

DEPARTMENT OF THE NAVY
Bureau of Yards and Docks
Washington 25, D. C.

B-411.1C/bcj

Jan 4 1954

From: Chief, Bureau of Yards and Docks
To: Director, Property Administration Division
Via: Assistant Chief for Business Management

Subj: Easements granted by the Department for water, gas and
sewer pipe lines; standard provisions

Ref: (a) NPR&D Reg. No. 2 (Rvd 1 June 1953) Sec 102-3
(b) Act of May 17, 1926 as amended, (44 Stat. 562; 61
Stat. 501; 10 USC Sec 1351) as made applicable
to the Secretary of the Navy by the Act of October
25, 1951 (65 Stat. 641; 50 USC Sec 171-1)
(c) Federal Property and Administrative Services Act
in 1949, as amended (63 Stat. 378, 64 Stat. 591,
66 Stat. 593; 40 U.S.C. 471 et seq.)
(d) Public Buildings Service Circular No. 1 (8 Mar 1950)
Sec 8-s-2

1. In accordance with reference (a), this instruction is
given with respect to all easements for water, gas and sewer
pipe lines authorized under the authority of references (b),
(c) and (d).

2. Any instrument of conveyance shall contain:

(a) The provisions required by the authorizing Acts and
any other applicable law or regulation;

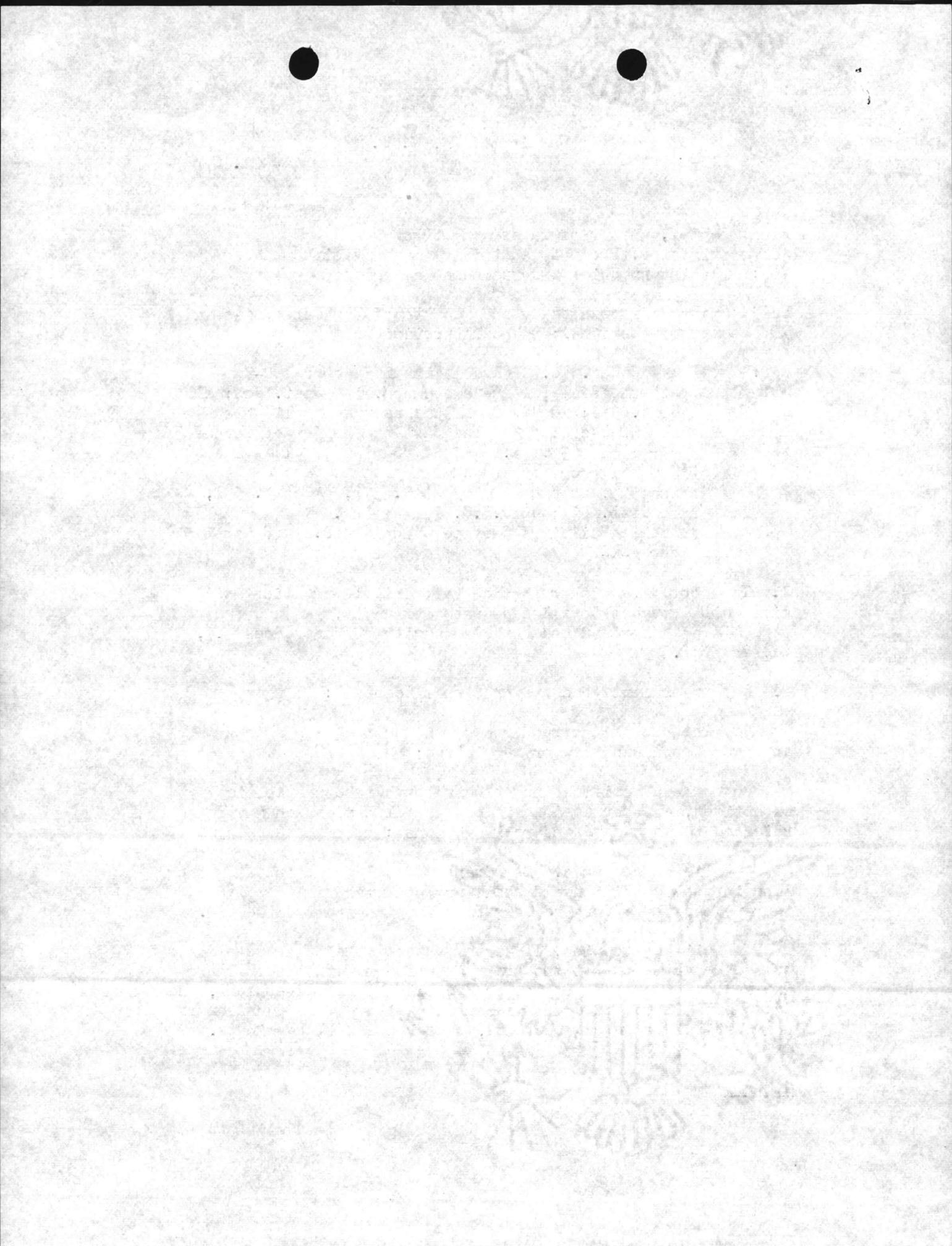
(b) unless modification or omission has been specifically
authorized, appropriate provisions as follows, which may be
referred to as the "Standard Provisions":

(i) Maintenance. The Grantee shall maintain said pipe
line in good condition and shall promptly make all repairs
thereto necessary for the operation and improvement thereof.

(ii) Relocation. If at any future time it is determined
by the Department that the grant interferes with the full use
and enjoyment of the Station or Facility by the Government, the
Grantee shall relocate if a substitute site can be found or if
no substitute site can be found, the grant shall terminate.

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(iii) Costs. The installation, operation, maintenance, relocation or removal shall be at the sole expense of the Grantee and at no cost to the Government.

(iv) Loss, Damage or Claim. The Grantee shall be responsible to the Government for all loss of or damage to Government property arising out of the exercise by the Grantee of the easement rights. The Grantee shall hold harmless the Government from any third party claim arising out of the exercise by the Grantee of the easement rights.

(v) Plans. All plans for original construction, repair or relocation shall be submitted to an appropriate official of the Department for approval in advance of such construction.

(vi) Regulations. A right in the Department to prescribe from time to time reasonable rules and regulations with respect to the exercise of the Grantee's rights in order to insure that such exercise is without interference with the Government's use and enjoyment of the Station or Facility.

(vii) Other uses. The specific right in the Government to use the area which is the subject of the grant for any purpose which does not create an unreasonable interference with the enjoyment by the Grantee of the right conveyed.

(c) such further provisions as may be appropriate under the particular circumstances in order to protect completely the interests of the Government and the Department.

J. A. McHENRY
Deputy Chief of Bureau

ENDORSEMENT NUMBER ONE

From: Assistant Chief for Business Management
To: Director, Property Administration Division
Subj: Easements granted by the Department for water, gas and sewer pipe lines; standard provisions

1. Forwarded for compliance.

E. J. PELTIER

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