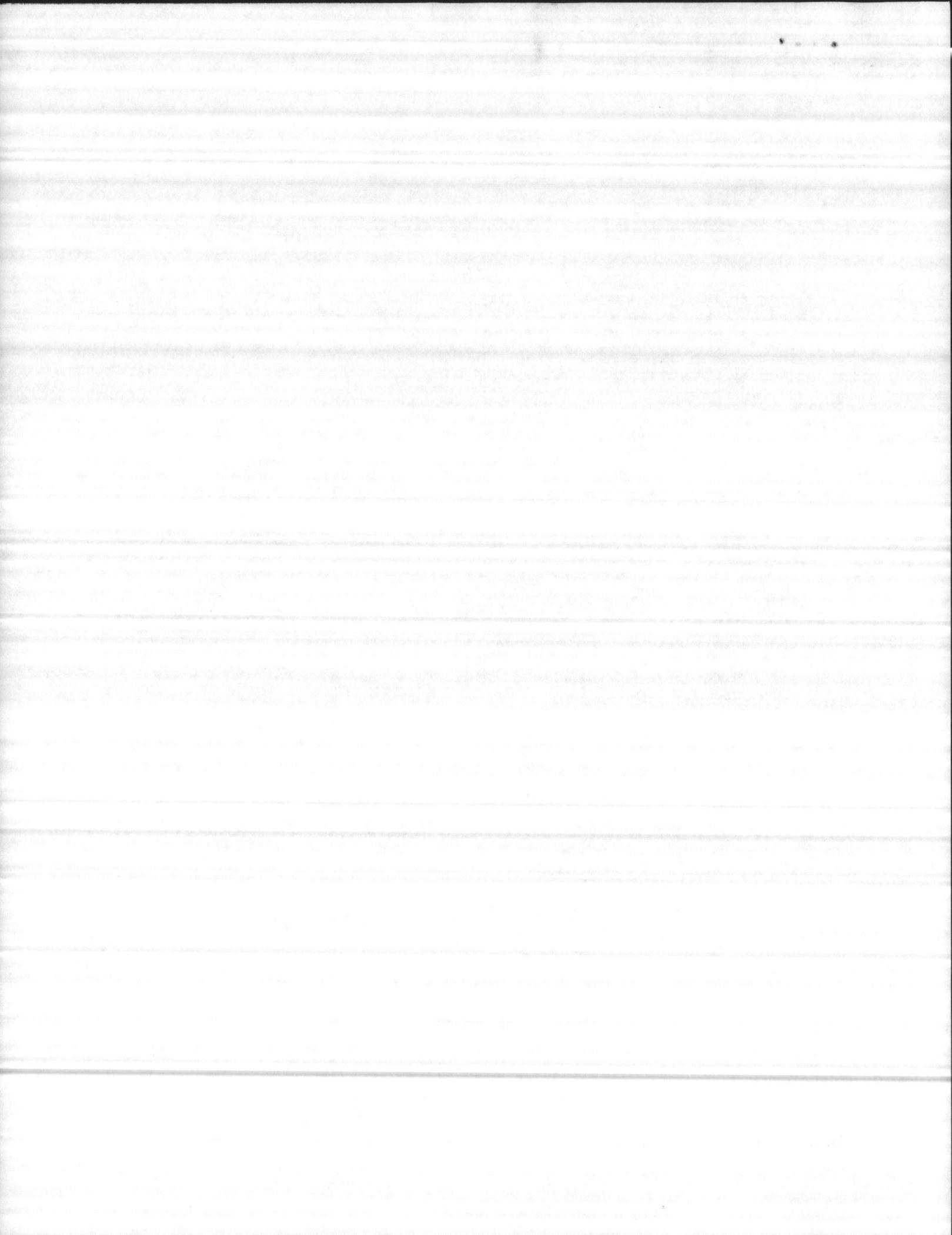
THIS SPECIAL USE AGREEMENT, made and entered into this the
18th day of November, 1971, by and between the State
of North Carolina, hereinafter called the STATE, and the
United States of America, acting by and through the Department
of the Navy, hereinafter called GOVERNMENT:

W I T N E S S E T H

WHEREAS, the GOVERNMENT has requested the right to use, for
national defense purposes, certain submerged land owned by the
STATE, as hereinafter described, underlying New River, Onslow
County, North Carolina, for the construction, operation,
maintenance, replacement and repair of a 12-inch sanitary gravity
outfall pipeline; and

WHEREAS, the execution of an instrument by the STATE author-
izing use of said submerged land by the GOVERNMENT for the pur-
poses aforesaid has been duly approved by the Governor and Council
of the State of North Carolina by resolution adopted at a meeting
held in the City of Raleigh, North Carolina, on the 16th day of
November, 1971.

