

File: W34-97-N.C.

C O P Y

117 172
File

REVOCABLE PERMIT

from

UNITED STATES OF AMERICA

to

NORTH CAROLINA STATE HIGHWAY
AND PUBLIC WORKS COMMISSION

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 PERMITTOR, 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 open and use for the benefit of the public as a public highway that road known as the Sneed's Ferry-Starling Road running across the U. S. Marine Corps Training Station, Camp Lejeune, North Carolina, from Bear Creek to State Highway 172 at New River, North Carolina, said road being delineated and designated in red on Y&D Drawing 162050, Camp Lejeune General Area Map, attached hereto as Exhibit "A" and made a part hereof.

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 PERMITTOR, or by its duly authorized representative.

C O P Y

2. The PERMITTEE is not to be considered as acquiring hereunder any permanent interest of whatever nature in the land of the PERMITTOR.
3. 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 PERMITTOR or by the Commanding General, Camp Lejeune, North Carolina, who is hereby designated as the local representative of the Navy Department. The Commanding General reserves the right to close the public road at any time, without prior notice, for military or training purposes or any purpose whatsoever in providing for military security of the Camp Lejeune area.
4. The PERMITTEE consents to the termination of a MEMORANDUM OF AGREEMENT executed March 4, 1944, by and between the STATE HIGHWAY AND PUBLIC WORKS COMMISSION and the UNITED STATES, copy of which is attached hereto as Exhibit "1", providing for the operation and maintenance of the Sneed's Ferry Bridge over New River in Onslow County, North Carolina, and the PERMITTEE thenceforth agrees to assume full responsibility for the maintenance and operation of said bridge, including the operation of the draw bridge and navigation and traffic lights, and the PERMITTOR agrees to surrender operation, maintenance and control of the Sneed's Ferry Bridge to the PERMITTEE, the NORTH CAROLINA STATE HIGHWAY AND PUBLIC WORKS COMMISSION.
5. The PERMITTOR hereby accords permission to the PERMITTEE to mark the road indicated in red on the map, Exhibit "A" attached hereto, with North Carolina State Highway markers for the purposes of identifying the roadway.
6. The PERMITTEE will assume the responsibility of posting this road at the New River and Bear Creek terminus point with a suitable sign warning the public that the road is a government-owned right of way and that all persons travelling the highway do so at their own risk.
7. The PERMITTOR shall continue maintenance, control and operation of the subject road.

C O P Y

8. In the event that death or injury occurs to any person, or loss, destruction or damage occurs to any property in connection with the use of this highway by the public by the operation of any facility or any other means of transportation whatsoever, the PERMITTEE, insofar as it may legally do so, agrees to indemnify and save harmless the PERMITTOR from and against any loss, expense, claims or demands to which the PERMITTOR may be subjected as a result of such death, loss, destruction or damage.

IN WITNESS WHEREOF, the Navy Department, on behalf of the UNITED STATES, has caused this permit to be executed this 21st day of February, 1946.

UNITED STATES OF AMERICA

By (signed) Andrew J. Murphy, Jr.
By direction of the Chief of
the Bureau of Yards and Docks,
acting under the direction of
the Secretary of the Navy.

THIS PERMIT is also executed by the PERMITTEE in acknowledgment and acceptance of the terms herein set forth.

STATE OF NORTH CAROLINA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF HIGHWAYS

By (signed) A. H. Graham
Chairman,

C O P Y

MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT, made this 4th day of March, 1944, by and between the State Highway and Public Works Commission, an agency of the State of North Carolina represented by the Acting Chairman thereof, hereinafter called the Commission, and 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 Government.

WITNESSETH:

THAT WHEREAS, the State Highway and Public Works Commission, with the use of funds furnished by the United States acting through the Public Roads Administration, is engaged in constructing a new bridge over New River in Onslow County, North Carolina, on N. C. Route 172, known as the Snead's Ferry Bridge, further identified as Defense Access Project DA-NR-3-B(1); and

WHEREAS, for the duration of the present war emergency the use of the said bridge will be restricted by the Commission to military and official travel and the Government in consideration of the use to be made of the said bridge, is willing to agree to maintain the same.

NOW, THEREFORE, IT IS AGREED that as soon as the said bridge is completed and ready to be opened to traffic and the Government is notified of this fact, that from and after that date the Government will assume full responsibility for the maintenance of the said bridge and the north roadway approach, including the operation of the draw span and the navigation and traffic lights, all without cost to the State Highway and Public Works Commission.

That in order to more fully carry out the purpose of this agreement, the Government, in the interest of security, shall have the right to police the said bridge, together with the approaches thereto, by means of Navy or Marine Corps personnel, with permission to erect and maintain a sentry box in the right-of-way of the South approach to said bridge and in the proximity thereof.

IT IS FURTHER AGREED that this agreement shall remain in effect for the duration of the present war emergency and six months thereafter and for such additional time as the Navy Department may find it necessary to continue the restriction for the use of the said bridge to military and official traffic.

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. Nothing, however, herein contained shall be construed to extend to any incorporated company, if the agreement be for the general benefit of such corporation or company.

All expenditures to be made, or liabilities assumed by the Government hereunder, shall be subject to the availability of

C O P Y

funds, therefor, or to an appropriation for such purpose by the Congress of the United States.

IN WITNESS WHEREOF, this Memorandum of Agreement has been executed in the day and year above written.

UNITED STATES OF AMERICA

By

By direction of the Chief of
the Bureau of Yards and Docks,
acting under the direction of
the Secretary of the Navy.

STATE HIGHWAY & PUBLIC WORKS COMMISSION

By

Acting Chairman

...to the ... of the ...

...the ... of the ...

UNITED STATES OF AMERICA

...of the ... of the ...

UNITED STATES OF AMERICA

...of the ... of the ...