NOW, THEREFORE, for and in consideration of the premises and
in further consideration of the provisions and conditions herein
set out, the State of North Carolina does grant unto the United
States of America, and its assigns, the right to construct,



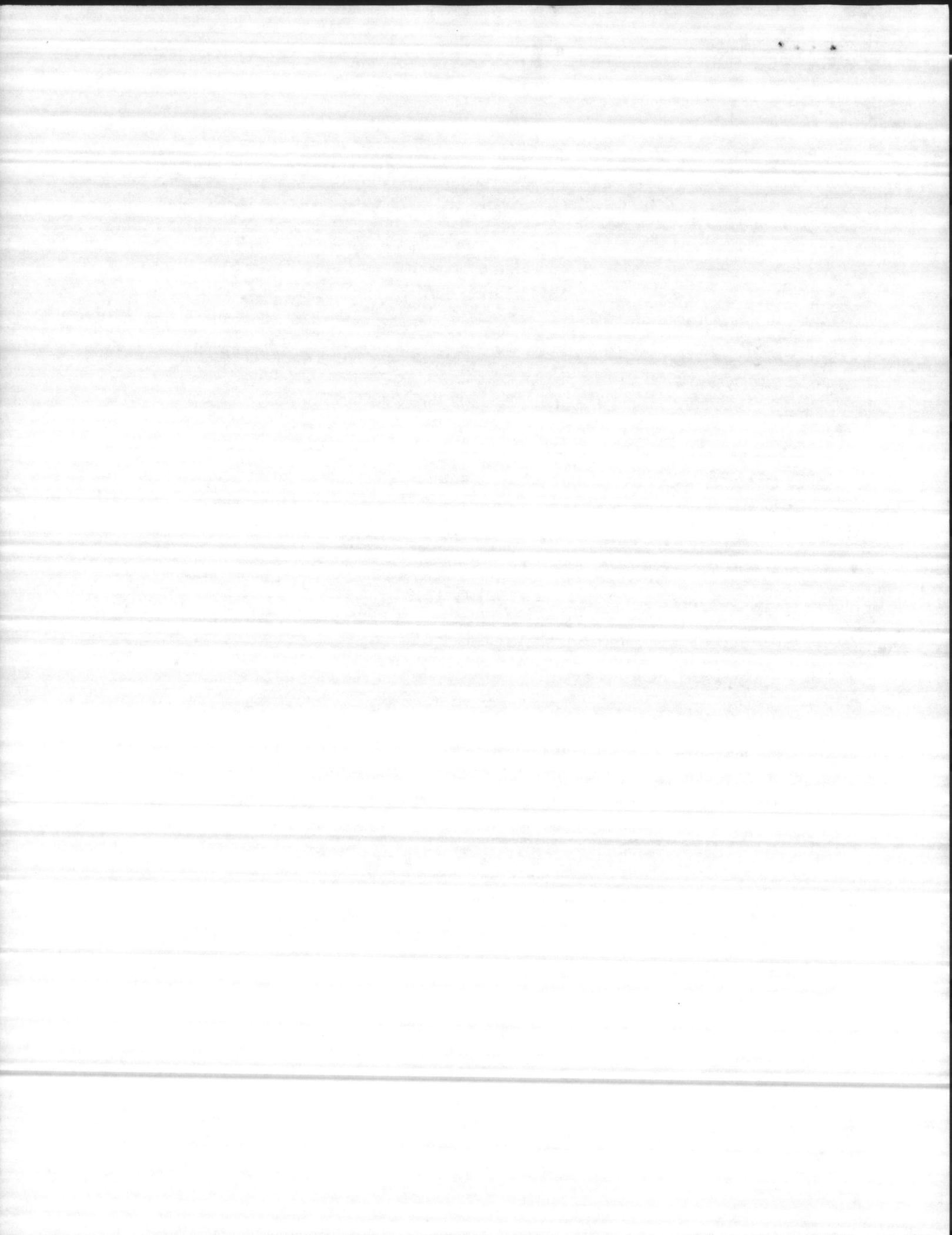
operate, maintain, replace and repair a 12-inch sanitary gravity outfall pipeline located on submerged land underlying New River, Onslow County, North Carolina, and being described as follows:

All that certain piece or parcel of land lying and being situate in Onslow County, North Carolina as shown on a map entitled "Proposed Sewer Outfall in New River at Camp Lejeune, N. Carolina, application by Atlantic Division, Naval Facilities Engineering Command," FFD DWG No. 102843, dated 22 October 1971, attached hereto and made a part hereof as Exhibit "A", and being more particularly described as follows:

Beginning at a point on the west shore line of Stone Bay, New River, said point being located on the east side of the Marine Corps Base, Camp Lejeune Rifle Range Treatment Plant; thence easterly 850 feet across submerged land underlying said River. The width of the permitted area shall be as reasonable and necessary for the purpose granted but in no event shall exceed 15 feet on either side of the pipe line center line.

This Agreement shall be subject to cancellation or termination only by mutual agreement of the parties or in the event the GOVERNMENT abandons the use of said submerged land for the purpose herein granted.

No member of or Delegate to Congress or Resident Commissioner, shall be admitted to any share or part of this Agreement, or to any benefit to arise therefrom; but this provision shall not be construed to extend to this Agreement if made with a corporation for its general benefit.



IN WITNESS WHEREOF, the State of North Carolina has caused this SPECIAL USE AGREEMENT to be executed in its name by Robert W. Scott, its Governor, and attested by Thad Eure, its Secretary of State, and its Great Seal hereunto affixed, by virtue of the power and authority aforesaid.

STATE OF NORTH CAROLINA

By /s/ Robert W. Scott
Governor

ATTEST:

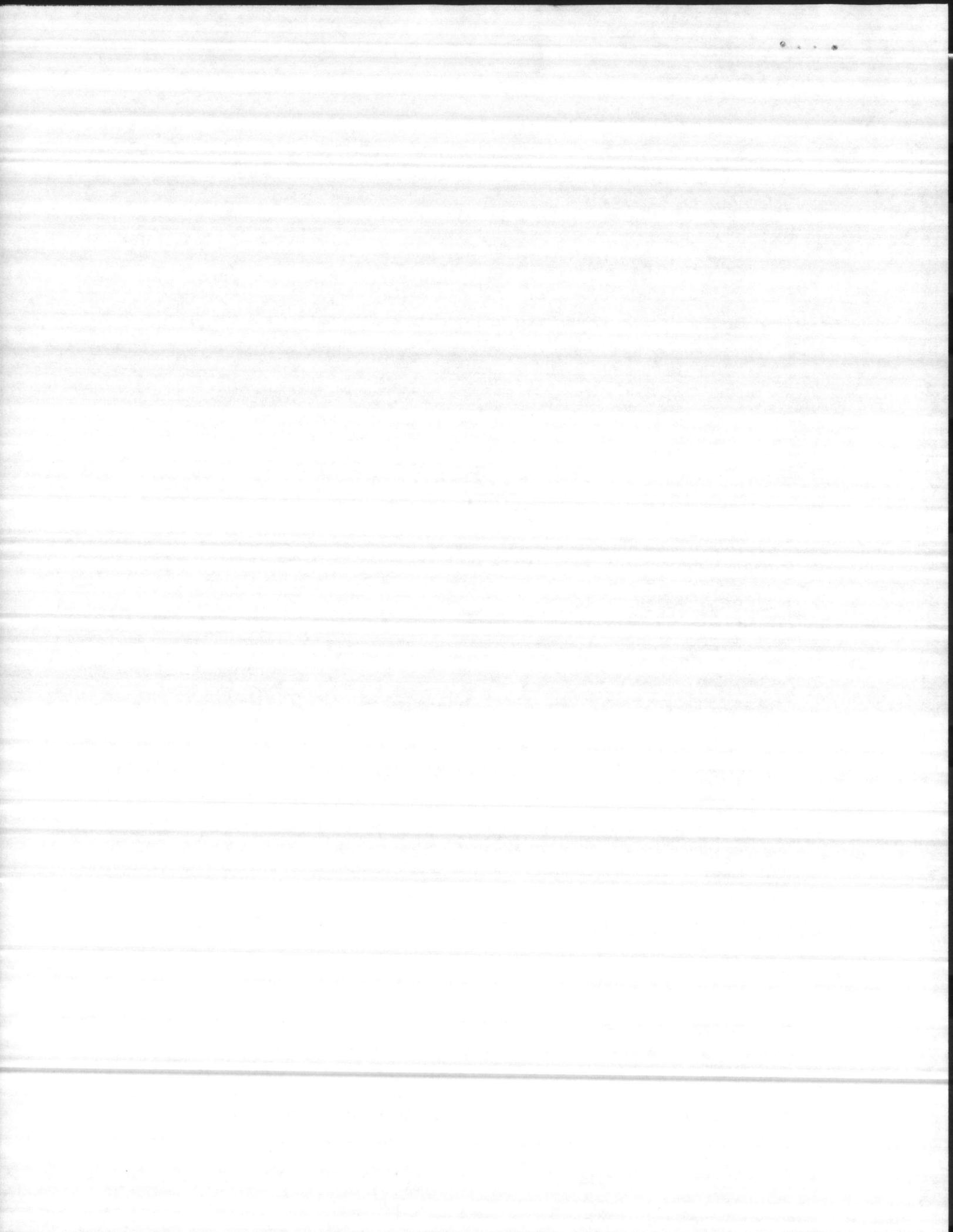
/s/ Thad Eure
Secretary of State

APPROVED AS TO FORM:
ROBERT MORGAN
Attorney General

/s/ Roy A. Giles, Jr.
Assistant Attorney General

APPROVED FOR DISPOSITION:

/s/ W. L. Turner



STATE OF NORTH CAROLINA

COUNTY OF

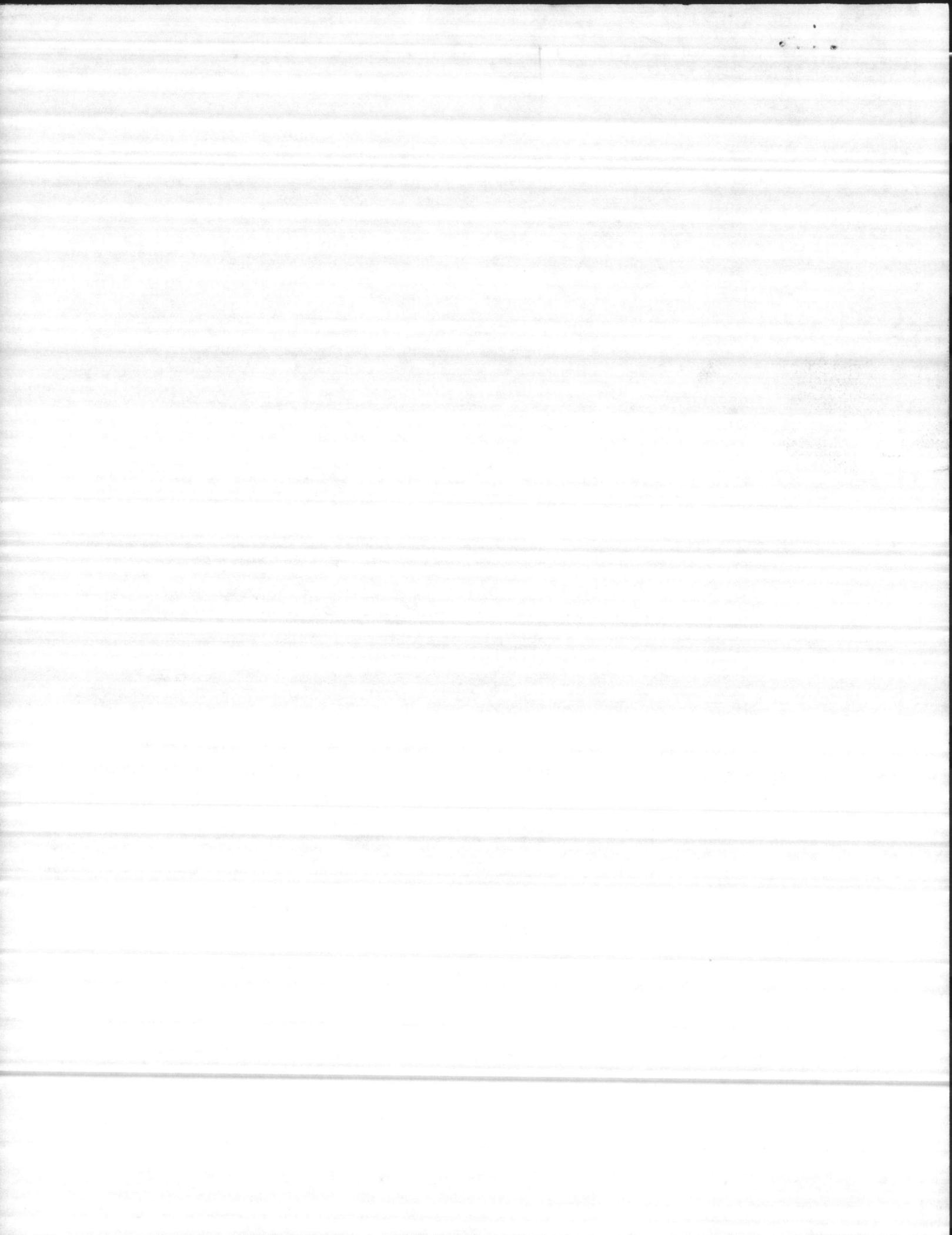
I, Claire Eastman Nickels, a Notary Public in and for said County and State, do hereby certify that ROBERT W. SCOTT, Governor of the State of North Carolina, and THAD BURE, Secretary of State of North Carolina, personally came before me this day and being by me duly sworn says each for himself that he knows the Great Seal of the State of North Carolina and that the seal affixed to the foregoing instrument is the Great Seal of the State; that ROBERT W. SCOTT, Governor of said State, and THAD BURE, Secretary of State, subscribed their names thereto; that the said Great Seal of the State of North Carolina was affixed thereto, all by virtue of a resolution of the Council of State and by the Governor of said State, and that said instrument is the act and deed of the State of North Carolina.

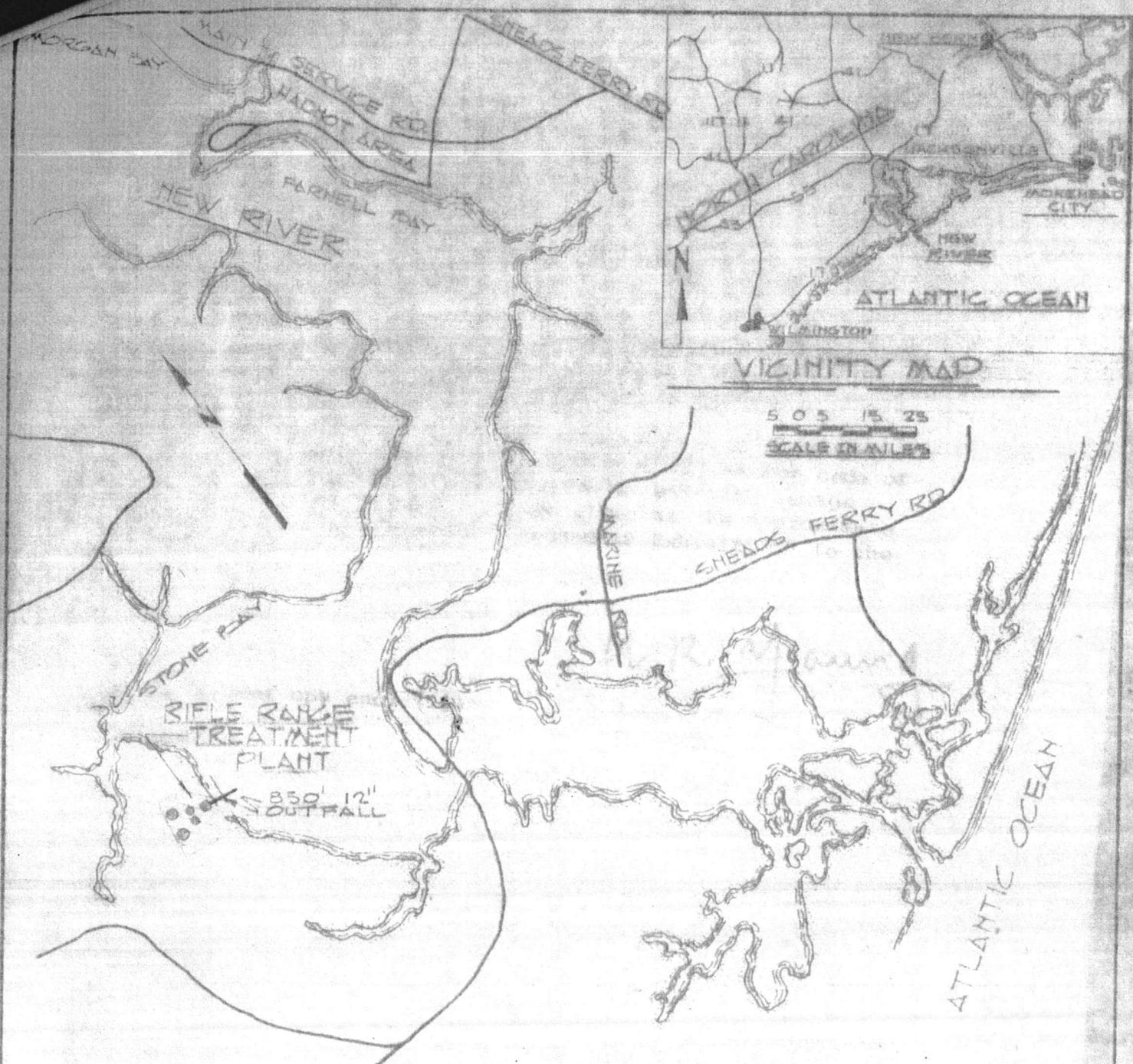
IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this the 18th day of November, 19 71.

/s/ Claire Eastman Nickels
Notary Public

My commission expires:

1-15-76

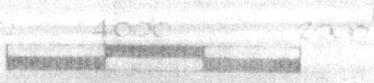


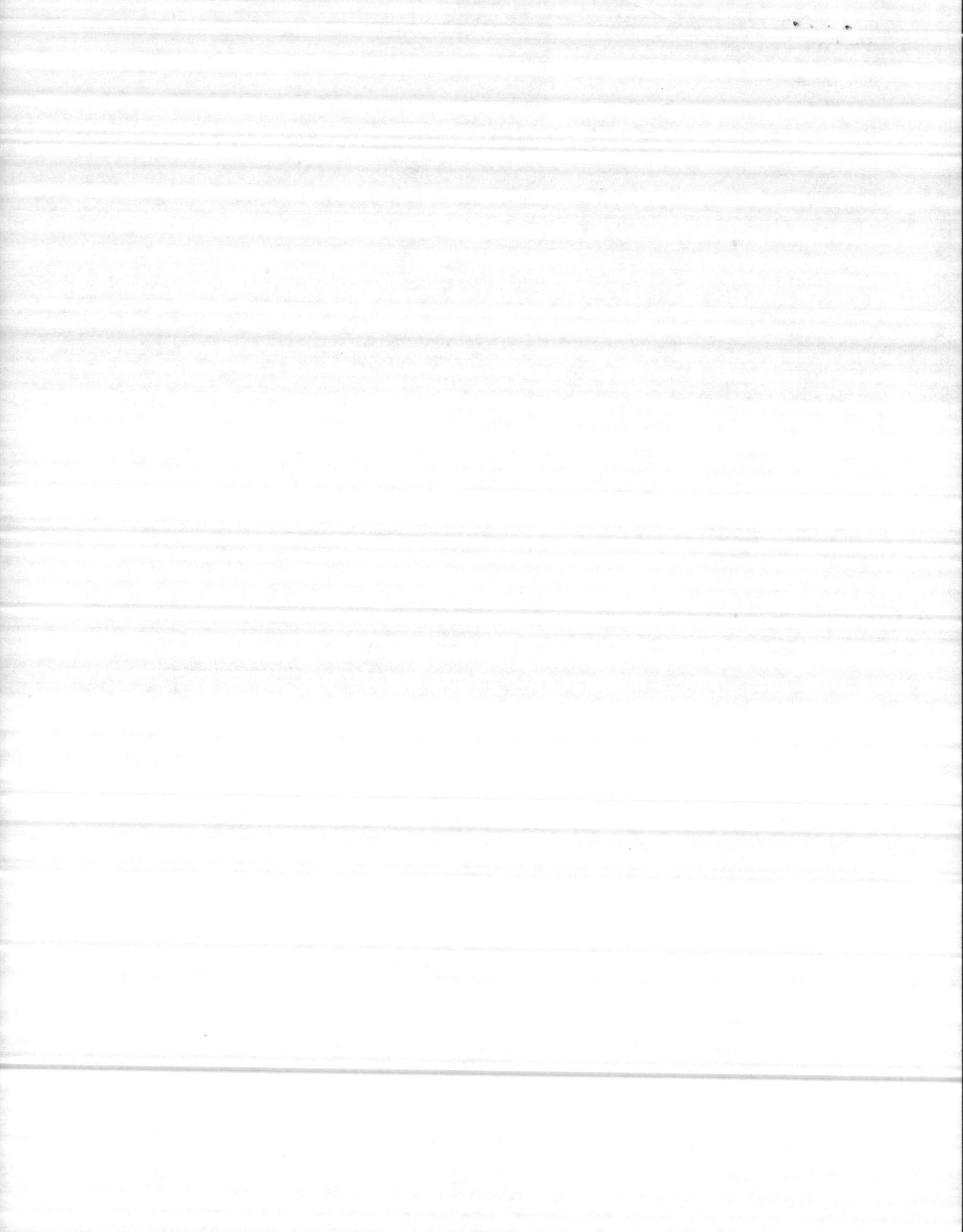


TO FOLKSTONE
VICINITY MAP
 SCALE 1" = 8000'

PROPOSED SEWER OUTFALL
 IN
 NEW RIVER
 AT
 CAMP LEJEUNE, N. CAROLINA
 APPLICATION BY
 ATLANTIC DIVISION
 NAVAL FACILITIES ENGINEERING COMMAND
A.R. Young
 FOR EFD FOR CADD NAVFAC
 22 OCT 71 EFD DWG 43-102843

EXHIBIT "A"





444-7411

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PI-139

26 OCT 1971

Mr. T. Boie Costen
Assistant Attorney General
Department of Justice
State of North Carolina
Raleigh, North Carolina 27603

Dear Mr. Costen:

The Department of the Navy plans to construct a 12-inch sewage outfall line approximately 850 feet across the beds of New River at the Marine Corps Base, Camp Lejeune. The line will connect with an existing sewage treatment plant and extend into the river at the approximate location shown on the drawing attached as exhibit "A" to the enclosed use agreement.

The treatment plant to be served by the line recently underwent an extensive improvement project to upgrade treatment facilities. The project site plans and design criteria for water pollution control were approved by the Middle Atlantic Region, Federal Water Pollution Control Administration, subject to certain suggested changes which were subsequently included in the improvement project. Originally, the project anticipated use of an existing 8-inch outfall line extending 500 feet into the river. Subsequently, the existing line was determined inadequate and will be replaced with the new 12-inch line to provide greater dispersion of effluent. The existing line will be plugged and abandoned. The outlet end of the new line will be adequately marked with a pipe location warning sign as shown on the enclosed specification drawing. There will be no change in effluent from that previously approved by the Federal Water Pollution Control Administration.

A permit has been requested from the District Corps of Engineers, Wilmington, North Carolina authorizing construction in navigable waters. In addition, the State's approval is required, since the line will cross submerged land owned by the State.

Enclosed is a proposed Special Use Agreement authorizing use of the submerged land. If acceptable, please have the Agreement



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executed and return the original and one copy to this command.
The remaining copy may be retained for your records.

Since we hope to award the construction contract in the very
near future, your cooperation in expediting approval will be
appreciated.

Sincerely yours,

H. D. HALE, II
LCDR, CEC, USN
Atlantic Program Officer
By direction of the Commander

Encl:

- (1) Proposed Special Use Agreement
(in triplicate)
- (2) HFD Dwg. No. 101996

Blind copy to (w/o encl):
CORCORN CAMLEJ

